

1 MR. YLVISAKER: Paul Ylvisaker,
2 Commissioner of Community Affairs

3 Let me describe the department
4 very briefly. As you know, it was created on
5 March 1st. It was an amalgamation of a number of
6 different operating units that the State plucked
7 from this department and that department and sup-
8 posedly by adding them up when we get a new de-
9 partment and new approach, these units are the
10 whole poverty program.

11 Second, housing, and we have
12 added to that urban renewal and relocation. That
13 includes also tenement inspections, building
14 maintenance codes or multiple family dwellings
15 throughout the State and codes enforcement.

16 The Legislature put on ac-
17 count all the codes, both for construction and
18 maintenance of multiple family dwellings.

19 Then, in that same housing
20 shop we have created, through the thanks of the
21 Legislature, a Housing Finance Agency, which now
22 is just getting on the ground, to produce moderate
23 income housing by going on the market with revenue
24 bonds. We have no upper limitation, so that we have
25 access to the bond market, depending upon what it

1 is at a particular time; and, therefore, can do as
2 Mitch Lama has done in New York, almost an infinite
3 amount of housing, depending upon the market.

4 In that same shop we have a
5 housing demonstration fund, which you may want to
6 look at during the course of your deliberations
7 This is a million dollars which is available to
8 do experimental rehabilitation and housing, writ-
9 ten very inflexibly so that we can go in the
10 direction that Senator Kennedy is trying to do.

11 But it is available for new kinds of experimental
12 work.

13 We have also in our shop the
14 Division of Planning, which is physical land use
15 planning During the last fifteen years it has
16 been a pioneer in the State of New Jersey working
17 largely with suburban communities on their devel-
18 opmental problems.

19 We are also responsible for the
20 coordination of the State's manpower plan. That is,
21 when we go to the Federal Government now for their
22 different kinds of grants for employment, probably
23 about twenty different federal agencies and state
24 agencies are involved. So it gets to be our job to
25 work with the interdepartmental committee and

1 coordinate that planning.

2 We also have the Division of
3 Local Finance, which has been around since 1917
4 It has, potentially, a very powerful operation
5 It has control and supervision over the local bond
6 issues and budgets in the state. It exercises
7 that power mostly in the interest of keeping com-
8 munities out of bankruptcy. But I think there is
9 a potential here for going beyond that, and we
10 hope to do so.

11 We also have a Division of
12 Training, which is working to get younger people
13 involved in local governmental problems This
14 summer, for example, we have ninety interns work-
15 ing with mayors, freeholders, other departments,
16 trying to get into the community colleges and into
17 the state colleges, to get these younger people
18 involved in the problems we are talking about.

19 We have a rather loose charge
20 to keep an eye on racial tensions. This is kind
21 of a general charge. It says keep an eye on them,
22 do what you can; and this involved us when the
23 riots occurred and the type of work we did in
24 Newark and Plainfield, which you might want to hear
25 about later

1 We also have responsibility for
2 Division of Aging and the Division of Youth In ad-
3 dition, we have been asked to see what we can do
4 post Governor Meyner and the Meadow Lands and see
5 if we can bring that one along; and I may have for-
6 gotten one or two other charges. But you can see
7 it's quite an amalgamum of things put together

8 We have added to this the
9 Division of Grant Programming and Coordination,
10 because, again, the legislation, both from the
11 1940's and renewed more recently, is a general
12 charge to see what we can do to coordinate federal
13 grants as they come to the State and affect the
14 municipality, the local governments. We have had
15 to play this one quite delicately because you do
16 not go tramping around playing with other people's
17 jurisdictions. It is an attempt to see if we can't
18 get the four hundred forty separate grant programs
19 coming out of Washington to come into the State
20 with some sense of coherence. We are just beginning
21 to work at that.

22 We have established an office
23 in Washington and, we have recently established an
24 office in Newark working on these problems. That's
25 the structure and the anatomy of the department.

1 By and large, we have been
2 staffed with relatively young people, some would
3 say impotent and bushy-tailed people, with the
4 idea that we do want to come in fresh with some
5 enthusiasm and new energies and see what we can do.

6 We have more Negroes in our
7 professional and clerical staff than in just about
8 any other department in the State, highly because
9 of the Office of Economic Opportunity, the Poverty
10 Program. But we have tried to move laterally into
11 our department that whole philosophy and also the
12 color composition, so that we are beginning to
13 move from the Poverty Program people in to working
14 with the other divisions

15 We feel very strongly, for
16 example, that we have got to move not to suburban
17 planning, having to do with water, sewage, zoning,
18 but to get into the central city problems. We were
19 beginning to do this just about the time the dis-
20 turbances hit.

21 That, Mr. Chairman, is roughly
22 the layout. Do you want me to say a few words
23 about what has happened the last month to affect
24 this? Or would you like to ask questions?

25 CHAIRMAN LILLEY: Any questions?

1 MR. BROWN: I would like to hear
2 him talk about last month

3 MR. YLVISAKER: When Newark was
4 hit, this is about a little over a month ago, we
5 were a convenient light brigade for the Governor
6 That is, we had probably more people and more energy
7 than we had clearcut assignments. The department
8 has had to go looking for a lot of business and to
9 redefine a lot of its business

10 As I indicated, our Division of
11 Finance has a lot of legacy about it of the 1930's
12 It's concerned with prudent management and resources.
13 Our Division of Planning has a lot of legacy of the
14 1950's, the housing, suburban development. So we
15 tried to turn around a lot of this to try to look
16 at the social problems.

17 At the same time, the legisla-
18 ture was fairly generous in giving us positions
19 beyond our immediate needs So we had men on board,
20 and when the riot hit in Newark, about the second
21 day, I should think, it was about Saturday, some-
22 time on Saturday--

23 MR. BROWN: You were there
24 Saturday morning about six o'clock. That's when
25 you walked in.

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MR. YLVISAKER: When I heard you talking about swearing witnesses, I got scared myself I literally can't recall the chronology of what happened from moment to moment. I have impressions, but I don't have fact.

When we were called in, the Governor was at the point of recognizing that he had to begin reaching out beyond military or security action, to begin talking to groups in the community, Negro groups predominantly, who hopefully if they couldn't converse, if they couldn't regain control of the streets and stop some of the rioting still in effect, they could begin returning normalcy to the streets so people would have a sense of security so life could go on; because at that point we had arrived at enough security to control the situation. But the danger of overescalation became immediately apparent.

Much tribute must go to Colonel Kelley I admired his performance throughout. Colonel Kelley realized that he had to get something different, or something extra, than just the security action.

We had on our staff Jim Blair. Jim was knowledgeable about some of the people and

1 he began meeting and assembling with some of these
2 groups Those negotiations helped the Governor
3 throughout the very busy days and they then led to
4 specific programs.

5 For example, we immediately got
6 going on distribution of food. It became apparent
7 that this was a problem. And each of our guys,
8 without very much direction, very spontaneously
9 was available to do a job if nobody else was avail-
10 able.

11 Then we got into the question
12 of people being held in custody There were mass
13 arrests, and I don't want to use the word indis-
14 criminate, but with less than full discrimination,
15 the question of how quickly you might release these
16 people and return them to society, such as the
17 Vera Foundation in New York for developing a system
18 of releasing people on their own recognizance, which
19 got us into a position to do this Jobs began
20 emerging. We worked hand-in-hand with Kelley

21 Then when Plainfield came, we
22 went over to Plainfield and began negotiating at an
23 early stage with people in the community and back-
24 stopping again Kelley's work. Again it became a
25 question of distribution of food, doing a lot of

1 different collateral things.

2 Then we deployed a lot of people
3 in New Brunswick. With Mayor Pat Sheehan, new to
4 the job, we had people helping her with recreation,
5 law and the rest. It almost took a department go-
6 ing in one direction by the scruff of the neck and
7 moved it over here, and it has very much conditioned
8 our later work

9 Since that time we have taken
10 some of the fellows, who showed themselves able and
11 brave on the street, and formed a community relations
12 service, which is now going into Atlantic City and
13 to just about all the major cities. And there is
14 on hand with the Mayor to help establish connections
15 with groups who are almost completely disconnected
16 at present.

17 The Governor turned to us at that
18 time and established connections with the federal
19 government and it was we who had the dealings with
20 Attorney General Clark and went down to Washington
21 and met with about a dozen of the major agencies to
22 talk about both the short term and long term of re-
23 lief through grants-in-aid. So this became a part
24 of our responsibility after the Governor decided
25 to move quickly to see what he can do as far as the

1 short and long range things.

2 I don't know whether this has
3 been distributed to you, but the Governor has de-
4 cided to make certain that the State is a model
5 employer, and with the help of other agencies,
6 Labor and Industry, Institutions and Agencies--

7 MR. BROWN: What is that?

8 MR. YLVISAKER: This is a
9 statement by Governor Hughes for release on Friday,
10 August 18.

11 We have counted up, through
12 both head counts and individual departments and
13 by computer runs, the vacancies in the State em-
14 ployment right now, which turn out to be about
15 twenty-five hundred, fifteen hundred of which can
16 be filled by people with high school and less edu-
17 cation. We have discovered, as in many employment
18 cases, that we have set the requirements in the
19 past very rigidly and very high, and what we are
20 now doing is to go out and to open up recruitment
21 to people who were not formerly eligible, identify
22 these spots and major groupings, develop training
23 programs so that we can recruit a guy with no high
24 school education, in some cases not able to read
25 and write, and then put him into a training program

1 and fill him into spots, and we have determined
2 that each of these spots should go into a possible
3 career ladder, so they don't deadend at \$70.00 a
4 week, by training and retraining and upgrading over
5 a time so that now a person without high school edu-
6 cation can move on up right into the high-paying
7 jobs. This is just an example

8 We are also working on rat-
9 control in the sense of environmental sanitation.
10 We think that probably one of the very good things
11 we can do right now would be to go to once a day
12 the collection of trash and garbage in the slum
13 areas of the State, which would generate both em-
14 ployment and would do an awful lot to clean up
15 these neighborhoods This is not intended to be a
16 long-term solution, but one of them, things one
17 might do immediately.

18 I have been in constant contact
19 with Washington, the various senators working on
20 this in the White House, to see what can be done
21 with aids coming into the State along these lines
22 And then, in addition, we have been working very
23 closely with the Governor and David Ginsberg on the
24 President's Commission, which is your counterpart.
25 We were down to an informal meeting with them last

1 week, fifteen of our people, including Colonel Kelley
2 and the Attorney General and others, and have gone
3 through the same sort of thing you're going through
4 here.

5 I think what this adds up to, it
6 has turned out to be an available light brigade.
7 We have gotten pressed into various duties, but I
8 think it's to the extent we have been helpful and
9 it has been a kind of historical convenience that
10 put us where we were.

11 CHAIRMAN LILLEY: Questions,
12 gentlemen?

13 MR. LOFTON: In terms of your
14 staff contact with the people in the areas affected
15 by the hostilities, have you been able to sort of
16 rank order the kind of problems that the people
17 see in their minds as being the kind of things that
18 the various governmental structures ought to address
19 itself to?

20 MR. YLVISAKER: Yes, I already
21 know how diverse those things are, too. Last night
22 at three o'clock I was in a ghetto residence with
23 an eighteen-year-old boy who had been in trouble
24 with the law twice, who has a mother of extraordinary
25 intelligence. I began thinking that the basic needs

1 were for something else other than material struc-
2 ture There was a philosophic revolution going on
3 in the household, almost a denial of our culture.
4 And this scared me, because nothing is relevant
5 that we have to offer to that mood and climate.

6 On the other hand, the conver-
7 sation can switch inside of thirty seconds to the
8 fact that look at the tin cans out in the front
9 that haven't been picked up for three days; or we
10 are going to be urban renewed right out of the
11 place, they are going to put a by-pass and take
12 out our houses And one can list a fantastic
13 range of problems, all the way from philosophy to
14 whatever.

15 I think it's terribly import-
16 ant that we begin mapping who are really the dis-
17 connected, who are not being touched by the Poverty
18 Program, and there may be very few in the community
19 But we have got to know who they are and start
20 listening and getting in touch with them. They may
21 not be articulate, but they are there when the explo-
22 sion occurs.

23 I think it's terribly important,
24 when we get into the law and public safety and the
25 administration of justice, wherever these explosions

1 have occurred, they have been touched off usually
2 with a police incident--and I am making no allega-
3 tions here. There has been a frictional point
4 here. And I can recite the other usual things:
5 employment, housing

6 If I could add one statement
7 to that, though, it is the basic feeling I have
8 that this Commission has got to take a look at
9 certain long-term trends and recognize that we are
10 dealing probably with a rising crescendo of year
11 after year of these incidents. And the basic facts
12 are these, that the Negro ghetto is growing by
13 five hundred thousand a year. Next summer, the
14 nation faces half a million more in these circum-
15 stances. The number of jobs relatively is declin-
16 ing. The condition of houses is declining. So
17 you can anticipate a thousand different points of
18 explosion.

19 But the basic problem is this
20 tremendous concentration of problems, with the
21 attendant feelings of hopelessness and growing
22 assertiveness and militancy.

23 So that even with the most fan-
24 tastic response of government right down to this,
25 you can still persevere through time for three or

1 four years the momentum we are dealing with this
2 summer, and what is relevant to that is very basic
3 changes in our whole attitude and policy.

4 MR. BROWN: What is this ma-
5 terial change in thought? You say you were fright-
6 ened by this particular philosophic discursion.
7 Is it related to the fact that the family unit is
8 no basis of authority or that the very young--I
9 suppose it was a young person who expressed this
10 particular point of view--or that that particular
11 person has absolutely no new adherence to anything,
12 as opposed to the idea that the press likes to
13 give that there is a new leadership, a new con-
14 fluence of thought? Is it rather a neolistic ap-
15 proach which renounces family authority? Of
16 course, religious authority, I think, is somewhat
17 blind there. Is that in scope something what
18 you're talking about, the frightening response?

19 MR. YLVISAKER: Yes. And, by
20 the way, it is not racial entirely, though the in-
21 cidences are highest in that population. But I
22 find it even in my own seventeen-year-old, the
23 explosiveness that you find in the ghetto. But
24 what it is, it's kind of a search for our identity
25 in the mass and not much of any kind of satisfaction,

1 emotional satisfaction in this condition of life,
2 then kind of a tuning out.

3 For example, the mother last
4 night said: I died three years ago, I am not even
5 going to talk about all the old things. I have
6 suddenly realized that I am nothing in this society
7 I am not going to be nothing

8 And she said a certain seren-
9 ity turns within her, but it's also a passivity
10 when they become violent

11 The kid, on the other hand,
12 has no father in this case. It's a maternal
13 family. And he has almost a blind hostility to
14 things, which turns out sometimes to be almost
15 suicidal in nature. On two occasions he has
16 really tried to kill himself by episodes of vio-
17 lence in the streets. It was not so much to break
18 society as to kill himself He just figured no
19 purpose, no end, no nothing. And when you go into
20 some of these major ghettos, like the Central Ward
21 of Newark or North Philadelphia, you can begin to
22 appreciate that kind of sentiment.

23 I have a feeling of something
24 here, some of them will go to brand names of phil-
25 osophy, to Mauism, Castroism, to the Deacons or to

1 the Rams, sometimes to the church, whatever But
2 it's a striking out for something that they don't
3 find in their present culture. It's a denial of it

4 MR. DRISCOLL: As I understand
5 it, Colonel Brown's question had to do with the
6 question of family life, marital--was that correct,
7 Colonel Brown?

8 MR. BROWN: Yes Part of the
9 question was this unit being disavowed, too.

10 MR. DRISCOLL: I think, from
11 studies that I have made, it is a very real prob-
12 lem, and a problem where we need a lot of help.

13 My second question was: you
14 have a Department of City Planning?

15 MR. YLVISAKER: Yes

16 MR. DRISCOLL: Have some good
17 men?

18 MR. YLVISAKER: Yes. I think
19 you know some of them, Bud Shavusion, and the
20 group that has been attracted, I think largely
21 during Governor Meyner's term. They are very
22 good, very dedicated. But their orientation has
23 been to suburban New Jersey Their concern has
24 been with the green space, the open spaces, the
25 water and sewage, the street layout, all the rest

1 of this And by and large there has not been a
2 planning emphasis on the central city

3 MR. DRISCOLL: So would it be
4 your opinion that we would have to go outside to
5 find a group of pros or a pro who would be an ex-
6 pert in city planning?

7 MR. YLVISAKER: No. I think
8 it's just a matter of leadership and redirection.

9 For instance, Bud Shavusian,
10 during the middle of the riots, went into Newark
11 and ended up in the apartments in the Colonades
12 watching the thing It was a grandstand seat. He
13 saw the snipers emerging from a nearby building
14 and the National Guard literally firing up and
15 down that whole building. This brings out in Bud
16 what he started out to be, which was a downtown
17 renewal guy, and he suddenly wants to go back in.

18 Our housing division, which is
19 new right now, the housing and finance, and the
20 Poverty Program has most people who are concerned
21 with the downtown area. But if you say go outside,
22 the facts are we are going to have to go outside
23 just about any of our experience to deal with what
24 we have seen now in New Jersey this summer. This
25 takes an entirely different kind of skill

1 MR. BROWN: There are no dis-
2 ciplines that really apply

3 MR. YLVISAKER: John Lindsay,
4 who is a very close friend of mine, we spent last
5 night about an hour together just musing And
6 Lindsay has got something here which is badly
7 needed, which is an obvious and sincere concern,
8 and he is walking the streets of New York. They
9 love that guy, and he is better than a thousand
0 troops when he shows his concern. But the heart
1 and sensitivity are very much needed.

2 John and I last night were also
3 talking about that his magic will take care of this
4 round, he will survive this summer; but his magic
5 won't survive next summer

6 MR. BROWN: One of my favorite
7 clients from Harlem, I said to him, "What about
8 Harlem?" I was walking the streets with him for
9 about three nights last week. I said, "Ray, what
0 do think?"

1 He said, "Nothing going to hap-
2 pen this time."

3 I said, " Why?"

4 He said, "This guy Lindsay, he
5 knows that he doesn't know much, and he picked a

1 guy by the name of Waits, who is an inspector of
2 police, along with Sealy, who is better known, and
3 Waits has taken over here and he has made it clear
4 to the white cops that when they get out of line,
5 they have to get transferred."

6 I said, "How is that a stick?"

7 He said, "Most of these guys
8 are buying homes in Queens. They get a normal
9 shakedown and if that guy gets out of line, he
10 loses the car and the mortgage. Waits has now
11 moved in and says all you guys are corrupt. He
12 says, Look, you go. And he has fired a couple of
13 lieutenants who he says have cracked down too hard
14 on us."

15 And he says Waits walks the
16 streets and he knows all of us and he says that if
17 that guy falls I am going to kill me a bunch of
18 niggers if they get out of line.

19 This is the reality of the
20 street. He says you don't get dragged in, and he
21 says another thing he has done is he has made it
22 clear that a cop turns his back on a Negro fight
23 between a man and a woman. The traditional tech-
24 nique is for the white cop or Negro cop, if he sees
25 the fight, is to turn his back. So much of this

1 goes beyond the racial question. He said he walks
2 away This leads to immediate mayhem and it's spread
3 into the community And this woman says I am
4 nothing A man beats me in the situation, he walks
5 away.

6 The thing I'd like to get back
7 to is this, in terms of something we have to dis-
8 cussed here. In your opinion, being right in the
9 front, could a commission of this kind be meaning-
10 ful if it limited its scope so that it didn't get
11 to that new--try to delve or interpret or respond
12 to this new concept of philosophy of either the
13 forty-year-old woman who says she died three years
14 ago or in the younger man who says I want to get
15 killed, could this commission, in your opinion, do
16 a meaningful job unless it got somewhere in the
17 heart of it?

18 MR. YLVISAKER: My answer is
19 implicit in your question. I would hope this com-
20 mission, just like the national commission, gets
21 right down into the guts and feel of the situation.
22 The national commission is taking it seriously,
23 even gaining the situation, as Rand does with the
24 war effort, to get the commission to begin playing
25 roles that are not their own roles, just to exper-

1 ience the emotion of this thing.

2 I would also suggest an awful
3 lot of walking and talking with these people in
4 confidence and openly because there is a lot in
5 what this guy says about Lindsay. He says he
6 doesn't know a lot of things and he joins us in
7 the kind of uncertainty in this situation. I
8 don't know of a single guy in this business who
9 really knows the answers right now. But every-
10 body in our generation is a phony, and if they
11 think they know the answers, something basically
12 is wrong. There are an awful lot of people who
13 feel that has to be in the situation.

14 CHAIRMAN LILLEY: Commissioner,
15 knowing you're coming back, I think you're getting
16 into things we are allotting time for at another
17 time.

18 MR. GIBBONS: Is your depart-
19 ment doing anything about a study of the extent to
20 which the fragmentation of municipal government in
21 this state contributes in its ability to deal with
22 these problems?

23 MR. YLVISAKER: Yes. My first
24 several months, when asked that question, I was
25 pretty ambivalent, I talked out of both sides of my

1 mouth I wanted to bide time. My answer at that
2 time was don't force me to a categorical answer

3 There are some cases where a
4 little town can do a job by itself. Many times you
5 need a county, many times you need a region. But
6 it's becoming clear in my mind that five hundred
7 and sixty-seven municipalities in New Jersey cannot
8 survive or produce what this state needs. The art
9 is going to be in the next two or three years,
10 when we don't have much time here to begin making
11 basic structural changes in the revenue pattern and
12 in the service pattern, which doesn't mean, I think,
13 getting away from little access points, but almost
14 like AT&T, which managed to develop a service sys-
15 tem over a larger jurisdiction yet be extremely
16 service-sensitive to complaints. I think we can go
17 into both directions.

8 One of the problems in the
9 Negro community is there are no access points down
0 there. There isn't service on the one hand, and
1 there is no complaint mechanism. And one of the
2 big answers lies in getting some connections, get-
3 ting the complaint mechanisms moving. They don't
4 necessarily have to be tied to the running of the
5 service

1 But I do believe Jersey has got
2 a major structural job ahead of it, and I am sure I
3 will last about two years in this job if I take it
4 to heart, as I should.

5 MR. BROWN: From what you talk
6 about in terms of access, most of the so-called
7 moderate Civil Rights groups have advertised as
8 the progress to an expression of power and recog-
9 nition the political route, that is, the normal
0 business of registration, educate the voter to
1 vote for candidates

2 Is it your feeling that this
3 root with its systematic development, has to be
4 superseded for the time by some governmental or
5 some community participation and lines of commu-
6 nication which ought to be developed in government,
7 so that for example, instead of having the tradi-
8 tional representative being responsible on the ward
9 council of a city basis, is it your feeling that
0 that, while it may be the ultimate solution, is not
1 going to apply in this particular circumstance and
2 that other lines of communication and force have to
3 be devised?

4 MR. YLVISAKER: Let me answer
5 that in two ways, and then I will subside.

1 Let me give you the big saying
2 again I mention that figure that the Negro ghetto
3 is growing by five hundred thousand every year
4 This means that you have got the emergency faced
5 with two choices: one, five hundred thousand Negroes,
6 at least, a year move into white neighborhoods,
7 which is now about fifty thousand, at most. Now,
8 that would just keep the Negro ghetto of Newark its
9 present size. You are not reducing it that scale.
0 If you're to reduce it, you would have to up that
1 migration to seven hundred fifth thousand, or more.

2 On the other hand, if you go
3 with our present rate of development, it means
4 that five cities join Newark and Washington by
5 1973 with Negro majorities, and by 1983 twenty-
6 five cities, which means Chicago, Philadelphia,
7 Detroit, the rest of them.

8 Now, this would be alright, but
9 the trouble is the central city, this is becoming
0 the depressed area. Forty percent presently live in
1 poverty

2 But to answer your question,
3 this means that if we are not going to integrate,
4 which seems to be the majority vote right now, if
5 we are not going to integrate, we must look forward

1 to transitional politics to put the Negro in control
2 of those cities so that you do not delay the day
3 there is the mayor and council, and the rest. The
4 transitional politics gets to be pretty dirty pol-
5 itics. This is part of the facts Transitional
6 politics is dirty politics because of the buy-off
7 and trade-off of votes. This produces a disillu-
8 sionment that really eats at the heart of the thing

9 So I think that if it's to be
0 implicit, such as in New Jersey, that we are going
1 to have segregated cities, then I think we have to
2 really work toward a clean transition toward Negro
3 leadership and making sure that there are people
4 brought into the system and not excluded by ward
5 practices or political practices.

6 The second thing is the real
7 meaningful participation comes in something that
8 emerges. You have to see a tangible result. You
9 can't play games in this business A lot of games
0 are being played with the Negro communities, as we
1 are used to in politics You put a guy here, des-
2 ignate a person here, whatever.

3 We are going through some
4 agonies now. The medical school in Newark, where
5 a medical school is moving in, with one hundred and

1 fifty acres and has been fought bitterly The facts
2 are that most of the Negroes who live in the area
3 want to move out, but they don't want to be pushed
4 out. That's where the main protest is One inter-
5 est is now taking over a piece of Newark. I think
6 the planning of that medical school acreage has
7 passed its immediate needs. It's very important.

8 This is why Governor Hughes
9 announced, as he did recently, there ought to have
0 some very significant community participation here
1 to make sure that school fits community needs as
2 well as its own needs And I am satisfied, after
3 talking with the Surgeon-General and Secretary
4 Gardner at the White House, that such service
5 facilities have to be knit together with the com-
6 munity so that there is a feeling of mutuality

7 If that can be worked out in
8 Newark, as a pioneering effort, where there was
9 real mutual participation, we would be far ahead
0 in the game; and that even admits the fact that
1 you're going to have difficulty getting two or
2 three Negroes to represent any part of their commu-
3 nity. But at least they have been involved in de-
4 cisions of their community It's the lack of par-
5 ticipation that produces a lot of the neolism that

1 we are talking about.

2 CHAIRMAN LILLEY: Thank you,
3 Mr. Ylvisaker

4 (Off the record.)

5 CHAIRMAN LILLEY: In accord-
6 ance with the rules of the Commission, there will
7 be a transcript made up of everything we say during
8 your discussion, Colonel Kelley. But I think we
9 agreed among ourselves that this is not for the
0 press; this is for the Commission. And if there
1 is anything you want to read, you will get a chance
2 to read it. But I think you should know the gentle-
3 man there is taking down everything.

4 Thanks for being with us, and
5 my apologies for the wait. I try not to keep
6 people waiting, but it sometimes happens. So just
7 be as informal as you like. The floor is yours.

8 COL. KELLEY: As I understand
9 it, you're looking for background information so
0 that you have the basis for whatever questions--

1 CHAIRMAN LILLEY: Just what
2 you have got. We would expect that at some future
3 date you would be here with lots of time for dis-
4 cussion.

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0 that you have the basis for whatever questions--

1 CHAIRMAN LILLEY: Just what
2 you have got. We would expect that at some future
3 date you would be here with lots of time for dis-
4 cussion.

5 MR. MEYNER: I think what we

1 want this time is to know what information you have,
2 what facilities you have, how you operate and what
3 connection you have with other police agencies

4 COL. KELLEY: I would like to
5 give you the background of how the State Police
6 and how the organizations of the State Police and
7 National Guard were married.

8 It was in 1965 we met in Newark
9 with the mayors of the major cities, Patterson,
0 Elizabeth, Newark, Camden, I believe Jersey City,
1 the Governor, Attorney General, myself and
2 General Cantwell, and we discussed at that time
3 the possibility of a disorder.

4 It was generally agreed at
5 that time that the procedure for getting assist-
6 ance from the State would be the mayor of the
7 municipality would request the Governor for State
8 Police assistance. We would go first, and the
9 National Guard would come on the scene if I re-
0 quested it This was a policy that was adopted
1 at that time.

2 We met with the National Guard
3 many times, I would say ten, twelve times, to co-
4 ordinate communications, liaison between commanders,
5 geographics of the cities concerned, and to become

1 relatively associated with each other's problems

2 We have a policy that wherever
3 there is a strike or riot or disorder, the State
4 Police sends an observer, and this is the policy
5 and has been the policy.

6 We anticipated trouble areas
7 throughout the State. On the basis of this anti-
8 cipation, we surveyed the armories throughout the
9 State, throughout the towns We surveyed the
0 Newark armory and it was decided we would have an
1 assembly point, which would be the Roosevelt Armory,
2 and an ultimate assembly point, which would be the
3 East Orange Armory

4 In May we sent up our commu-
5 nications team and we made a survey and we put in
6 sixteen telephone connections into the Roosevelt
7 Armory a week before this affair took place. We
8 established the telephone communications in the
9 Roosevelt Armory and we established a hot line in
0 the Newark city hall, police department.

1 We also had two observers in
2 Newark a week prior to this situation.

3 MR. MEYNER: When you say ob-
4 servers, were these state policemen who were in
5 plain clothes visiting the police department,

1 walking around the community?

2 COL. KELLEY: That's right.

3 These were the plainclothes men that we use that
4 would go and be with the human relations group.

5 They are our detectives, plainclothes men.

6 MR. LOFTON: I might add the
7 Colonel was on his job, because I conferred with
8 one or two of the fellows you had there all during
9 the time of the Planning Board hearings, and the
10 kind of things that happened. They were certainly
11 there at the meetings, the fellows from your staff.

12 COL. KELLEY: I would like to
13 state at this time we had no conducive proof or
14 evidence that there was going to be a disorder at
15 this time. We had the feeling, I would assume just
16 like you had the feeling, and from our observers
17 we did get the feeling that something could happen.

18 With that in mind, we tested
19 our radio equipment and we found that our walkie-
20 talkies were not effective because of the tall
21 buildings So we established--and I want this for
22 the record, because it will come up later We
23 established a relay tower at the Martland Medical
24 Center This was established on the fifteenth
25 floor We sent our communicators there and we

1 knew that we had communications throughout the city,
2 both with walkie-talkies and radio communications.
3 We knew that we were tied with the National Guard
4 communicationwise and we knew that we were tied in
5 with the Newark police telephonewise This was
6 the prior planning

7 MR. DRISCOLL: Were you tied
8 in with the Governor's office or the Governor?

9 COL. KELLEY: Yes, sir, we
0 were definitely tied in with the Governor Of
1 course, we could not move unless the Governor told
2 us We could not move in any direction until the
3 Governor told us

4 Now, from our logs--and you
5 will have access to the logs we are talking about.
6 These are excerpts from the logs.

7 At nine o'clock in the morning
8 of the 13th, we activated our radios and tele-
9 phones and our emergency generators

0 MR. MEYNER: The 13th was what
1 day?

2 COL. KELLEY: The disturbance
3 took place the night of the 13th. This was the
4 morning of the 13th.

5 REV. DOUGHERTY: Was that

1 routine or was that in anticipation?

2 COL. KELLEY: Your Excellency,
3 the night before there was a disturbance in Newark,
4 if you recall. This was the 12th, when the cab
5 driver was arrested and there was a disturbance.
6 That was Wednesday night. Wednesday night the
7 disturbance took place, the 12th.

8 At that time we were in com-
9 munication with the Newark Police Department, and
0 the Newark Police Department requested--or we re-
1 quested if they needed any assistance and we in-
2 formed them again of the procedure that would be
3 required of them and their mayor to get assist-
4 ance from the State. They informed us that the
5 situation was in hand and they could control the
6 situation. That was on the 12th

7 We are back again to the 13th.
8 The situation, from our observers, was such that it
9 demanded a little more attention on our part. We
0 in turn activated the National Guard Armory We
1 alerted the National Guard, and they in turn sent
2 their commanders to their command posts. They were
3 on duty at eleven o'clock; between 11:00 and 11:30,
4 just standing by

5 REV. DOUGHERTY: In other words,

1 the community would have noticed this upping, would
2 they, the alerting of the community?

3 COL. KELLEY: It was quite ob-
4 vious at this time that the thing was getting out
5 of hand. I will read from the log.

6 MR. BROWN: I think he means
7 could the community see them beefing up.

8 COL. KELLEY: No, sir. We are
9 talking about the National Guard. I am talking
0 about four people, the commanders that went there
1 to their respective command posts and had tele-
2 phone communications and were on the job at that
3 time, alerted, if necessary This is their normal
4 function They are State employees.

5 CHAIRMAN LILLEY: Colonel, one
6 of the things you mentioned so far that caught my
7 ear, you have a number of reports and logs, things
8 of that type that are available to us as we will
9 have need for them.

0 COL. KELLEY: Right, sir
1 Some of the things as Oliver and the Governor and
2 the people in the legal field will have to realize
3 that there may be some grand jury action or there
4 may be some action on the judicial end, and we want
5 these things to be held until we get legal opinion.

1 If I am not in the direction
2 you want me to go, tell me. I am trying to bring
3 you up in sequence.

4 CHAIRMAN LILLEY: We are going
5 to have it chronologically. It's on its way to us
6 now, as I understand it. The thrust of what we
7 are seeking today is what else do you have that
8 we can use.

9 MR. BROWN: I think there is
0 one issue, Mr. Chairman. You assumed that certain
1 reports would be available. I don't think that's
2 so. I think they are available subject to a
3 decision of the Attorney General.

4 COL. KELLEY: That's right.
5 But the things like the public documents, the
6 chronology for time, and such things, naturally,
7 I can fill you in.

8 MR. BROWN: That would mean
9 our Executive Director, at the Chairman's direction,
0 would contact Mr Sills and say, Look, there are
1 certain reports we would like to see and he would
2 have to clear it.

3 MR. JAFFE: Colonel, is the
4 State Police preparing any general overall invest-
5 igative report of participation in the Newark and

1 Plainfield problems?

2 COL. KELLEY: Definitely

3 MR. JAFFE: Is that in stages
4 of preparation?

5 COL. KELLEY: Yes. Five men
6 are working on it.

7 MR. JAFFE: Is that report for
8 the Attorney General?

9 COL. KELLEY: Yes.

0 MR. JAFFE: Do you have any
1 idea when that report would be finished?

2 COL. KELLEY: I wouldn't want
3 to say

4 MR. JAFFE: Within a reason-
5 able period of time?

6 COL. KELLEY: I would say
7 within a week or so.

8 MR. MEYNER: Could we have the
9 quick chronology of Thursday morning, when you
0 alerted the people, the call-up, etc.?

1 MR. DRISCOLL: That was on the
2 13th?

3 COL. KELLEY: Yes, sir. The
4 night of the 13th.

5 MR. MEYNER: And the incident

1 with the cab driver was the night before, the 12th?

2 COL. KELLEY: The 12th, yes

3 During the day the reports that we have were just
4 about simmering throughout the community about this
5 You could feel the tension in the air We could,
6 anyway; and I assume everybody else could.

7 At 8:35 p.m. on the 13th, Act-
8 ing Chief Foley called our headquarters in Trenton
9 and he said he is expecting trouble.

0 At 10:10 Inspector Donnelly,
1 Newark Police, calls for the Chief and requests
2 State Police assistance.

3 MR. DRISCOLL: That was at
4 10:10 on the 13th?

5 COL. KELLEY: Yes, sir, p.m.

6 He was advised by our duty
7 officer of the procedures that would be required,
8 and it was requested at this time that he notify
9 the Mayor to contact the Governor This is the
0 legal procedure we had adhered to.

1 At 10:35, Colonel Sharpe and
2 the National Guard people, that I told you about
3 before, were sent to the Newark armory

4 10:50 we notified the Attorney
5 General.

1 At 10:52 Acting Chief Foley
2 phoned and said the situation is expanding We
3 notified the National Guard people on duty of the
4 reports as we get them. We notified the Attorney
5 General.

6 At 12:05 Lt. Mount, who is our
7 observer in Newark, phoned from Newark with the
8 progress report: situation serious.

9 12:20, we informed the Attorney
0 General.

1 At 12:21, Lt. Mount reports
2 the Fourth Precinct apparently running its own
3 show. There is no request for State Police assist-
4 ance and the situation is serious.

5 At 1:21, which is an hour
6 later, Lt. Mount, from Newark, said the situation
7 is very serious. Still no request for State Police.

8 1:37, our captain phones, he
9 received request for State Police assistance from
0 Deputy Chief Redden, Newark Police Department.

1 1:40, Major Oliver phones
2 Deputy Chief Redden, who apologizes and said he was
3 overridden by Mayor Addonizio who decided to go it
4 alone this night.

5 At 1:42 he advised me of such

1 and the Attorney General of such.

2 At 2:30 Attorney General calls,
3 he received a request from Mayor Addonizio for
4 assistance, or for me to call him.

5 CHAIRMAN LILLEY: Is this the
6 detail of what you want?

7 MR. MEYNER: Yes

8 COL. KELLEY: This is, I
9 assume the chronological order you want.

0 At 2:39, the State Police was
1 authorized by the Governor to go to Newark.

2 MR. DRISCOLL: That was on the
3 14th?

4 COL. KELLEY: Yes, sir, the
5 morning of the 14th.

6 At 2:45, as was the procedure,
7 and after conversation with the Governor, the
8 National Guard was activated.

9 MR. DRISCOLL: I am a little
0 puzzled here. If I may, Mr. Chairman. We have a
1 proclamation signed by the Governor which states
2 that at approximately 2:20 a.m. on July 14th, 1967
3 you received request for assistance from the Mayor
4 of Newark.

5 COL. KELLEY: Right.

1 MR. DRISCOLL: My proclamation
2 is signed 9:34 p.m. Or is that the date it was
3 filed with the Secretary of State?

4 MR. MEYNER: Apparently, that's
5 the earliest somebody typed it up. It was oral
6 prior to that time, I think.

7 COL. KELLEY: Yes, sir, it was
8 oral

9 MR. DRISCOLL: I am not raising
0 any legal issue here.

1 MR. GIBBONS: The call from
2 the Attorney General to the State Police came at
3 2:30.

4 COL. KELLEY: If I can put
5 this in now: the Mayor called the Governor, which
6 we would have the record of. The Governor in
7 turn called the Attorney General, which now puts
8 us into sequence.

9 MR. MEYNER: Where was the
0 Mayor all evening, do you know?

1 COL. KELLEY: I don't know,
2 Governor.

3 I do know, and I am fairly
4 certain of the time, it was approximately thirty-
5 five minutes later, I met the Mayor at the City Hall

1 and he was in the City Hall, I think it's the
2 Police Director's office.

3 MR. MEYNER: It was around
4 three o'clock?

5 COL. KELLEY: Yes, sir, 3:00,
6 3:20, something like that, whatever time it took
7 me to get from South Amboy to Newark, it was that
8 time, or shortly after, 3:30 maybe. And he was
9 at that time in the City Hall in, I believe, it's
0 the Police Director's office, I don't know. It's
1 an office there anyway

2 MR. GIBBONS: Was Director
3 Spina there then?

4 COL. KELLEY: No, sir, I
5 didn't see him there at that time.

6 MR. MEYNER: The Governor
7 went to the armory or to the City Hall?

8 COL. KELLEY: I left the City
9 Hall after I asked the Mayor what the situation
0 was and I didn't receive too much information from
1 the Mayor with regard to the situation, other than
2 it was serious. And I left and went to the
3 Roosevelt Armory at this time. And we activated
4 and had three hundred men moving at 3:08 a.m.

5 MR. DRISCOLL: You said you had

1 three hundred men?

2 COL. KELLEY: We alerted and we
3 called three hundred men, one hundred men from each
4 of the A, B and C groups at 3:05. Earlier, they
5 had been alerted and were on a stand-by.

6 MR. MEYNER: And they were to
7 come into Newark and go to the armory to get their
8 assignment?

9 COL. KELLEY: That's right.
0 This was all preplanned, by troop, by assignment,
1 by marriage up with the National Guard, liaison
2 from the turnpike to bring them up to the armory
3 This was prearranged. All the cars moved into the
4 armory

5 By this time our operational
6 people, Major Oliver and myself, had kind of looked
7 into the situation, determined where the problem
8 area was, and we set up mobile patrols and we set
9 up blocking positions as best we could.

0 MR. DRISCOLL: What is your
1 body count in the State Police now?

2 COL. KELLEY: Twelve hundred
3 sixty-six.

4 MR. DRISCOLL: Does that
5 include the troopers on the turnpike and parkway?

1 COL. KELLEY: Yes, sir There
2 are one hundred and two on the turnpike, I believe,
3 and one hundred and two on the parkway.

4 MR. DRISCOLL: You rotate them
5 now?

6 COL. KELLEY: We try to rotate
7 them as best we can.

8 (Off the record.)

9 COL. KELLEY: If you want me to
0 get back to the sequence.

1 At 4:25 Mayor Addonizio, Paul
2 Reilly, and Deputy Mayor Norman Schiff, Don Malafonti
3 arrived at CP

4 MR. BROWN: Is Mr Schiff
5 Deputy Mayor?

6 COL. KELLEY: He is corpora-
7 tion counsel. Deputy Mayor Reilly, Don Malafonti,
8 public relations, arrived at the State Police CP,
9 which is now the Roosevelt Armory. That's at
0 4:25.

1 At 4:35, General Cantwell ar-
2 rived at the armory

3 4:45 Governor Hughes arrived
4 at the armory.

5 4:50 Director Spina and Deputy

1 Chief Redden arrived at the CP.

2 4:51 Governor Hughes, Mayor
3 Addonizio, General Cantwell and Col Kelley and
4 the personnel that I previously mentioned confer
5 in the Essex Room.

6 We are now up to 9:15. We
7 are now in the planning stage before, from 4:30
8 until 9:15. Governor Hughes orders all sporting
9 goods stores closed as of 900 this date, where
0 rifles, guns, bows, arrows, anything that can be
1 used as a weapon, all stores were closed.

2 At 10:15 the Governor's
3 proclamation was broadcast to all receivers, to
4 all the people on the State Police channels or
5 National Guard channels, radio communication

6 That brings us to the 14th.
7 Now we are in the middle of it.

3 CHAIRMAN LILLEY: Do you want
) this now or later?

) MR. MEYNER: I would like per-
1 haps first some off-the-record observations that
) he might suggest.

) (Off the record.)

† (Whereupon, the hearing was
) adjourned.)

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Second, that the hotel, Hotel... this year have been having a relatively bad year and they need this last three weeks or so to only break even. So, that the bargaining power of the negro community is very high right now.

Right after the Newark riots, apparently a group of younger negroes in the north section of Atlantic City began meeting and recognized that they would have this kind of bargaining strength. It was a mixture of moderates and hot heads. A mixture of the hotter than the cooler, and the cooler prevailed and began meeting every night in committees. Now, this is a pretty important thing, I think, for you to keep your eye on. The poverty program in Atlantic City is headed by Paul Yurff. Paul is probably one of the best poverty directors that we've got in the state. He's extremely honest, quite direct, has played it, I think, with a great deal of discretion, but he's taking a gamble --

GUBERNATOR DRISCOLL: Excuse me, how do you spell his last name?

MR. YURFF: Y-U-R-F-F.

And what he did, apparently, I don't know who's initiative, he began meeting with this group and

offering this group some of his facilities to meet in one of his centers, and beyond that I'm not sure. His whole purpose has been to moderate this group and to turn it constructively. This group is composed of people all the way from --- I would think --- some fairly staunch citizens in the negro community to people what could be called the rough necks in that community. They are all male, and deliberately so, because they are not going to have the normal negro matriarchy take over this movement, and they include a number of people with criminal records, one or two with dope addiction on their records, which is not, you know, for probably some of us that grew up in the white suburban community, this is hard to take, but the statistical records of growing up in a negro community without some kind of criminal records are parity law. And these fellows with Paul Tureff's participation have begun to translate some rough emotions into civic demands, and they have emerged after three weeks of this with a presentation to the mayor and the commissioners of sixty demands.

Now, I have gone through this list, the Governor has gone through it, a variety of other people have gone through it and it is a rather remarkable list in the sense that it is in no sense self serving. There is only

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call it a harangue, others might call it a remarkable demonstration of the King's English with a man educated with only three years, and a man with a record of drug addiction who had just been arrested the day before by the police on a charge which bears looking into. Now, as it went back and forth it became evident that they were insistent upon these demands. They didn't want to be pushed around. In the words of the mayor and others, these are remarkably prescriptive goals. I'm making this point because the negro community, as I have begun to watch it these last years, sees through just about every political tactic that you may use to move around them, through their or whatever. You are not dealing with people who are not prescriptive, easily led or misled. Very insistently whenever the mayor or the commissioners gave rambling answers they could catch hard and seem to know what an answer was sought. But they kept their temper, with one exception, on the charge of police harassment when the police chief replied in rather intemperate language they became a bit intemperate, but pulled back. It was agreed that the mayor was going to answer all these demands in public at 8 o'clock on Tuesday, which was yesterday, and spontaneously Congressman Roe offered some assistance in the reception matter, economic development, Commissioner Mallin pledged that the

ment office down there could become more co-operative than it's been in the past. Both these gentlemen were persuaded that constructive responses was necessary. The mayor welcomed my presence and my department offered to the mayor and to the community our resources on an around the clock basis, so when he prepared his answers to those sixty demands he would be acquainted with every facet of the law, whether he could or could not, within what framework, and also what aids might be available.

For example, they asked for more garbage collection. "Query: are there federal and state aids available to Atlantic City to produce this immediately?"

They needed some educational changes. "Query: would the Department of Education be able to help?"

We placed two people in there on an around the clock basis, one a negro policeman who worked in Watts, Greg Coleman who worked with the Economic Development Administration, another negro who could talk about the problems of the economy, Jack Gleason, who some of you remember was secretary to the governor for while.

Now, this has been a hectic three or four days, because you try in a very short time to be construc-

tive in your response, while at the same time trying to avoid
the posture of being blackmailed into certain changes. Now,
there is a great equivalence going now which produces a devil-
ishly difficult climate to work with. President Johnson,
Governor Hughes, all of us in one degree or another agree that
riots should not be rewarded and that certainly we ought not
to be blackmailed. Yet, if you take too hard a line here
you're not punishing rioters, you are just not responding con-
structive in many cases to legitimate community demands. And
the temper of the people right now, of the white community who
are watching, is very hostile to any kind of compromise or
negotiation or whatever. So I knew the political pressures
under which the mayor operates, especially in Atlantic City.
I know the climate in which we operate, yet if you were to
take a look at these sixty demands I think you will agree that
they are about a legitimate set of civic demands as any group
produced in any kind of political climate.

So we worked as hard as we could and
we spent the entire day on Monday in Trenton with the mayor
and Commissioner Hise and Hollin in contact with the Governor's
office and with the Attorney General. And while we did not
try to push the mayor into a response, it was agreed from the

start that we were helping but not controlling. We did come at the end of the day after about eight hours of work to what we thought was a pretty reasonable response.

Something happened between the time the mayor left and the time he faced the group at ten thirty yesterday morning -- on both sides. A Stanley Hornick from the District, Pennsylvania, I think, NAACP, I'm not sure of that, who has been extremely active in that community, engaged in Atlantic City on what seems to have been a completely innocent mission. He used to live there and come over there for his vacation, and he was walking down the boardwalk and suddenly realized he was in a situation, and he has moved in quickly to be one of the prime spokesmen for this group. Whether this is good or bad remains to be seen. And there are completely conflicting reports about Hornick, all the way from his being a mercenary to his being a legitimate civil rights leader, but he's about as militant as they come in the frame of non-violence. Then they had apparently the mayor in conversation with someone in Atlantic City, stiffened his attitudes and the combination of these two things led to a rather fancy reading of it, which the negro group listened to and without comment walked out of. And they are out of negotiations in Atlantic City.

Now, I get a great deal of...
it's alright, it's got to be under control, the hot heads who
began to take over immediately now are being modulated. Again.
The mayor seems not to be as disturbed as he once was. though
I think he knows that there is a real sword hanging over the
head of Atlantic City.

Now Dave Kelly, all the other...
completely aware of all the developments that I've talked
about.

Now, may I go off the record?

CHAIRMAN KELLY: Yes.

(At which time a discussion was held
off the record.)

GOVERNOR NEWER: I'd like your...
one of the factors that we have to consider in the long run
and what we should do about it.

MR. WILKINSON: Well, I think in...
I've just said, I've tried in one example to run you through
every conventional thing's effective here, which goes...
way from the way... to long term...
the long term... things...
the economy... to a very...
...

is the third highest per capita in the United States, and
means in the world practically, yet we are about half as
skilled a public economy as you can find anywhere. And I think
we are you like Van Halbeert, I think he's right in the sense
that we are under spending on the public side. Not just in
schools, but especially in the industrial cities which have
Jensen has done a worse job on just about any state, and the
whole country is guilty. In what direction bringing public
revenues into the public and flow into accepted areas, which
is education, streets and highways in the suburban districts, the
industrial city has been starved. It's a vicious circle, and
now I think Mayor Adlon's is right in his statement yesterday.
So what we have done is to bubble the negro up into the
central city, and it isn't really a race issue so much as it
is a kind of the sector of the economy that we've let die and
the people who are there get victimized by it. And I think
the tragedy is just about as great among some of the white
groups, Italians, Irish, Polish, and what they've done is
they run their ghettos, they have their clubs, they're in the
police and in the fire department, what we've done is to
negro and the Puerto Rican has to be left out in the
suburbans in the declining central city, and I think that's

you've got in the long run to begin subsidizing the cities
and with some revenue flows and especially the central city ones.
And this produces a very rough problem.

First, to me it is very clear, Governor
is going to have to go to an income tax in the next two years.
This is an unpopular statement and I probably won't make it
publicly, but certainly we will have to go that direction. And
certainly within the next two years we have to find out how to
flow the revenue into the central city areas. But that pro-
duces a real problem of our idea of the capacity to spend in
both sectors, and what I miss in the large thinking in Jersey,
even on the suburban side, is we are really setting up the suburban
side with nothing more than home rule.

GOVERNOR HEYNER: You make that state-
ment, where is New York any better off with all of its money?
You sort of pose the proposition that if we pour this money
into the cities we will be better off.

Now, New York has more money, is
spending more money, why aren't they better off than we are?

MR. WELLSBACHER: Well, New York City is
better off than we are right now.

GOVERNOR HEYNER: They are?

MR. VLVISAKER: Sure, because that's because of some other reasons I was going to get to. John Lindsay is a remarkable man, but he's doing it like the boy with his finger in the dyke. He is lucky that he has the police commissioner that he has. He is doing a great job. But that still doesn't get to your question, is the flow of money going to solve it?

The answer, the money by itself will not do it. But men by themselves aren't going to do it either. It has to be a combination of the right guys, the right capacities with the right money.

GOVERNOR DRISCOLL: What happened in New Haven, if you know? Didn't they have some very substantial programs going for them in New Haven? Wasn't it thought that they would probably come through the summer in pretty good shape and not with standing the substantial programs they were confronted with riots?

MR. VLVISAKER: The New York Times editorial I thought was pretty good on that one this morning, if you took a look at it. But I had a lot to do with New Haven, through the Ford Foundation we made original grants up there. You can draw several morals from this, one you can say it is an

absolutely hopeless case, in which case let's all walk away from it. I think that's going to be a reaction all over the country, that if New Haven went, why play around with this. But if you went to New Haven you would recognize certain things going on up there, one they're working still on a financial shortcoming up there, they have been bailed out by Yale and by Macy's. The magnitude of money up there, even though they are high relative to the expenditures around the country, are low compared to the absolute needs.

Second, New Haven is trying to solve the problems of central city within the central city, and one of the things they did is to say why should we improve conditions for the lower classes because it invites more, and the more public housing you build, the more you are stuck with.

Dick Lee was not very adept, there is considerable displacement of low income people.

Third, New Haven is a company town something like Pittsburgh. Dick Lee, a remarkable political leader still was playing company town politics, and the company program up there managed to pull the teeth of the incipient negro opposition as he had, and what was left was a very small group in the hill area of the low income, dissatisfied, who were

watching some of their lead-ship pulled away into the poverty program, not really dishonestly, but cleverly, and then with a certain amount of student agitation and a few locals, like we are dealing with in Atlantic City, began to be even more angry at City Hall with clearly forbidding them from participation, and beginning to shove them out of low income housing. That agitation actually started several years ago and abated and an informative mind, a student whose brother a Vista program up there has been living in this area, told me that about a month ago three Molotov Cocktails were thrown at the poverty program offices and the local newspapers completely bottled it up, not a thing has been said about that. This has been growing, and even though a small minority exploded -- one of the conclusions that you can draw certainly is that it is unfair to ask Dick Lee to behave any other way than he did. But somewhere you are putting Nancy in, somewhere provision has to be made for the low income people for housing.

Now, you've face the devil and the deep blue sea. What Dick Lee was doing was shoving them out into suburban areas where he hoped somebody would take care of them, but they soured.

CHRISTIAN LILLEY: I told the Commission I spent an hour with Mr. McBeth last night. He telephoned yesterday and he expressed horror at what had happened at New Haven and called it a model city. He was watching TV to hear about his testimony when Mayor Lee came on and someone said, "didn't you have a model city?" He said, "I didn't have a model city, I've only accomplished twenty percent of what I wanted to accomplish." And Mr. McBeth shook his head. He was in complete bewilderment. While two or three years ago while the newspapers have been calling New Haven a model city, I didn't hear Dick Lee saying it wasn't then.

MR. VLIVISAKER: We talk as guys who know the business, we know what the magnitude of the job is, yet when we do a little good papers and everybody make a great thing of it and great applause, which then lets the public settle back in its suburban retreat and say it is done. And what this country has to realize is that it has a job just as big as Viet Nam ahead of it. Whether we like it or not, it's there to be done. The trouble is you get the bromiding effect that you are mentioning and the consequences, that my God, then I'm going to give us entirely. And I don't speak this entirely or panic, this country is now fighting for its life. I will say

this openly and honestly.

GOVERNOR DRETT: Commissioner, what you're really saying, if I understand you correctly, is that a little more money is not going to do the job. That it's going to take a great deal of money and a great deal of courage and an imagination on the part of people if the job is to be done.

MR. MURPHY: Governor, a tragic addition to that is that we've accumulated so much that the best men doing the best job in the next five years are going to be in Dick Lee's position, because you've let loose in these communities a flock in a group of people who are now twenty, twenty-five years of age that you do not wash out. They are there really to stop you right now because they don't want this to go ahead, that minority of group, but here you've got to contend with that smaller margin of hate to play with the rest of the community that is still constructive. What these percentages are, I do not know. I do know that the hate percentage that you are opposed to is growing with each rise around the question.

MR. BROWN: In terms of the hate development, I notice that in both occasions you noted that there was a small group of dissatisfied persons. Now, do these are all

groups of dissatisfied persons, who are viable and vocal, does this small group of dissatisfied persons mean that, in effect, there is developing a new pole of leadership, or is this a group that is actually developing a new polarization of a new kind of leadership?

Now, in Atlantic City you said an interesting thing, this group is probably suspect, but does this group now move into the political arena, for example, in Atlantic City, begins to contend, is that of itself an avenue which will make the response of the people since this very power is going to be susceptible to sale as anybody else? Does this mean that if it goes that way, that you are going to put the lid on this thing and then your hate begins to grow again in terms of frustration?

MR. FLVISHNER: A person like Man Clark, who may be a little depressive, Man really is beginning to believe that the ultimate now is going to be the real ghetto civilization of the negro. You will really put him the end of this accumulated hate, and the rest of the withdrawal is going to mean a confined negro population in the old ghetto sense, that this is the most likely thing to happen now in the United States rather than the constructive response. I'm not quite as de-

passed, I wouldn't be at my job right now if I was. I have a feeling that the salvation of this movement would be participation in it by the white community, that is what you really and genuinely do get civic protest going and a move to reform much of local politics and the programs so that we make our cities a better place to live and this becomes a legitimate place for the whole community.

MR. BROWN: Doesn't it reflect, mean that if these people can be convinced that if this is a true revolt against conditions, then you really have an integrated movement of an economic sector which is going to better its lot, aside from and distinguished from the symbol of hate? Is there any hope? I have said this consistently that if, for example, if the Irish Catholic in Jersey City would participate in trying to better a school system that he would engage in it, and I've also said and I know from first hand experience that these indigenous groups will not participate even if they know it is good for the system if it's negro sponsored. How does one approach that problem?

MR. YLVISAKER: I don't know, I've been watching Detroit, I say this with a very sense of, again, kind of despair, the poor, the white poor began to join the negro

poor in that case.

MR. BROWN: Was that hopeless?

MR. VLASAKER: I don't know, the Appalachian white was in there burning and lusting with the negro in that case.

MR. BROWN: Doesn't that go to the heart of the other thing that you are talking about? Isn't this the place where hopefully the poor Irish, the poor Italian, the poor Slovak -- of course, this never happened in Chicago, but isn't this the one area that can be changed, as opposed to massive spending?

MR. VLASAKER: Given the present circumstances, massive spending is a rat hole.

MR. BROWN: Isn't there in the legitimate economic revolt of the poor, the poverty people, below marginal people including all these groups who are so powerful? The Irish and the Poles and the Italians who have found their own solution in their own ghetto?

MR. VLASAKER: The United States in an age old way has adulterated its newcomers by putting them through the tenement trail. We have said that when the newcomer comes, whatever he is, he goes into where the last immigrant

ment, and they follow right behind. And this means that you have planned for confrontation and friction. A civilized people would not do this, because you'll find that guys of my affiliation are probably economically more predictably livable than the fellow who has to work right next to the poor negro in the community. If we had planned this right, we would have put the negro into my community and not into the Italian or the Irish, and it also means that you recruit your police and fire from the last immigrant group, and that they take out their hate and vengeance on the guys that they're policing. And this is why I think one of the greatest programs we could get is through the Catholic church and through the clergy, to get into that community and try to produce more understanding. But that's asking a lot.

Given the present circumstances, I think there are several things, none of them easy, one might very well be that we begin regionalizing our police office and allow officer training and direct entry, as you do through West Point and whatever. So that you can get people not drawn from immediately that long standing hate community into the police to control its politics. And if we went to a regional police

force in New Jersey, which, by the way, you will find considerable support from the Dave Hollays and others, even if you run into opposition from the sheriffs and such as that, if you did start with direct entry and officer training, you could begin taking college graduates, you could bring an enlightenment more quickly than by waiting for promotion from the bottom and localized police forces.

Point number two, we have taken out of down town politics, we have taken out the very elements that could be economically liberal. It may well be that this is where we should be coming either to metropolitan government or very much stronger state government in which this group could begin coming in and controlling policy, this is strong medicine as well.

I think what is happening in Trenton right now that the Governor and many of us who are lately brought in, and some of the other fellows who are lately aroused are beginning to move into municipal politics. It does mean a political re-entry into the politics of the central city in the ghetto. By those that can afford a more liberal attitude, but the irony has been that we have asked the white poor to take on the problems of the negro poor, which they are not equipped to

do.

MR. BROWN: Do you think this in part accounts for the fact that whenever there is an explosion the whipping boy is the police force, and they are really the wick, certainly not the major part of it, but the wick?

MR. VLVISAKER: What it boils down to the immediate hostilities to the police confrontation, whether right or wrong, that's the thing that blows.

MR. BROWN: Would you say that in each of the towns you've been in in New Jersey that this has been the tinder, the police confrontation?

MR. VLVISAKER: Yes.

GOVERNOR MEYER: But aren't the police only a symbol?

MR. VLVISAKER: Yes.

MR. BROWN: I said right or wrong.

Governor.

GOVERNOR MEYER: You see that in institutions and agencies. Who occupies the prisons? Because their against, they have to be against.

MR. VLVISAKER: Take Atlantic City, and I'm sure that I can give you two cases of false allegations

for every proved one, but let's take one. They said police brutality. Immediately the police commissioner, and I can understand why they began calling whites "honky", he got up and he honked and honked, the police commissioner said he knew of no case of harassment or anything else. Immediately thirty negroes got up and said, "let us talk." Then one of them said the drug raid the other day, and the police chief jumped up and he said "this here raid ---" I thought the first three words were kind of significant -- he talked about how it had been planned. Then one of the guys were there, said here is what happened. It was in Earl's parlor, or something like that, and you called Earl out and you didn't search him except when you put him nicely into his office and gave him protection, but instead you took us out by the cash register where we could be seen through the glass window and took off our trousers and jock straps, and we had to stand there. And the police chief filed back, he says well, two weeks ago isn't it true that I found on such and such a guy these stacks of heroin in his jock strap?" They said, "yes, but you didn't have to search us in this way in that place." The police chief said, "we had a general warrant which says we could come in and search anybody in any place we want." This is the kind of thing that went on

and forth, and that's where the real emotion was, it is a clean situation because one of the guys speaking is an addict.

GOVERNOR MEYER: I get upset if somebody wants to take my finger prints.

MR. HIBBONS: A lot was spent in New Haven on revitalizing middle and upper income, a lot was spent in Newark on tearing down the slums and replacing high rise apartments, and apparently both approaches have failed.

Now, I hear about suggestions, the term that is most commonly used in the press and magazine is, is, "a massive infusion of money into the center cities," but I don't hear about it being spent anyway except the same two ways. Now, you comment about Atlantic City being an economic anachronism that may be beyond economy. I think it is equally applicable in New Haven and Newark. Aren't we, perhaps, spending money on something in the electronic age and the auto-vehicle age that no longer has a function economically? Is there any need for these hundred and fifty thousand or these hundred ninety-six thousand people to live in twenty-three square miles in Newark? What economic function does that concentration of population serve?

At the time it was necessary to have



a lot of people close together so that they could walk to the factory, but who walks to a factory now? All these factories are closed up. Should this money really be spent in the center city, or should we break down these center city political units and maybe disperse this population?

CHAIRMAN LILLIV: Before you reply, Commissioner, a very young man has requested a break, so let's take a ten minute break and you can pick up with that question.

(At which time there was a ten minute recess.)

MR. VLVISAKER: There was a question on the floor, let me respond to it.

It was kind of a double barreled one. I want to take the first part first.

New Haven, all the rest, do not give credit the job that these mayors have attempted. If you go to a filling station you've got a gasoline pump and you've got a car lift and you've got all this stuff, these are necessary to do the job. If a guy does them badly, that doesn't mean the gas pump is wrong. So I think you've got to keep in mind that day care centers, schools, housing, all these things are necessary pieces of the job. But they have been handled badly. And

the most important point I'd make, it is the motivation of the people who run the system, that's the most important and we have turned the system over to people of dubious motivation and ability. I have a feeling that in the second half of the twentieth century the public jobs are much more important than the private jobs, and yet the flow of motivation is primarily in the other direction.

Now, having said that, let's see, the last part of your question --

MR. SIDBENS: It was really only one question, and talking about pumping money into the center city are we really dealing with a unit that's economically functional?

MR. YLVISAKER: No, I think you put your finger on it. The Ford Foundation financed, through the Rockefeller and other people a study of the economy of the New York Metropolitan area. The economist who did that job is a first rate economist and left it after three years with a first class piece of work, and what that showed is that there is an economic logic to trends in the metropolis, that you get the outward trend of factories searching for horizontal layout and more room. That there are flows and locations that make a lot of logical sense. The one flow that "ain't" working is the

people flow. And particularly the negro flow. The whites by and large begin to go out where the jobs are, but the negro poor and the Puerto Rican poor have lagged behind in that outward flow, and they're now congregated. As a result, as the jobs pull away from you you get more and more of the necessary welfare situation -- and give me five minutes and I will give you the facts of the disproportional growth of the labor supply here and the depletion of the labor supply. If you go to the George Washington Bridge in the morning you will see the flow out to these jobs, but a lot of people don't have transportation, and since they don't live near them you have an economic bottleneck. We have to match people in jobs. For the last fifteen years they have been getting the planners to talk about bringing the whites back to the central city, the fact is that the density of the central city and the job structures don't going to allow that. The whites isn't going to come back in those numbers.

Then on the side you have taken high-rise public housing and bottled them up there. There is two things you can do, one is certainly to divert the flow into the ghetto from further populations from the South. This takes a national policy where you begin in the south, North Carolina,

when you know the tobacco farm is going to be mechanized, you begin building catch basins down there. In North Carolina and Mississippi you can talk about transitional communities at least where whole negro families can get the job training locally before they take the long trek, but this also takes federal restriction of the people on the Ford Foundation where they are about they can go down to the Appalachian community and pick up a hundred thousand whites. Another thing is the air line fare to Puerto Rico. After the second world war they had a very cheap air line fare from New York to Puerto Rico. For the first hundred years before the war the Puerto Ricans had gone by ship and distributed themselves throughout the United States, but the cheap air line fare to New York, they have congregated. So, divert that supply.

The second thing is to provide an economic base in the ghetto as much as possible. That's why the medical school in Newark makes sense as an economic proposition because the service sector is the job sector to grow into, and the problem there is that it appeared to be carried out unilaterally. I think that this is an astute job of planning within the neighborhood here and shows what the mutual benefit is is great, but not if you begin importing your labor to that medical

center rather than training the indigenous here.

I didn't intend to get into a controversy here, but I do think that if the central city is a service base and when you bring that service sector into these jobs, then you trade off with the negro community so that they get jobs in return for the displaced.

When we start community colleges in Jersey, we immediately start planning them in the suburbs, not in the central city, that is the one service growth sector that you can begin putting into the ghetto community. Another is the dispersal of the population, again, logically, the negro is ready for that up till now, but now he feels it's never going to happen so he's beginning to resist. I happen to think personally it's the only answer and I would break my back to accomplish this by whatever techniques you see, and I think the two governors here will now recognize my predicament when I'm made responsible for state planning. A state plan really should be a social plan as well. You know, a settlement plan, which says let's relate the population to the job developments. But if all I can plan are utility systems for a white job sector and a downtown public housing for the others, and a welfare system, then you are really in trouble, until you get a working

wage and a job available for this population they will continue to want as a welfare proposition.

MR. GIBBONS: Well, you really think it is so politically impossible, for instance, to take the public housing function out of the local level and to make that a statewide function so that some social plan could be brought to it?

MR. VLUBSKER: Well, we luckily got this legislation through last time, but the elements are beginning to be there, they gave us middle income housing. Now, in this case we can bond and we see the mortgage bankers and the communities have to come to. Newark now has to negotiate with us for this kind of housing, and we are going to try to set the criteria so that we build neighborhoods and not just projects. There is going to be a great temptation to show that this thing gets results and get buildings cropping up around the landscape, but I'm going to try to show that this should be neighborhoods and not necessarily limited to the urban renewal project of the city.

Secondly, the way to release, particularly some of the large families, probably is to look for good schooling and use that as your criteria rather than the



apartment. This is going to put me upstream again.

MR. BRUBB: Where are you going to find the good schooling?

MR. WILBANKER: Well, it's going to be in the suburbs or in the parochial school, or think about paying tuition payments to these families so they can send their children to parochial schools.

MR. STONE: You think the Main Amendment was a step in the right direction in New York where they voted that public funds may now go to private schools?

MR. WILBANKER: I'll have to go through my constitutional problems, but I do think that right now it's critical to get this generation of kids, particularly where you located them, right now we've checked out the work Newark cited, it now remains about four or five hundred families at most, but the rough families are going to be families without fathers. They've been living in the medical site and they've discovered, despite the laws of the state, these negro families really don't get a fair shake, and most of the departments to which they turn, particularly that lowest group, low income, big families, no fathers, we are going to have to do almost a hand tailored job.

Next thing is urban renewal. This gives us a leverage, a negotiable point with urban renewal programs locally. And I think I'm biting off more than I can eat in a lot of this. I think we are going to have to get an urban renewal strategy for the state and not just for one community. Again I think when we get into the trade-off position, it may be politically difficult, but the leverage begins to be there. But we need even more than that, I think, for example, the 194 section, the model housing legislation, that 204 regulation ought to be beefed up to say that those municipalities which are willing to take low income people can get double their money for water and sewerage so that you put an incentive into the system and you make of this population an economic attraction rather than an economic deficit, and the American system works pretty well when it's got an incentive. It's easy to talk to, and I think all you gentlemen know what rough politics we are contending with, but I don't see the solutions by the headline approach.

MR. JAFFE: Paul, just before leaving the economic factor, you talked about an increase in the public spending area. Do you think that the state can make a significant contribution in that area outside of the federal increase



in public spending? My question is, is it fair to say that areas that area of a state increase in public spending, what areas could that increase be fruitful?

MR. YLIVISAKIS: Well, the increase is going to come at you anyway.

Did I mention Professor Samuel's theory? Bill Samuel at Cambridge is a very distinguished economist. He took a look at the performing arts to find out why they always need more money. As you move from the manufacturing of service economy certain things happen. In manufacturing you can increase the amount of the products and reduce the cost by reducing the cost of the labor. In the service sector labor is the end product and, therefore, you don't automate it out, you only increase it with an increased population, and the cost increases as the wage rate goes up.

So, built into our system right now is an escalated cost structure that we are just beginning to realize. If then one also raises his standards you have this kind of a thing, and the sales tax barrel nibbles into that. All of it in public sector are going to go through a crucible of public opinion this next five years as this cost curve has hit us. And I look through the figures that we are bound to bring in with

a change in program, necessarily, not just saying what we are going to have to do. So that is the backbone against which we are now talking. In addition to that we are talking about increased spending on education, raising standards. I'd agree any that the increase makes no sense in and of itself. You can just spend an extra penny and get no extra return on the product, unless certain things and changes are made, and the kind of people in the system that you are operating and the strategies that you are working with.

Now, the point I was going to make here, going beyond that one, this sounds kind of funny, and yet would be depressed right riding through the central ward and seeing the logic of where we were going that we were driving, more and more into a reactionary period on both sides where the increased public expenditures was not very great, and taking from one to give to the other. That may be the only answer is to sweep the problem in a way that regional planning has been talking about for a long time, if you take the metropolitan region, which is the wealthiest metropolitan region in the world, the choicest land in the world, and then you look at it knowing that it's going to grow to twice its size, and this is not unique, Wisconsin, where there is no demand for land, and the



you look at Newark, Jersey City and Patterson, you wonder by what logic you can give this kind of depression, and it may well be that we set a project to go to the moon in ten years and that we had better start talking serious about this kind of urban renewal. And you could just set yourself a target of twenty years and stage the rebuilding of this area, but this will take a level of conception and a level of capacities and a mixture of public/private that we have never really worked at. Bedford/Stuyvesant is a kind of elementary approach to this. This means drawing on the Spaulding and the Bell systems and Bell ICF, the kind of skills that can do a systems analysis with a stage selection with the idea of getting your investment mixed and your flows of revenues in such a way that you can plan temporary subsidies that can be an economic growth afterwards. That if you went to this school of activity, then everybody wins. This is economic growth and you get both sides gaining. But whatever formulation we come to, it will have to have the greatest that everybody wins. It's got to be an economic growth solution which underlies most of this stuff.

MR. JAFFE: Paul, you see, the condition in your view coming up with an analysis of this type of regional planning. Do you think that we are equipped?



MR. VLVISSAER: I don't know, I think that first you have a question of whether or not you agree with this kind of analysis. Second, certainly you don't have the time and the capacities to do a regional plan. But if you should agree with it or think there's something there, you have two possibilities, one is to say what I think is clear that economics and sociology and everything are tied up here, you have got to have an economic base for anything that you do. And that the solution, there is no long term solution that doesn't put the negro poor into the open competitive market on their own terms so that they've got an effective income, live where they choose, and that means a strong economic base, and the economic base here is whimpering when it ought to be quite the opposite, and from there on in it's a public charge to guys like myself, you know, "what are you doing?".

If that charge ever came to me I wouldn't know what to do with it, because usually right now they say I have a five million budget, which is too much, and I'm a poor already.

MR. BRIDGEMAN: Now, let's assume that this commission were to aim for such a conclusion, wouldn't we then have to support it by some data or some position?

Now, in add to Sandy's question, let's assume that this is something in its concept that I ought to explore in order to say this should be done. Formerly you mentioned a study that was done by someone which pertained this somewhat, was that the regional plan?

MR. VLEISAKER: Yes.

MR. BROWN: Or is it a separate study?

MR. VLEISAKER: It is a separate study. The reason the money went to the Harvard Business School in this case was because the regional plan didn't have the economic economy to do this. They have now translated it into something which is a little inconsistent with the economic analysis. I think that it would be a very good idea for the regional plan people to testify before your commission.

MR. BROWN: I thought maybe if you could identify it Sandy would search it out for us.

MR. VLEISAKER: What you just asked for, New York Regional Plan Association, they have a New York counterpart, which I think many of your industry people here are interested in, Jim Horton's profile, I think the Governor, by the tone of his voice, that some of this is more physical than economic planning. I think they've got a start here,

they've made some projections of what this region is going to be and what its alternatives might be. So far they've been very, very hesitant to talk about who the people are and where the people would be. You know, it's all white on white and not black on white.

MR. BROWN: From what I've read and examined, nobody has ever come out and said this kind of thing. Have you read that it would include any group that would include people, for example, such as you see here?

MR. VLISBERG: Yes, it would, yes, but then take the McNamara Commission, which I was part of in a sense of helping finance through the Ford Foundation, and watching Mr. McNamara's own personal development through that thing. That started when McNamara was seized upon by Brown and called Jack McCoy at the Ford Foundation and said I need some help, they tell me I can't do this without some of those people -- those people. So, he went out and got some of those people and he turned out to get Warren Christopher, who is now the Chief Attorney General's right hand, they had a tremendous staff fight. It started, "Who is to blame for the negro riots and why the negro is rioting?" that was a remarkable document compared to what the presumptions were going in. During that period of time

there was a staff squabble in which a couple of guys were right because they thought the commission was too negative in its orientation. Warren Christopher steered that line but to at least, I guess they gave it a B plus in the trade. But Holzhner going out was not Holzhner going in. Immediately after that he became quite an ally in the Ford Foundation going on with the Chamber of Commerce, and with Chadwick out there, began to do what the S.I.C.C. is doing here in Newark, and there was kind of a sudden burst of enlightenment that went on by my terms. That's petered out a good deal, and Holzhner later became much more concerned than he was at the time.

MR. BROWN: Last night he didn't understand.

MR. VLIVIAKER: At least he was talking.

MR. LEVITZ: Commissioner, with everything this commission could recommend, talk about regional planning or changing the local tax base so that we tax areas as regions instead of municipalities, or anything that we could come up with in a long run nature, what would in your opinion, will any of this have sort of a guarantee to prevent resurgence of violence next summer in New Jersey?

MR. YLUIBAKER: I think -- I wish to God it were otherwise, but it isn't otherwise -- I think what this group could say, should say is that the possibility of violence will continue with us for a decade. I just don't like it, but it's there. You can't have raised this kind of generation under these conditions and not have produced a long lasting hate and a beginning of a leadership for that kind of group. It's there. And the trouble is anyone of us who give to work constructively in that kind of environment gets tied with that thing. Okay, why didn't you solve it? But that's the understanding that has to be got through and purveyed.

MR. LEONHART: And therefore New Haven doesn't represent failure?

MR. YLUIBAKER: No. By the way, the law of Selage has been, "only when hope emerges do you get revolution." Some of the fellows that are on the way up and begin saying what it can be, see one sense, this is hope. It means that once you get that and the expectation of even more, one doesn't panic in the face of it and one doesn't set all his policies in a panic in response to it. What you do next to this, you keep this other curve of constructive response going and this overtime cuts, and this purveys. But if you



play this one, then that happens (indicating with his hand) this is what our danger was in Newark, what our danger is now of the force taking over. What is these guys are going to do a lot more violence, we are going to be ready for them, the whites were ready in Brooklyn today. They had an anti-tank gun. This was in Brooklyn today, and throughout New Jersey I think you are going to find this kind of armament developing in many places.

MR. BROWN: Aren't you saying really we are going to have to worry about the white response?

Incidentally, how would you expect Atlantic City to react when trained people like yourself and everybody of good will is confused? What the hell else is he supposed to do? What could we expect him to do by react in a traditional pattern. So, wouldn't this commission have to consider some kind of a chart for the white community as well as a negro?

MR. VLEISNER: Yes, I think that a guy like Dave Kelly, Dave knows what is going on in the inner reaches of his own state police.

GOVERNOR DRISCOLL: Did he come up from the ranks, Bob?

GOVERNOR REYER: Yes.

MR. BROWN: All the way from the ranks.

MR. VLVISANER: Dave Kelly has got to have the discipline and loyalty of his men.

GOVERNOR REYER: I'm also worried about those programs that provide -- well, there are going to be more jobs, more money, more public housing. What agencies have any of these agencies had in developing a sense of participation, a sense of ownership on the part of these people? I just made the suggestion that maybe it would be a lot better that instead of having an urban renewal deal, to go out and buy some houses and give them to these people, so maybe they will watch about cleaning up the garbage and get rid of the rodents and policing their own neighborhood. What's been done along those lines? Is there any encouraging note in this, in giving them a sense of participation, a sense of ownership?

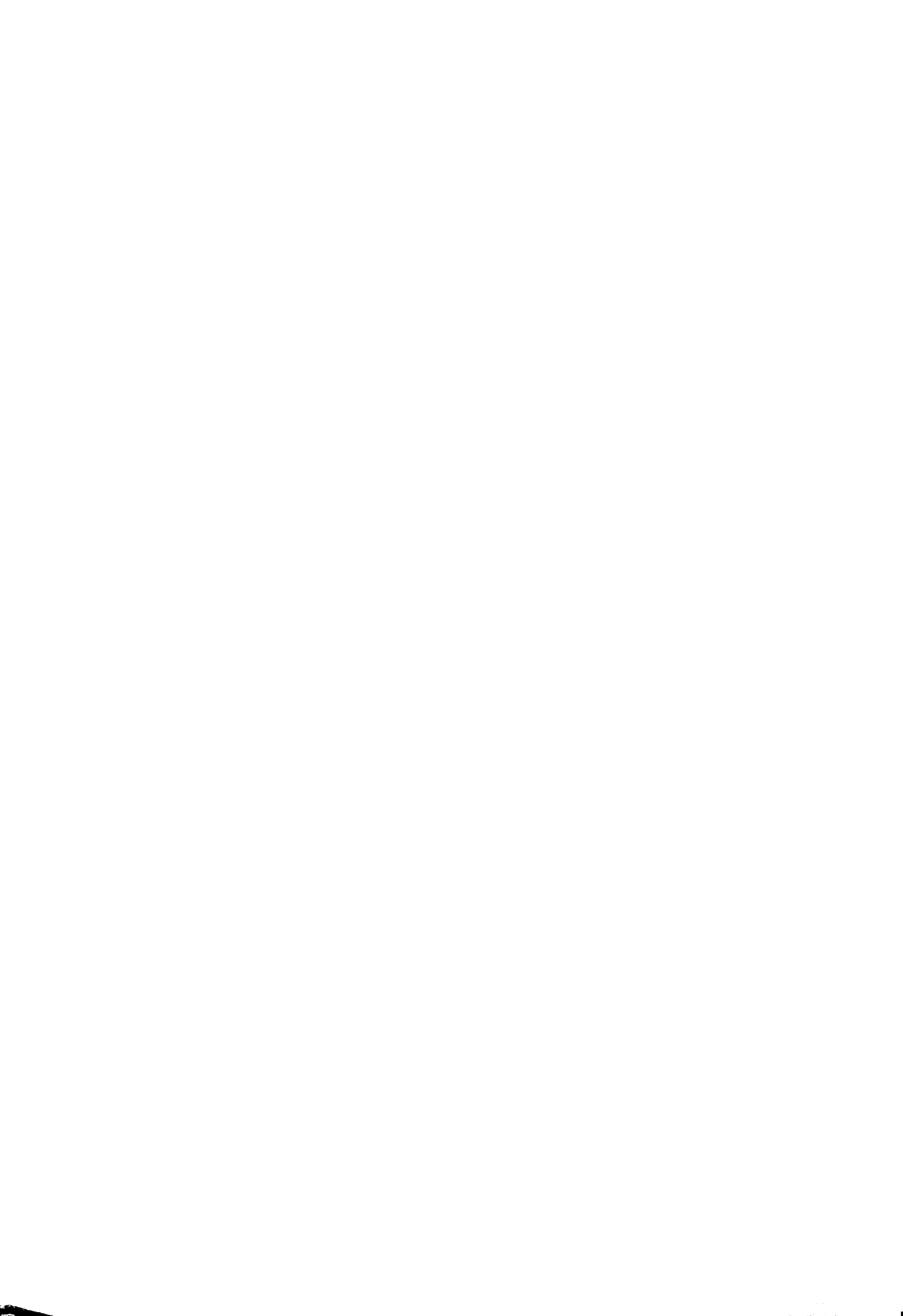
MR. VLVISANER: Let me first say, Ah, a backdrop against that, this I learned from the sessions I used to have in Asbury Park. I used to go down to the Bell Shanties and preach to them, but they in turn converted me, but at that time I had to go into the population statistics, and I discovered that until 1984 we are going to produce a depop-



dependency load. And since there are more aged there is more infirmity. So, we have a background of a dependency ratio that the public ought to understand, that is no matter what you do from year to year there will be more of our transferred payments from people who are not able bodied and people who are working. If we understand that, then we don't panic, we don't say this program has failed because the welfare program continues to rise.

Now, to the governor's question. I'd say any program that doesn't have as its strategy the attainment of self help and independence, there is something wrong with it and I would test everything we do in the public sector with whether it contributes to self help.

And I think, for example, this is why I got caught saying I was for a guaranteed income awhile ago. I am impressed that even with a guy like me, my bureaucracy doesn't produce as fast as with a consumer with a dollar in his pocket to spend. That is, if you put a guy on the market with a dollar in his pocket he will get a better product, even though they say spend their money badly, that I would trust their expenditure pattern faster than I'd trust myself to produce that result.



Second, and a more specific thing.

yes, I think instead of a large public housing project I'd like to see rent supplements, the purchase of places and subsidies for home purchase by individuals. Watts apparently has shown it is cheaper to buy these people automobiles than provide public transportation, and the pattern continuously shows, give it the chance on his own and he does it faster than the rest of us. I would absolutely agree.

MR. JAFFE: Paul, do you have any ideas as to the kind of data that the commission should get into and what it can get?

MR. YLIVISAKER: I don't think it would be a very good idea if you would coordinate with the national group to see whether your research checks out at both ends. I think their developing a fairly sophisticated data collection, and they've debated whether they should do any new research or just mine what is presently available. I would guess that you ought to go through the literature and find out their background. It becomes rather embarrassing to all of us that in 1917 a definitive work was written, and for every city in the United States there's been a group like yours to have fought its cause. I would just go back over that.

MR. GIBSON: What is the definitive work?

MR. YLVISAKER: I can show it to you for you.

MR. JAFFE: Paul, I don't know whether it is through Paul's section or not, but the state was kind enough to give me a summer intern who is with me until September 1st, and one of the tasks I asked him to do yesterday was to go and collect a bibliography and get it typed.

GOVERNOR DRISCOLL: The National Science Foundation published it, in fact, I have a copy of their publication, which contains a tremendous number of titles.

MR. BROWN: Isn't that all together now?

MR. YLVISAKER: I think you might do some careful looking at the people who are apprehended during the riots, which also the national commission is doing with a couple caveats. It may well be that Lloyd McDermie would be a better source in a statistical survey. I have a feeling Lloyd gets pretty quickly to the guys that are there.

Also, the fellows that got arrested are the guys who didn't run, they didn't do anything. The guys that got arrested were the employed people kind of con-

that, that because you gave them jobs they plotted. That kind of stuff I think is significant, but I think the best kind of research is the conviction members in, weaves trying to get to where it was and feel it like it is, and I think I'm sure.

Oliver, you could be helpful in identifying some of the people who do a competent witness tapes, instead of a formal one like this, might just unburden themselves.

MR. BRAUN: May I ask a research type something? Do people like to respond to a tape recording? I've had mixed experience with it and I think so much of this has to be on record if the members are not present to share. What has been your research, if you have ever had a tape recorder? What is the reaction of the persons being interviewed?

MR. ULVISAHER: My reaction would be coupled, one if you can get over that original feeling that they're going to be taped for a trial, then after the tape recorder becomes a real invitation to talk. For the first time they're ego is played to and they begin really letting themselves go, then I guess you have to watch out a little bit for maybe they begin inventing stories.

Oliver, how would you react to it?

MR. LEPTON: I would think that as far



as that kind of situation is concerned, basically what we are interested in is the information rather than the identity of that person, and I think if it's handled correctly, again with the suspect, properly, making it known to them that as far as the tape recording is concerned they wouldn't have to be identified by name or otherwise, that this is just basic for tests of gathering information for assessing certain of the feelings and attitudes and so forth. I think the people may not react either way. Either way would produce the kind of thing we don't want, and over exaggerated situation being put on the tape, or the opposite situation of a person not coming forward. I think if it is handled properly we may tend to get something accurate.

MR. VLEISHNER: It wouldn't be the worst thing for some of you individually to join us in a team of negotiation.

MR. JAFFE: I had a conversation with Dick Scanton, and he seemed to feel that there is a role of research in this area, but there are no answers and he felt that the way he wanted to steer the national commission was to bring as much information and have as many witnesses and have as many hearings as possible, and if there were any answers

at all it could come from the commissions, and that this type of study was very different from the type of study of any other commissions and their experiences, which would be brought to bear upon the facts which would be brought to them. Now I see that you stress that point too. He seemed to stress that in a national thing.

MR. WILKINSON: To bring in a number of the police officials here, and this can be a double service both for you to hear them and start putting them in a climate of questions and considerations that will begin giving them a different environment for them to live in than they now do.

MR. JAFFE: Just to pursue the data question once more, is your department now doing any research in this area, any surveys that would be helpful to us?

MR. WILKINSON: I think some of it would be helpful. We are available to help.

MR. JAFFE: What I was thinking about is that if you could let your staff, people under you could let us know what your department is doing in this area so we would know who to call and what's available. That kind of thing, because I don't think we would want to duplicate anything that is being done by anybody else.

MR. WILSON: We are available and I hope you are now available, you'll have to kind of side with us to the five even in while

GOVERNOR NEWBERG: You mention the fact that it might be a good idea if some of us went to Atlantic City. Before you say it is a bad idea, I should visit Camden, where we've been informed that there is a rather tense situation, and the discussion took place there, "were we likely to trigger an incident or might we be interested in a calming influence". Under if you could express an opinion as to which way it might go?

MR. WILSON: That's enough for you know, we didn't go into Atlantic City until that afternoon and it is very hard to give an opinion, particularly give an one for you

When I was talking about the group that I'm talking to probably never met in his life, and you could talk in, over the next week, walk into that next Atlantic City and find they're just one of the... If you could... since you probably... It would seem...



it's about ready to get out of hand, you have some intelligence that we don't have.

Also, you've got to be careful that it can suddenly morph that the loaded guy, either the monkey's off the back and suddenly they start coming to you, you become the mayor of Camden very fast, but I think in a case like this, can you have quiet meetings there outside of Camden without coming publicly to town?

MR. LILLET: I'd like to pursue what I think is a very lucrative offer on your part. We said this morning, I think all of us agree, to see a riot in the morning would be educational, and we were fearful, as Governor Quince said, of the consequences, but if several of us could sit with you in Atlantic City we would be an individual commission, we would do just what you had in mind, Ray, and this wouldn't interfere with your progress.

MR. YULISAKER: I wouldn't want to take more than one or two with me. Is anybody free tonight?

MR. BROWN: I will make the trip with you tonight.

MR. YULISAKER: I'll have to make a quick judgement there, I wouldn't tell anybody that anybody is

ending because when that gets out you're going to be right in the middle of the fire, but if it just happens that you drive down with me tonight, at least you could be in the periphery of what the meetings are like.

MR. GIBBONS: Is Murray Federick a very active participant?

MR. VLWISNER: I have not seen him in this one.

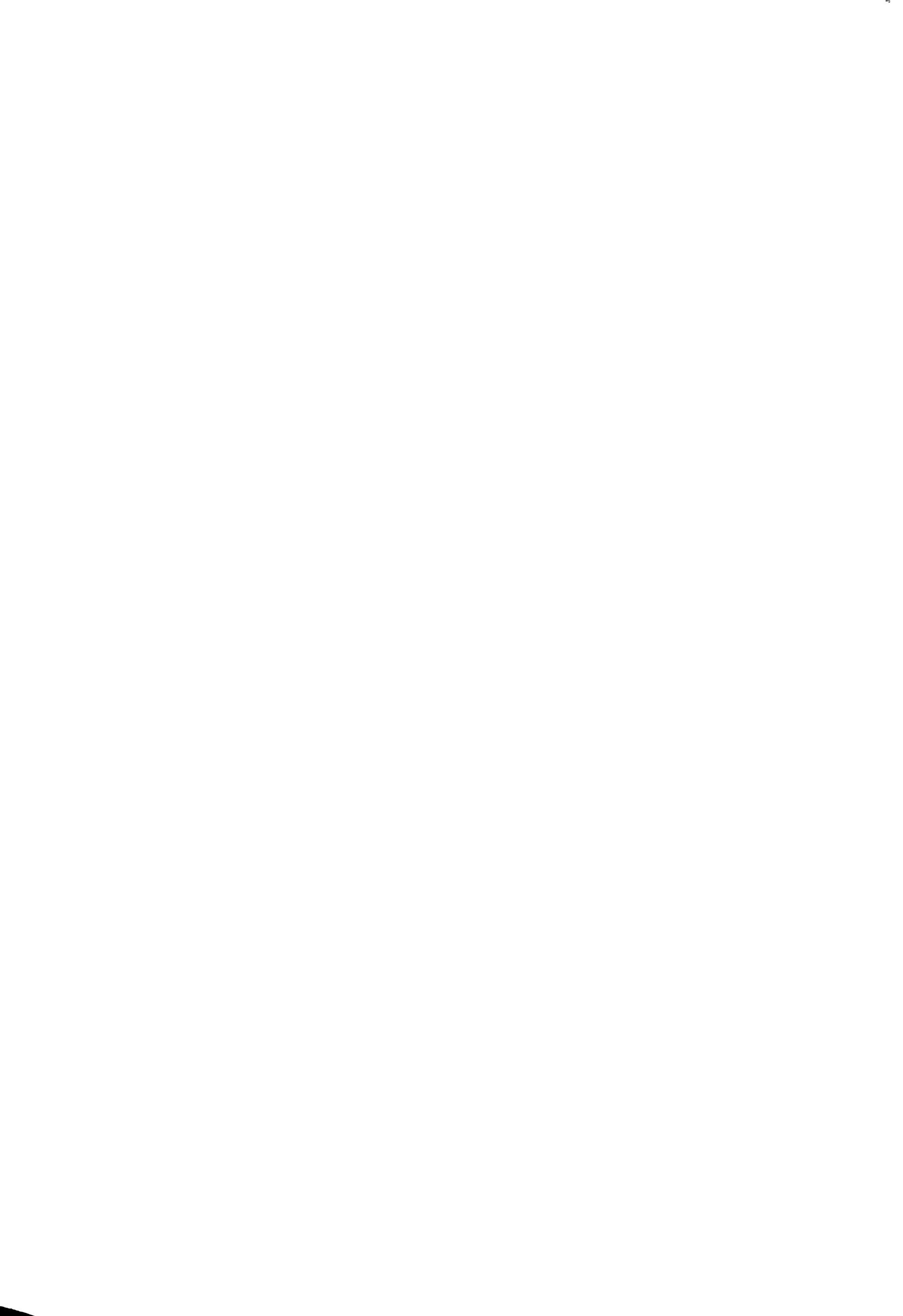
MR. GIBBONS: He was identified in the paper as reading the city's position.

MR. VLWISNER: When it comes to the recommendations, I hope you understand that I'm talking about a tremendous range all the way from the very little things that can be done immediately to the very bigger things. I happen to think that we are going up to them now in America. Some of the ones you may lose sight of, I don't know, we tend to become very bureaucratic about recommendations and sometimes I like to go out and talk to some of the people, particularly some of the women on the street, because they just speak so directly to what needs to be done. One I've discovered is very important in every community and every institution is to have a very sensitive experienced person in an exposure position, that means

parties, schools, whatever. There is a guy named Hugh Strayhorn, negro and indian. Strayhorn has saved not only two of my kids but generations of kids in Nightstown from going the route that we are talking about. You know, the realistic route. He inspires and motivates. One Strayhorn keeps Nightstown school system from blowing, in effect.

And Sergeant Lane, I think, is that in Atlantic City. If the sergeant wasn't there it would be a tougher situation than you've got. I think we ought to be deliberately going to find these people who are humane, sensitive, and make sure that they are in every system that we've got. And if you had one of those placed strategically in most of our cities and police forces and schools, you'd have a real insurance policy here. But I think that this has to be known that this isn't part of the way one gets ahead, not by doing the usual but by being this kind of a person. That's one of the recommendations I make.

The other, I notice that Lindsey is coming to and you've come to, it is damn important now that we clean up these areas all the way from rate to refuse collection, and we at the states level are going to work on this very hard, but some very simple things like this can be done. If that's all



you do, it's not enough.

The third thing is to get into the administration of justice. The Vera Foundation and what it represents in New York, I think, has to come into New Jersey so that we are beginning as systems engineers to take a look all the way from present arrest to probation to make certain that the system doesn't grind out the wrong product as it presently is doing. That means release on our recognizance, clearing the courts of a lot of the really non-criminal actions, actions like drunkenness, alcoholism and so forth. In my shop we are going to ask the Vera Institute to set up in New Jersey a New Jersey counterpart, I'm not sure what the best auspices would be, and I'd welcome the advice of any of you who are jurists and legalists here, it would make a great dent in the present system.

CHAIRMAN LILLER: Paul, you mentioned a systems engineering several times, I just say that because it is factual, it was invented in the Bell system.

The one thing that concerns me where it's used successfully, it operates in a hospitable climate, and how do you feel about imposing something like systems engineering into what is an inhospitable climate?

MR. WILCOXER: We have to make our own way. The guy who did Vera was Herb Stura, who lives in Princeton, did it by fantastically ingenious personality devotion. He got Bernie Paton to think that it was his reform, he got Howard Leary in a moment when Howard was in a tough spot to welcome this as his salvation. He got the Bar Association to say this was a good thing and Chief Justice Warren. He began very practically and very small without scaring anybody off. But it has grown to be a real yeast in the system. I have a feeling we can find some sympathetic jurisdictions and beginning points in New York. But that will be part of the arts.

MR. BROWN: I do feel that we should know that there has been this climate, and the federal people were interested. Stearns gave us the time, but working as an anonymous group, what Judge Del Marro considered to be a bunch of liberal votes, but that's where a commission like this can make the tremendous impact, and, of course, it is a charge to the senior and trusted members, because I don't think I could call myself a trusted member by any damn body, but I just wanted you to know that it isn't altogether hopeless.

MR. WILCOXER: One recommendation I would like to make is to go again to go back to the one perception of this thing, what you

are seeing in this civil disturbance, whatever you want to call it, is the beginning of civic protest which is long needed, and in many respects is legitimate. And this ought not to be left as just the negro burden right now. The trouble is that he's the only guy in many of these cities right now that's beginning to talk about the things that have to be done. If you leave him alone he can't sustain it. He's only got ten percent of the vote, and, therefore, it is an exercise as a frailty in the negro crusade who then turns it over to the militant who says, "I'll do it with a fire bomb or sell out." So, where it is legitimate the white population must join in that crusade, that makes it a legitimate movement of some capacity. It's going to be very hard because many of us have gotten into, you know, alliances which make it difficult to admit that a piece may be corrupt or whatever, but it has to happen, otherwise what you're going to see, and I think what I find when I go down and walk those streets and talk to some of those people, many of those people who even throw the bricks see themselves in a righteous crusade and see themselves sold out.

MR. LOFTON: Commission, I want to go into it again, the question that Governor Haynes mentioned in terms of the economics of a feeling of ownership. Is it true

feeling in talking with the people in the area that considering the small percentage of those, and I think everybody is just about ready to admit that it was only a small segment of the black community that participated in the hostilities themselves, but is it your feeling that the greatest segment of the people in the neighborhood that did not participate sympathized with the people that did, and, therefore, provided comfort with the person who did throw the fire bomb?

MR. VLKISANER: Yes, it is a cycle, you come back and the just complaint didn't come through, and you sympathize with him.

MR. LORTON: Isn't it imperative for the person who may be inclined to be the extremist be isolated in that -- what I mean is isolated from the comfort that he feels in operating in this environment? In other words, I'm getting at the fact, it seems to me that in terms of economics of the situation, in terms of, say, finding more negro businesses. When I say finding more, I mean creating more negro businesses in the area, not only that doing something with this money in terms of expanding the negro businesses that are there -- in other words, what I'm talking about is to get more people in the black community involved in the ownership and of what's occurring



in their community. Don't you feel as though this would have a tendency to cause this greater community reaction against anybody that would come in there and talk about throwing fire bombs?

MR. YLVISAKER: I think that a much larger part of the negro male population should be in positions of influence and power, whether it's owned by ownership or what ever. And so that the other guys can feel that as you move up by this route you are somebody and you get certain things done. If the feeling is that even after high school and college you don't get anywhere, then this guy does it by his methods and he's approved by the whole community because his methods didn't work. Negro ownership of homes and businesses is important, but ownership, qua ownership, can be also illusory, because you also know how many of the Uncle Toms in the community have acquired it only for themselves, and it didn't become a weapon for anything. So, instead of becoming an important part of the community they became a rich person. So, a real test here is if a man in a negro community works, the doors ought to be opened so that he gets the just rewards of influence that go with it. If he doesn't, then the other guy says I'll do it the other route, and that's the fire bomb.

MR. LEPTON: You mentioned the various state programs, say, for the building of housing and that sort of thing. In terms of a development and so forth. I know that there are certain groups like the Inter-racial Council of Business Opportunity and so forth, and certain groups of individuals that have spun off, say, non-profit corporations. Is it not possible for the state to take, so to speak, under its wing, so to speak, who are moving in this area in terms of giving them the technical assistance to be able to reach out to tap, say, contact with a developer? But the ownership of that development belongs to that, say, a non-profit corporation, let's say, then that non-profit corporation could then spin off a profit making corporation for the persons to run that business. The businesses would then be run by people from the community hired from the community. I'm talking about things in that area.

MR. VLVISAKER: This is the general line of the programs we are now beginning to talk to people about.

GOVERNOR LEVNER: Our experiences with that Inter-racial Council for Business Opportunity was that for a small business corporation they made a lot of noise, but

they never had any money to give us, get the ghetto swept, and the new program at the national level, and when we tried to process some of the people, there was no doubt there, they had a lot of people sitting around to process loans.

MR. BROWN: In Jersey City we tried to do this -- let me give you just a brief answer. I think it is important because it shows the frustrations which we've had to consider. Under the housing act, and this very modern thing we have in the state, it is possible for a non-profit thing to build. So, I have a very solid church, a thousand member church. So, we have the minister and these thousand people, and we went to the city and we said to them, "well, look, certain sections of the city have already been declared blighted and so forth" -- and Kislak was in on this, because he helped us to set up one of the projects, the one that is working badly. So, we said we are not talking about high rise, we are talking about here is an area which is half burned out, two blocks not being used, could you help us to get in here and to build garden type housing, and we even had a city planner, who I paid, to come in and give me a plan and idea. This will tie in this area, it is within a block of a school and a block of a housing setup, and under the contribution element of the federal statute, this so called

middle income housing can be sponsored either on a lease arrangement with low income people so that you have a truly integrated unit, not two hundred and fifty, let us build ten units in this corner of the block. It took us two months to get an appointment with the housing man, Sidney Willis, to sit down and plan it. Then when we got it, we were told that the mayor had already thought of this, and one architect, Bernard Kennedy, was to be the architect, one lawyer and one architect. So, the next thing we know they're about to give the whole damn grant. I don't think they're going to be able to do it now with all the hell that's been raised. Then we have the small business loan people, and they think it's great, but they can't give you a quarter. These people devote time, effort, and then we run not into the local corruption, but into federal massivity. It doesn't move. If this is why it is such a hell of a thing to do, the long range thing is tremendous.

CHAIRMAN LILLEV: This is an area where this commission can speak out.

MR. LOFTON: The question I'm raising, for example, where you have the situation in Hawaii with respect to Bethany Baptist Church, this situation is a situation where the non-profit corporation was conceived after the profit making

corporation, so you go around and find a black figure head and set them up, but where the money is being made is somewhere else. Why can't the non-profit corporation spin off its own profit making corporation and hire these people to do this, all this building, and where the money is being made? I'm talking about why can't that profit making corporation be a corporation of the people who live in the area?

MR. BRUCE: Let me give you one answer to that, to find the negroes who have the expertise and the experience to do this is extremely difficult. For example, we searched high and low for a negro involved in planning, and architectural and environmental guy who could do it, we couldn't find one. We tried to work with negro real estate operators and we got sucked into the Hialak deals because we had to have the experience to tell us how to acquire the land. We couldn't find anybody in Jersey City who had any experience. This is too where we have to begin, but, of course, the government could help if we could get a negro real estate man with a potential and then deliberately support him in such a venture.

GOVERNOR MEYNER: Look what happened to that savings and loan outfit that started here, they didn't have the competence. The Commissioner of Banking and Insurance said

it was desirable and -- off the record.

(At which time a discussion was held off the record.)

CHAIRMAN LILLEY: Commissioners, you were tired when you started with us over three hours ago, and I think unless there is a pressing question we ought to release you with great thanks.

MR. BROWN: Just one comment, I spoke to Bishop Taylor at lunch and he was talking about the fact that in Africa, that Africans are suddenly realizing what it means to be governed by Africans, and that all the problems still go on. The black isn't going to make any difference. The fact that the negro is going to cut another and do all the rest, how in the name of God that we can seal in the idea that it isn't black, it's people and the way they grow. Because in Africa, as you pointed out to me, the same problems are there. What in the world is the difference? If we can just get the black out of the damn thing.

CHAIRMAN LILLEY: Well, Commissioner, thank you.

(At this time Mr. George Conant was brought into the hearing room to testify before the Governor's

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CHAIRMAN LILLEY: Well, Commissioner, thank you.

(At this time Mr. George Conant was brought into the hearing room to testify before the Governor's

Subject: Assassination.)

MR. BROWN: I would suggest, George, that you start talking to the commission about your experiences from the beginning of this to the beginning of whatever happened to Hayes. When were you aware that something was occurring in the neighborhood?

MR. WATSON: Around the afternoon, it was a Thursday, and that was what, the 12th?

MR. BROWN: I think it was the 12th.

GOVERNOR CANNON: It was Wednesday night when they were at the police station, wasn't they, complaining about what happened to the taxi cab driver?

MR. CANNON: They may have been there complaining about that, but I wasn't aware of this at the time, but my first contact with this thing that grew up, I believe, it was on Thursday afternoon. There had been rumors in and out of the office. You know, a managers office is kind of like a communication center in a sense, and problems in the project, often times people will come in and acquaint you with them as they are happening, or sometimes before. So, this particular afternoon one of the employees came in and said, "I understand that there is to be a rally on the project this afternoon." U 11.



right away I became interested in this, because as a manager, naturally, your primary -- one of your primary functions, of course, is protection of property and persons. So I tried to find out if anything was actually occurring or if this was just another rumor. I wasn't successful in finding out anything until one of the employees brought in a leaflet, and this leaflet was sort of a ditto affair and it indicated that there would be a meeting that evening, seven p.m., I believe it said. I don't know who prepared this leaflet, I got my ideas later, but I'm not certain of the preparation of it.

Anyway, as a result of this I got in touch with my central office to tell them that in my opinion something was happening. Then walking on the project I noticed that over across the street from the project in front of -- directly in front of the precinct there were several youngsters picketing. The signs were, I noticed this because the signs seemed to be hand printed and crude, and in my opinion the manner of the youngsters was one sort of gaiety, like having a lark.

MR. LEONTER: Excuse me, Mr. Cannon, may I ask you what you mean when you use the term youngsters? What age approximately?



MR. CANNON: Thirteen, fourteen, noble
order. Some younger, sub-born. They were circling in a picketing
sort of manner, I didn't notice any adults present, and, in fact,
on my property, the project property, there was no people that
seemed to be noticing this at all. That was somewhere around
three o'clock in the afternoon. Then at or about or around six
or so -- no, a little earlier, around four or so some persons did
start to gather along Seventeenth Avenue on the project side, but
they were scattered groups, curious, it seemed to me. I didn't
contact or talk to any of them, I was just observing. So I went
back to the maintenance room, and then at about six o'clock is
when I was told that there was a large crowd that had gathered
in front of the precinct, and I think this crowd was really on
my side of the street. So, anyway, I went over and I looked
and then there were quite a number of people. If I were to try
to estimate the number that I saw, I couldn't see the entire
block, but from the range of scope that I could see, fifty or so
persons. Now, this is all age categories now.

GOVERNOR MEMBER: When you say precinct --

MR. CANNON: The Fourth Precinct, the
police headquarters for this area, it is directly across the
street from this property.



GOVERNOR MEYNER: Was this the one that had the incident the night before?

MR. CANNON: Yes. At least this is the way I read it in the paper.

So, I had gone back to the maintenance room at about this time, this meeting had been scheduled for seven o'clock according to the leaflet, this was about six o'clock. When I could hear like a rumble of noise which was really voices, shouts or something, and there was a surge of youngsters running. I know they had to be youngsters because none of them could run like that if they were my age. Anyway, they were running from 17th Avenue through the project. Then apparently, this is now closer to seven or somewhere in there, there had been -- I didn't witness this -- but there had been some speeches or something, and this is conjecture, attempts, maybe, to disperse the crowd, but, anyway, this is apparently what I saw these events recorded on TV, whatever it was, but these youngsters were surging through the project and then they could go back. Now, I'm staying stationary in one place. I'm merely trying to keep phone contact with my office, my control office and control of my men.

I sent out and had all of my personnel



to come back to the one central place. Then the next thing that I recall that is supposed to have occurred, they left the precinct, the crowd, and went to G.E., which is in the next block.

MR. BRUSH: What is G.E.?

MR. CANNON: General Electric, the factory, they were breaking windows there. The next thing was a car had been set afire on 17th Avenue, and then another car had been set afire on the parking lot which is on my property.

Time progressed. I don't know exactly how much now. Now, lots of people are mingling back and forth towards 17th Avenue. This was after eight o'clock.

The next incident that I know there was a crowd that sort of surged from 17th Avenue toward Winney Street and they went toward the school and they were breaking out windows there.

GOVERNOR MEYNER: Were many of these people your people that lived in the housing?

MR. CANNON: I can't really say, I'm quite certain there were housing authority tenants involved as well as other people in the community. I think that, I know I was observing windows and roofs because you see, we tried to, in fact, we had made an inspection of the roof to see if there

was any stockpiling up there, I had done that that afternoon. Usually around Halloween the kids will stock pile sticks and so forth, we sent the maintenance men up and they cleared off the roof. So, that afternoon these roofs were clear, every roof.

So, in looking around during the course of that happening there were practically in every window people were looking out. I shouldn't say that, that's not accurate, lots of windows people were looking out, and I had the general feeling that most of the tenants could see as much as they wanted to see and didn't necessarily need to be out there in the crowd, but this is an opinion.

MR. LEWIS: Do you mind if we interrupt like this?

At this point did you know what the agitation was about? Now you do, but at that point or that afternoon when the children were picketing did you have any idea of what was on the signs?

MR. CANNON: No, other than what this leaflet had said. As nearly as I can recall, the leaflet said, "we are having a rally," and it had the word, "police brutality," in it. This was worded in it. It's possible that I could get a copy of that leaflet.

GOVERNOR MEYNER: Which you had read in the daily paper and there had been some discussion in the morning and what not?

MR. CANNON: There had been some discussion, but, frankly, what I had read in the paper I was not concerned with at the time, so as far as what it was about at that time, as I reflect on it, my thinking at that time, I didn't have a real opinion. If I go back to rehearsing, this is the first thing I think about, that leaflet.

So, what it was about, as far as my thinking right then in that circumstance being concerned with what was going to occur on this project.

MR. LEONTER: And in the afternoon when you seen the children, there were a few children and you weren't particularly upset by it?

MR. CANNON: I remember saying to myself, "this is ridiculous, the kids over there picketing in front of the police precinct." I remember having another thought, but I was wondering why the heck the police didn't stop them. If I had been in charge of that precinct, I think this is what I would have tried to do. However, --

GOVERNOR MEYNER: You are up to eight



or nine o'clock that night.

MR. CANNON: Yes. The next incident was up around Springfield Avenue. You see, it is only one block to the west to Springfield Avenue, so this was the next incident that I had knowledge of, and I was getting these reports back to me, and I consider them factual as far as where the crowd was concentrating, from my maintenance people. The crowd had gone to Springfield Avenue, after there was no other incidents -- I left that night somewhere around ten o'clock. They were just at Springfield Avenue. Nothing happened on the project as far as I could ascertain.

MR. BROWN: You heard some shots?

MR. CANNON: At that time, no.

GOVERNOR REYNER: Did you observe any police activity while all this was beginning?

MR. CANNON: On the project the only knowledge I had of any police were two housing guards who normally patrol the project, these two fellows were in my maintenance room, in the bathroom with the lights out, and actually afraid to show their faces.

GOVERNOR REYNER: Were there any other police forces?



OFFICER: These are housing guards
The Housing Authority used to have
the housing police themselves, they were employees. Then about
1964, I think it was, they made an agreement with the city,
through the city would actually control and hire the police
officers. They're specific, that was a lot, but the
men have received special training and the Housing Authority
city would commission a warrant under their name.
Well, these officers are assigned generally the duty of patrol-
ing projects, they're specifically there for going in and out
of buildings and controlling buildings and the property as
such.

MR. STAN: Are they armed?

MR. DUNN: They are armed.

GOVERNOR HEYNER: Are they white or
black?

MR. DUNN: These two are white.
These are the who generally work in this building, some
of whom are white. These two fellows were white and
were in the maintenance room.

I suppose it could be concluded that
the way I said that that I held them in some way.

I don't really, because I think if it had been me and in a uniform, I would have been very interested in secreting myself, but at the same time I think my opinion was flavored by the fact that prior to the riots these two men weren't worth a damn to me, really, in their services. But that's beside the point also.

BISHOP TAYLOR: Would you elaborate a little on that? When you say "weren't any help to you," you want to elaborate on that just a little, what kind of help?

MR. CANNON: What I was referring to is this, the agreement between the city and the Housing Authority is that the housing officer will enter a building, ride an elevator up to a roof, meanwhile his eyes and ears observing, walk down a stairwell and out that building around the grounds to another building. I find a lot of officers being human and not being immediately supervised during their tour of duty will spend most of their time in, say, the maintenance room, loitering. And, as far as the intended purpose, they're not doing it. I think it depends on the individual, some do and some don't. But they will respond to a call. I can never say that any of the officers that have been cited don't respond to calls. And they are helpful if the situation is brought to



them. But you see, these men are supposed to be seeking situations, and I know, my opinion and my experience has been with these two men in the time I've been at this project that they are of less value to me and my purpose than any of the other six. This is not an unknown factor to Captain Zizzo, who is in charge of that 4th Precinct.

GOVERNOR DRISCOLL: Are these political appointments, would you say?

MR. CANNON: Yes and no. No in the sense that any person can go and apply and be considered. But a number of people applying, often times the favor or the knowledge or knowing someone will get you hired faster than it will get "Joe" hired. So, it does have a political flavor, but it is not necessarily political. This is, I think, this is a factual statement of how it is there.

To get back to completing the incident that night. After these people had gone, or the crowd had gone to Springfield Avenue, there was one other thing that I recall that occurred in the -- or right on the project at the corner of 17th Avenue and Boyd Street. There was a group there and this was a considerable number of people. I would estimate when I looked at it that it was a couple of hundred people.

They were in a group there and they were singing and there... were some bongos being played, and I know that those bongos were being played by some fellows who were in what I would call African costumes. I also noticed that the two or three of those costumed people that I saw are not tenants. Where they come from I do not know, but they had the bongos and this I made the comment to myself and maybe to a couple other of the maintenance employees, that those guys are only agitating the deal up. But, anyway, this too passed and the area, as far as the immediate project seemed to be quiet other than people in larger numbers than usual for that hour, especially adults were going back and forth.

I left the project myself somewhere around ten o'clock, went up West Kinney Street, because I knew there was a heck of a lot of glass down around the school on West Kinney, so I turned, that would be west, and as I got to the corner of Springfield Avenue and what is really West Kinney Street, there was a man, I don't think I'd ever forget him, I don't know if I'd be able to recognize him if I saw him, but I'll never forget the picture that he made. He was standing in the showcase window for that baby carriage place kicking glass, and he could have been completely sober, but I got the impres-



sion, I was as close to him as I am to the gentleman, Mr. Lilley, and he appeared to be drunk to me. I may be perfectly wrong, but this was the impression that I had because of the way that he was sort of staggering, but he was kicking glass out. It was already broken, you could walk in the showcase but he was kicking the rest of it out.

So then I drove across Springfield Avenue through a red light, and when I got as far as 14th Avenue people were sitting on the stoops or standing, not in groups, just may be one or two, just as though the world was as calm as it could be. In other words, what I'm trying to say, a block and a half away from Springfield Avenue, along Morris Avenue people were acting unconcerned. I went home -- no, I went and picked up my wife and went home.

Now, that's that particular night. The first incidents that I have recalling on it.

Subsequent nights and days, I don't know what to say about this, so perhaps questions would be better.

MR. BROWN: That night did you get in touch with your Headquarters, Mr. Danzig and Company?

MR. BROWN: Yes.

MR. BROWN: What did they advise you to do or direct you to do?

MR. CANNON: Do what you can. I'm trying to quote Mr. Danzig. "Do what you can to see that your tenants are not involved. Do what you can to help anybody that gets hurt and do what you can to get people back inside, and make sure that you know where your own men are."

MR. BROWN: Did you ask for meetings so the people could get together and try to evaluate this at that time?

MR. CANNON: No, not that particular night. Let's see, I remember definitely asking for some meeting on Saturday and Sunday.

MR. BROWN: What was the response of Danzig's office then?

MR. CANNON: Frankly, I think by Sunday -- I don't know when he left, but Mr. Danzig had gone out of town. I think the purpose was he had received some sort of information that there might be possibly some attempt to harm his family or something, and he was getting them out of town. This was the way it was explained to me. But Mr. Sibellela who is my boss, the Assistant Executive Director had had a



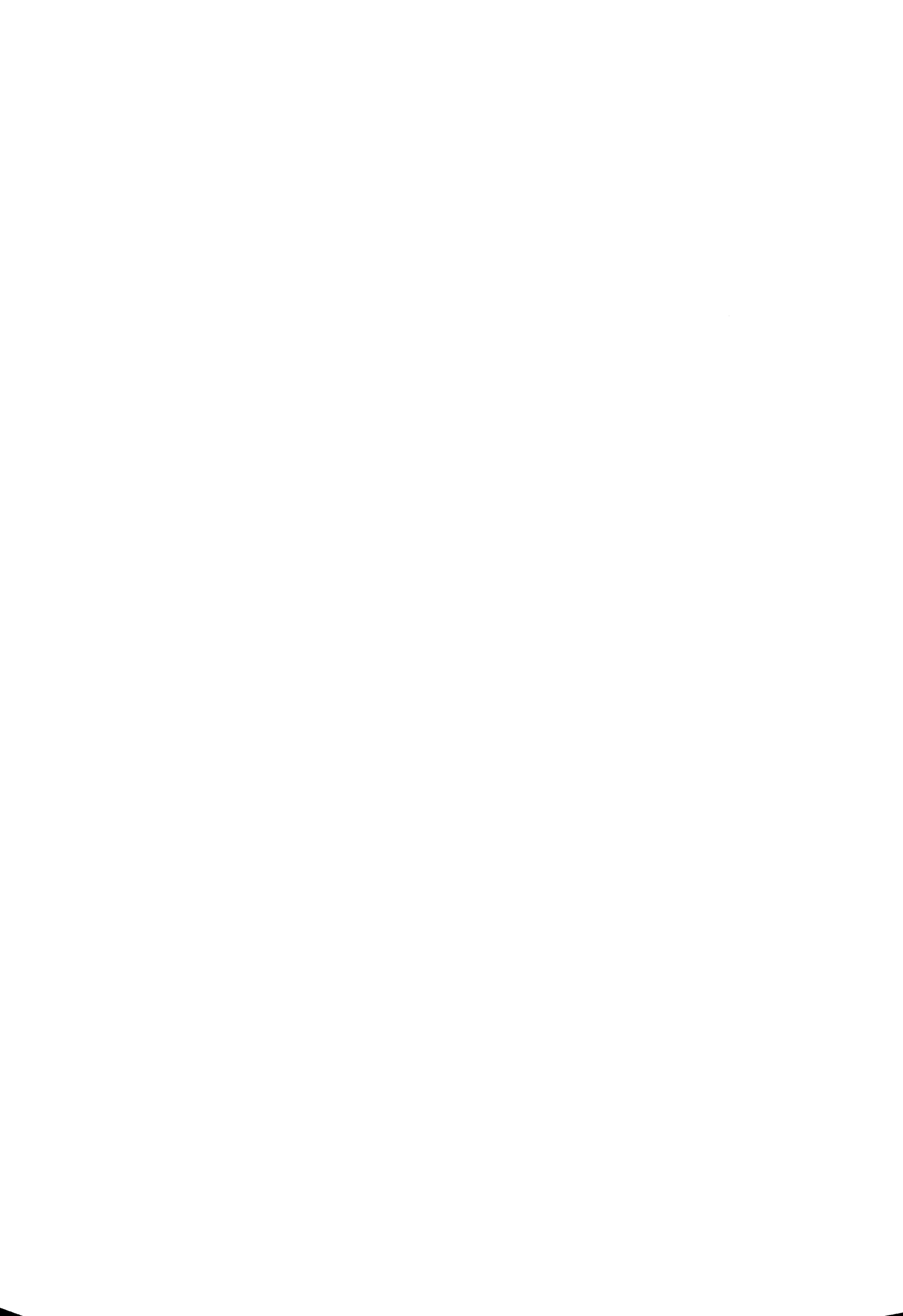
meeting with some other personnel, not with me or the manager at Wrights Homes or at Soudas Homes, one these projects immediately involved, but then he did have a meeting with us on, I think it was Sunday afternoon. I was the only manager that attended, but I think this meeting Sunday afternoon was really called because I had been yelling. Several things I wanted a clear understanding on and so forth. There were problems, problems of getting men in and out to work, who lived out of the immediate area, problems of authorizing these people who continue staying on the project working. Problems of having mechanics, electricians, plumbers, even carpenters involved, locks available for work. These kind of things, and then too by Saturday evening and what not, people were talking about the need for food.

MR. BROWN: How did your white maintenance men make out during this period?

MR. CANNON: I kept mine, I'll say not only the maintenance -- well, see, when you say maintenance --

MR. BROWN: Well, white employees?

MR. CANNON: I kept them on duty until -- I know it was Friday. Thursday night the ones that were scheduled for duty stayed there up until, I think, it was around



eight o'clock.

MR. BROWN: Any reaction against the white employees?

MR. CANNON: None that I know of.

None that I know of. And even subsequently I've asked this question of various white employees, had they had any feeling of animosity or something from tenants, and the response has been negative. In fact, one fellow who is a senior maintenance repairman said to me, if anything at all, I kind of think people were greeting me sort of specially nice, they must have been glad to see me get back here. I think what he was referring to was an interruption of what his normal service during this period, and getting some of these people back meant that some of these things that people needed to have done now were going to be accomplished.

MR. BROWN: But this was in the heart of the riot, and this fellow was able to walk in and out?

MR. CANNON: I started to say that on Thursday I had white people still at the project until approximately eight o'clock, scheduled for nine, I sent them home.

MR. LEONTER: You were afraid for them?

[Faint header text, possibly a title]

I have been thinking about you a lot lately, and how much I've missed you since you left. I hope you are doing well and that everything is going smoothly for you. I've been busy with work, but I always find time to think about the people I care about.

When I see the photos of you and your family, I'm reminded of how much I love you and how much I wish I could be there with you. It's been a long time since we last spoke, and I've missed our conversations. I've been thinking about all the things we used to do together and how much fun we had.

Life has been busy for me, but I've managed to stay positive and keep moving forward. I've learned a lot from my experiences, and I'm grateful for the people who have supported me along the way. I hope you're doing the same and that you're enjoying your life.

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these negroes towards the white people?

MR. CANNON: These employees, as far as I have any knowledge of, and the ones that I have questioned, the attitude was the same as it had been all through this.

MR. LEUCHTER: They've known them personally?

GOVERNOR MEYNER: How many tenants do you have?

MR. CANNON: One thousand five hundred fifty-six units.

GOVERNOR MEYNER: With how many people?

MR. CANNON: Multiply that by four, it's a very rough figure.

MR. BROWN: All six thousand couldn't know these guys personally.

MR. CANNON: No, you don't find all units persons going to all buildings, maybe this is the impression you can have. For instance, you can think of a man named Riley who works primarily in these buildings, the other eight buildings he doesn't go into, except in an emergency.

MR. BROWN: That is not his assignment?

MR. CANNON: That's right.



In one of the offices I have practically four white persons, well, they don't go out of the building but they have contact with persons who come in from five buildings.

MR. BROWN: What is the reaction of these people when they come in? A negro woman comes in, there's been a riot, how does she treat a white clerk?

MR. CANNON: I don't think there has been any difference in the attitude of the tenant to the white persons working in that building before. Not that I have knowledge of.

MR. BROWN: You questioned the people, haven't you?

MR. CANNON: I questioned one or two of the employees.

MR. BROWN: Does this include female white?

MR. CANNON: I did with the office staff. I have one particular woman who has on occasion had some words with a few tenants, and the tenants have said that they don't like her particularly, but this is the woman's personality, not because she is white.

MR. BROWN: Did she have any trouble when she came to work?

MR. CANNON: No. I got all these people together and I said to them there have been problems, as you know, and I want each one of you to be more polite than you have ever been since you have been working in housing, and I think each employee made a conscientious effort. In fact, when I did this, it wasn't only with white employees, I did it with all employees. And as far as I know there has been no unpleasantness between tenants and employees that I know of right in this particular time past.

MR. LEUCHTER: Mr. Cannon, would you suggest, therefore, on the basis of what you were telling us that the range of bitterness or frustrations, or whatever it was that erupted, was directed therefore, not at the whites as individuals but at a power structure, a system? Because this apparently is what it leads to, whites walking right in and ignored. There was no animosity in the Hayes Homes to these whites, it was just human beings, and they let them alone.

MR. CANNON: I think the best way I can answer that is to say the relationship of the tenants with the persons they know to be employed in the Housing Authority

must be a different relationship from that same contact with some other person in the area who is either passing through casually or perhaps is in business in the area or something. I could not conclude from what I have observed in regards to the white employees at Hayes Homes and the tenants who have come in that there be any animosity towards white persons. I conclude this, I have had tenants come in to me, and this is a small percentage now, and we always emphasize a small percentage, there's been no difference, really. I've had some people come into me and their attitude has been to me more demanding than I have ever experienced as a manager before.

MR. BROWN: That's demanding of you?

MR. CANNON: Yes, and in this sense you could take another step -- I'm the Housing Authority.

MR. BROWN: And you are not passing for white.

MR. CANNON: Very definitely, except on occasions.

But what I'm trying to say is they have been demanding of something and I say something to which they're entitled, service, a broken glass, a broken window, insisting that this window be fixed yesterday, whereas two weeks



before that this same person would have come in and said, "I made a request for a window to be fixed two weeks ago, it hasn't been fixed yet. Can I get it fixed?"

I have had people say to me I'm not going to pay any rent unless those curtain hooks are put up. The lady I have in mind that said this, I consider her a good tenant, if you are thinking in terms of sociological factors, there is no husband in the family, I think she's doing a damn good job of raising her children, I think she's a fair to better housekeeper, I've never seen the woman when she looked dirty or anything, she's always neat and clean looking, the children are the same way. I have some problems with the kids, no more so than you have with any kid on a public housing project where you tell them not to play on the grass. But this woman that I'm thinking about stood me against the wall for a good half hour a few days ago, I don't know exactly when it was, demanding some things that I know that her attitude prior to this was different. She was now demanding that this thing be done and she told me that it hadn't been done for X number of weeks, or a month or something like this. It was done the next day, not because of her attitude but because I became aware of it. You see, in the housing, and I have to say this in fairness, in



housing you get a lot of requests come in for various things, and they're sort of rated according to human needs, a lot of these things the guy doesn't go back to the backlog because you are always getting the things that are still current. So, therefore, I have no doubt that when she says that this particular service had been delayed and she had asked for it before, but the point I'm trying to make is when she came in and had me up against the wall even outside the office still talking about this, this woman's attitude was one of demanding and saying she was not going to pay rent, and I know that it was influenced by what had happened recently, because she said to me that you people in the housing authority -- I don't know her exact words, but the inference was -- don't give damn whether I have hooks in my apartment or not. So, this thing that happened the other day is going to wake you up to a few things. This was the essence of her conversation.

I have had other people on the other end of the coin who have come in and who have deplored the things that have occurred and have felt that -- I've had people who have moved, I've had people who have come and told me that they are planning to move as soon as they can find a place because they are afraid to live in the area.



MR. LOFTON: When you say afraid to live in the area, what in the area are they afraid of?

MR. CANNON: You have to infer what they're saying, they don't say afraid of another riot.

MR. BROWN: Are they afraid of the white cap or the negro riot?

MR. CANNON: I think they're afraid of another incident occurring in the area, these immediate ones I'm talking about who have come in and talked about moving, afraid of another incident occurring in the area where there might be shooting and they might possibly be harmed or their family. They are also afraid of the breaking and entering sort of thing. This is a very eminent sort of thing in that area now. I do mean by criminals, the person who breaks and enters an apartment with the intent of taking something out of that persons apartment illegally. They are afraid of this sort of thing. If you know, you don't know, but Hayes Homes is a project that has a stairwell that has no windows, it is completely closed in, and if a person screws the bulbs out, that hall is completely dark, and, therefore, anything above the lobby floor people are afraid of being caught in a hall.

MR. BROWN: Who are they afraid of,



whites, negroes, cops, what?

MR. DANNON: They are afraid of the criminal element. This is the way I would phrase it. I couldn't say from my knowledge of what people have said to me that they're afraid of policemen. People on that point, let me say this, during the period of the five day riot and after, I don't know how long, the police, the training guards were not patrolling the project. They had a stationary post at the 12 Precinct, there were occasions when people did call for police assistance, the police responded.

MR. BROWN: Came into the project during the riot?

MR. CANNON: Well, yes, the riot is the whole five day period, yes, during the course of the riot, police responded on calls, I don't know how many, but I know the response was made.

MR. BROWN: These would be white cops?

MR. CANNON: I can't answer that. I would say this, mostly negroes because they deliberately re-deployed their personnel so that they were using negro policemen primarily. I had this personal contact though, it was like Monday the 17th, and this officer Rizzillo, who is new and who



is efficient and does a good job, has his walkie-talkie in his hand and I saw him walking down Boyd Street to 114 Avenue, he's about mid-way to the block when I saw him in his uniform, the walkie-talkie in one hand and the club in the other hand. I said to him, "Gene, what are you doing here?" Gene is new and he's one of those fellows whose conscientious. If they said patrol, he would patrol. He said, "well, I was told to come to the project." I said, "well, all the other fellows have been at the project and I understand it was a stationary post, what are you doing?" He said, "maybe it's mixed up."

I got on the phone and I got the desk lieutenant and I said, "have the orders been changed, have you now got the housing policeman patrolling again?"

"No"

I said, "well, there is one over here." He said, "well, tell him to report back to the precinct." So Gene reports back to the precinct. The point I was trying to make in response to something you asked me was that during this period, not the height of the real activity, but in the lulls, the persons in it, the people in the project did find need to call upon the police and did so. So, someone had asked and I was put on the spot more or less to answer the question



whether I thought tenants were afraid of white policemen or policemen. My opinion is they are not because they still relied upon them and needed them. And Building I, 202 Hunterdon Street where these apartments were shot up and where Mrs. Feldman was killed, subsequent to the five day period there was a period of about a week there when a group of teenagers and early twenties, boys were hanging in front of the project, people were calling the office, various tenants, I don't mean every second, but two or three calls in the course of a day, this is unusual from the same spot complaining about the same thing. The housing police responded and also a radio car, and they inquired, you know, talked with these boys, they found some narcotics on some one of them, arrested four of them, two of them were tenants' sons, members of tenant families.

MR. LEUCHTER: Did you, living there, right across the street from the 4th Precinct, did you feel any tensions building, did you see them getting more bitter, more frustrated, tempers rising, all of the things supposing you need one spark, did you feel anything coming?

MR. CANNON: You mean in time, weeks or years?

MR. LEUCHTER: That week, was it any



different than it had been a year ago, two years ago?

MR. DANNON: Yes and no. The no part.

My evaluation, and I say this loud and clear, in evaluating what I've said you will remember this, my evaluation of what was likely to happen was nothing was likely to happen. Too many times in Newark there had been rumors of disturbances about to occur, or groups of youngsters about to tear down a project or something, and it filters out to nothing. So, my evaluation immediately before that Tuesday and what not, I had not even taken into consideration this incident of the cab driver and so forth. This was just another incident that I had heard was that nothing was likely to happen. I had made no preparations for this. If I had, I would have had those locks fixed on the roof so I could have locked them, and fought with the fire department about them. We have been over that hassle years, Halloween and what not. You are always required to keep them open because of the fire laws, but if I had thought, even suspected the least bit that there was anything to be likely in the way of a riot or because of the current temperament I would have gotten those rooftops locked.

MR. LOFTON: Is this attitude that you are expressing prior to Wednesday or after Wednesday?



MR. CANNON: Prior to Wednesday. I'm talking prior to the 12th of July, around there. That's the no part.

The yes part, during that week I remember a couple of people had mentioned something is brewing, you know, this sort of thing. And what they were referring to was, well, let's make it specific -- one employee, Harry Van Dyke had come into me earlier that week and said something about some rally or something to be held. Rally to be held always connotes crowds and something likely to happen on the project. So, I'm attuned to this sort of thing as a possibility of something I should know and take precautions against. Well, nothing had happened and I had passed it off in the way I answered the other side of the question, no, it's not likely to happen. But the yes part is that there was, I felt personal tension, but my tensions, I think, was not because I felt something was likely to happen, my tension was if there is a meeting or something on the project, I got a problem. I guess I was self centered in that sense I wasn't thinking about the community of the city or across the street or downtown, I was thinking if there was a rally I sure in hell hope they don't have it on this project.

MR. LEUNTER: No reason to expect violence?

MR. CANNON: No, but there was this sort of tension to me. Now, on this same day and that afternoon, yes, there was tension, you could feel it in the absence, it seemed, of, I don't know, as I reflect on it, it just seemed there was tension in the air that afternoon, and especially as you got around four o'clock and so forth there was definite tension in the air. You see, another way, you can see a youngster who normally is out playing basketball, say, and these kids are over in a group and they're talking, this isn't normal on my project.

MR. BROWN: Were these the kids themselves or was there Brown or Smith or Jones there standing there up as far as you could see?

MR. CANNON: No, I didn't see nobody there.

MR. BROWN: These were local kids?

MR. CANNON: Yes, they weren't over by the precinct and there was no big crowd, but I seen some of the kids that normally would have been out playing ball and not have been there. And I'm observing this and thinking, this

is that afternoon now, three, four o'clock, like that. Why I think they were standing around is that they had seen these leaflets and they were waiting for this meeting. So, now, to me I felt a tension in the air because I could see these youngsters doing these various things. You see, at this project in the past years, going back, I can remember about eight years ago there were a couple of organized gangs, they no longer exist to my knowledge, and on occasions the word would get around that there was going to be a rumble that night, this was the same sort of thing that was occurring that afternoon, I felt something was going to happen. This was on that same afternoon, not the day before. I was hoping that there wouldn't be any meeting, but when these sort of rumbles used to occur with these youngsters, the fighting ground was the playground, and we would be taking precautions to see that the youngsters were involved on the playground in a game or didn't congregate or something. If we saw any members of the two groups we would talk to them, the phrase was "cool it."

MR. LOFTON: Prior to the Wednesday with the incident with the cab driver, to your knowledge, being present in the housing project on a daily basis, was there any demonstrations, say, during the month of the incident or the

incident with the cab driver? Was any of this occurring?

MR. CANNON: Not to my knowledge.

MR. LOFTON: Also during that month were there any leaflets or anything of that nature circulated throughout the housing project that came to your attention, like making a Molotov Cocktail?

MR. CANNON: Not in the immediate month, but now that you mention that, a leaflet saying "Molotov Cocktail," I went to Hayes Homes in April of this year, prior to going to Hayes Homes I had Wright Homes and I remember last year when Stokely Carmichael came to town and just prior to that Stokely spoke right on the corner of Prince and Spruce, I remember prior to that there were some leaflets circulated.

MR. LOFTON: This is in '66 now?

MR. CANNON: That's right, and the essence of the wording was "Molotov Cocktails" and burning Berger's windows and that sort of thing. But in between that time, and up to this leaflet I referred to before, at the moment I can't recall any other leaflets or any meetings in the month of July or even in June, 1967.

MR. BROWN: Talking about it, the Carmichael time, was that a time that you were apprehensive that

something might blow?

MR. CANNON: Yes, that day. I remember it had been announced, I don't remember how long before his actual arrival was announced, but I remember that afternoon sending employees home early, I remember reducing my office staff to a bare minimum and keeping them in the immediate area of the maintenance room. All this was done in preparation because Stokely Carmichael was going to speak. It was announced it was going to be in the Prudential Apartments there, which is below the project area, but it turned out later that it was on the corner of Prince and Spruce, but this thing passed as calmly as we are talking here, and there was a group of people that were gathering around, people were passing by, they would look up and keep walking just as though it was TV and something was going on, they're not interested, they kept going. Boys were out in the playground playing basketball the whole while he was there, teenage boys. So, this incident arrived, happened and passed without anything.

Well, I remember being concerned and I think my concern that time was started by a call I had from the central office to take these precautions.

MR. BROWN: You got no such call even



on Thursday of this case?

MR. CANNON: No.

MR. LOFTON: A couple of more questions, you were present on the Wednesday night prior to or after the incident with the cab driver, were you?

MR. CANNON: No.

MR. LOFTON: Now, you came to work on Thursday?

MR. CANNON: Yes.

MR. LOFTON: Did you have occasion to discuss with any of the tenants in the Hayes Homes any of their reactions to what took place on Wednesday night?

MR. CANNON: No, not on that day.

GOVERNOR DRISCOLL: Did you hear the rumor that police had beat up the cab driver or killed him?

MR. CANNON: I'm thinking about your question and his. And I do recall having a conversation with a tenant on Tuesday morning in which -- Thursday morning in which whether or not this cab driver was alive or was not alive was discussed. That conversation was with Tempstall, who, as you know, is the Ex-president of the Tenant Association for Hayes Homes and is now, I think, the city wide -- no -- maybe

presently the city wide president of the Tenant Association.

MR. BROWN: What was the tenure of the conversation?

MR. CANNON: I have forgotten exactly what Temp quoted me, but I remember in that conversation this was the first inkling that I had that there might be some sort of meeting on the project that day. I kept this to myself and then I did not -- the next person that mentioned it to me was when Harry Van Dyke came in, and the next thing was when I got the leaflet and this confirmed what these two persons had said, but not Temp's conversation really pertaining to the likelihood of some sort of meeting taking place, and if I hear anything about it to relate it to him.

MR. LOFTON: Now, Mr. Cannon, in your capacity as head of the housing project in Hayes Homes are you in fairly constant communication with the people in charge of the precinct at the 4th Precinct?

MR. CANNON: Yes, Captain Zizzo, who is in charge, is very cooperative and is receptive to telephone calls or visits anytime pertaining to anything that is a problem in the project.

MR. LOFTON: My second question is

during the month or anytime prior to the hostilities breaking out in the area around in through the Hayes Homes or subsequent to the Wednesday, did you ever discuss with anybody in the police precinct in terms of what kind of precautionary procedures ought to be used or what you ought to do if any hostilities broke out in the area of the Hayes Homes?

MR. CANNON: No.

MR. LOFTON: Never?

MR. CANNON: No. Prior to the incident, conversations I had with Captain Zizzo, or, perhaps even a desk lieutenant, pertained to some specific incident that may have occurred like suspicion of narcotics in a particular apartment, watch that apartment, or a break and entry in a particular apartment, has it been reported, follow up on it, I have another bit of information, a description of a person who was seen in the area. This sort of thing. But precautionary measures in the event of some large scale before or after the incident, I have had not any conversations with any member of the police department.

MR. LOFTON: Did I understand you to say that the stairwells of the Hayes Homes have no windows?

MR. CANNON: This is correct.

MR. LOFTON: There have been some re-
puted, or allegations that the Hayes Homes, along with other
housing projects, were used as havens for an indeterminate num-
ber of snipers. Have you had occasion to discuss that allega-
tion with any of the tenants or any discussions about that at
all, or whether or not they had heard or saw or had any knowl-
edge about any such persons being in the area?

MR. CANNON: Subsequent to the affair.
You see, in 322 Hunterdon Street, and this is the only knowledge,
starting with about the eighth floor in the F and the E tier,
bullets either direct or ricocheted went into the apartments
and tore -- you'd have to see it to really appreciate it -- but
tore holes in the ceiling, chipped off brick on the outside of
the window ledge, shattered the glass, shattered the screen,
went across the room, from windows all the way over here, across
the room and imbedded into the wall at least the height of my
head. Went through windows, through a thin wall. Say that you
have a bathroom, and where the door is it is a thinner wall
than the wall between the bathroom and the living room. Tore a
hole the size of this through this thin wall and gone on across
this little hallway into the apartment and into the next room.
These persons, some of them who occupied those immediate apart-

ments in those levels did come into -- you see, my project is split into three offices -- did come into Mrs. Ward's office and told her many things, all of which she did not relate to me about what was going that night, and how their apartments had been damaged. Two persons I know of came into her office. This is hearsay now because she related to me, and said that subsequent to and immediately during this, persons had been in the area of the lobby and they felt that they were afraid to go through because a couple of people had been rigged and that they were going to arm themselves and project -- not arm, some that, protect themselves, "I got a gun."

Now, specifically on the question of a tenant saying a sniper was in the building, no person has said this to me, and Mrs. Ward, she's very talkative, she has not said to me that any tenant has said to her that a sniper was in the building. I can only assume that since fire was directed from that particular area of Springfield Avenue and Hunterdon Street, at the specific location and above the eighth floor, mind you, because if you go down below the eighth floor there is very little of anything, rickshaws hit maybe one or two, the concentration is the tenth and the eleventh floor, the sixth floor there was less.



MR. BRODIN: How far is that from below the roof?

MR. CANNON: The twelfth floor would be the top floor. This fire was directed at this particular concentrated area on one little angle of this building. I concluded that they were shooting at something. The fire department, you know, the engine 6 which is directly across the street from this, it is reported in the papers was fired upon, from where I don't know. I'm still trying to answer your question. No one has said to me or Mrs. Ward has not said that anyone has said to her that a sniper was in that building.

MR. LOFTON: Of course, I'm really interested also in the converse, whether or not the tenant feels there was any snipers in the building or whether or not they feel as though this firing on the building was done without provocation. Have you had any reports in terms of those kinds of statements made by tenants?

MR. CANNON: Not from a tenant living in that building or the area that we are talking about. I've had a conversation with Mr. Stile who has been in contact, and I had a contact with one of the employees, I remember, who made the statement that they were shooting from the building. This



is one of the boiler room attendants who made that statement, "there is guys in the building shooting," he said. Now, what he meant by that, who knows.

MR. BROWN: What was his name?

MR. CANNON: Cook.

MR. BROWN: Is he a boiler maintenance man?

MR. CANNON: He's a boiler room attendant.

MR. BROWN: Negro or white?

MR. CANNON: Negro. The statement was the general condemnation that they were shooting in the building and guys were shooting at each other. Whether he had any facts to go upon, I don't know.

MR. GIBBONS: Did you hear any tenants comment about the pictures that appeared in Life of an alleged sniper?

MR. CANNON: No, I haven't as far as tenants are concerned.

MR. BROWN: Could you identify that apartment?

MR. CANNON: I saw the Life article,



but as I recall there was nothing pertaining to Hayes Homes in the Life article. It was a picture of Avon Avenue in the area of Belmont, down to -- what is that, where the boy is lying on the street?

MR. GIBBONS: The picture in the apartment you couldn't identify?

MR. LOFTON: There is a picture in the Life article which supposedly depicted a sniper sitting near a window with a carbine in his hand.

MR. CANNON: I remember when I was looking at that picture I was trying to size it up by the window if there was a screen and so forth. If I were to give you my opinion, that was not a public housing apartment.

MR. LOFTON: Is it the housing guards that patrol the grounds of the Hayes Homes?

MR. CANNON: Yes.

MR. LOFTON: And approximately how many housing patrolmen are there that patrol Hayes Homes?

MR. CANNON: There are six in that immediate area, but three primarily are five men that are assigned to Hayes Homes. We should say on that though that two of these men were only added in the month of June Prior



to that it was four men. You see, they've been hurting for officers all along.

MR. LOFTON: How many buildings are in the Hayes complex?

MR. CANNON: Eleven plus one administration building.

MR. BROWN: And it's twelve stories high?

MR. CANNON: Yes. You see, their shifts had been to come on at four o'clock, one tour was four to twelve and another tour was from eight to three, something like that. When I first went to Hayes Homes this was one of the things that I went over to see Captain Zizzo about and he was in agreement with me that we needed additional personnel, and then on or about the end of May or early June two new officers came on. One of them was this Rizzillo and another young man named Plesson, they were started on a tour from eight in the morning until four in the afternoon. So, therefore, you had coverage eight in the morning to four, four to twelve, eight p.m. to three p.m., which gave us better service. But, you see, with these shifts varying when certain men are on there is more production. When I say production in terms of housing, more kids are kept in line as



far as playing in the halls or playing with the elevators or this sort of thing, or you can't say anything about the inside of the apartment where the disturbances occur because usually the precinct is called before the housing guards are called on that. So it gave us better coverage, let's put it that way, and production. But the obvious point here is whether it is adequate. No, in my opinion it is not adequate.

MR. BROWN: Has there been an after action report compiled by housing on any of these factors?

MR. CANNON:: This is customary procedure following any sort of incident where there has been damage, the managers are required to make them.

MR. BROWN: They include witnesses statements and so forth?

MR. CANNON: No, usually is just a sort of narrative report, chronological report made by the manager to the best of his recollection of what happened and give an estimate of the damages suffered and go on record the fact that you are under way for, you know, repairs.

CHAIRMAN LILLEV: Is there anything further you'd like to say?

MR. CANNON: No, I think one thing



only. I know what the announced purpose of the commission is and I had a couple of questions that seemed to be asking, "how do I size up the situation?" I am as confused as to what caused this as anything, as any other person. But, you know, the old National Guard training and etcetera about controlling riots and what not. The night in front of that precinct, the manner in which the incident of the picketing of the youngsters and the gathering of the people was handled I think was not the cause but the final straw. Someone in that crowd threw -- because of the way it was being handled -- threw something at the precinct and then others followed up on that.

MR. LOFTON: How was it being handled?

MR. CANNON: Here again I'm trying to put myself in the position of whoever was in charge of that precinct, and I got a group of people over there who are gathering and who are not necessarily breaking the law but there is potential trouble, what would I do? I certainly think that earlier in the afternoon I would have tried to go out in some sort of way, not arrest them but persuade those kids to leave from my precinct. This is a serious business building here. Now, there are semifications, you know, constitutions, right to protest, all this is involved, but I think that some officer



might possibly have been able to discourage this. Here again, I can only assume some responsibility, I don't know whether any tenants were in that, but I didn't go over to find out. If I had gone over to find out, maybe there might have been one or two kids in there that I could have persuaded to go on home.

All right, this element and then the additional element of the command, it had to be a command, they didn't respond just as a man the command to leave the interior of the precinct and come out charging on the crowd, I didn't see this but I saw this on TV.

MR. BROWN: Did you ever see the police come out and try to circulate, persuade and in any way inform themselves in trying to handle the crowd that particular day?

MR. CANNON: No, I didn't.

MR. LEUCHTER: Were you out there a fair amount of the time?

MR. CANNON: Back and forth, not over immediately as close as I am to this gentleman here, but up to where I could get a view of what was happening that way and a view of what was happening that way. Up until approximately five thirty, six o'clock I was doing this. And after that I



stayed in that maintenance room near that phone.

MR. BROWN: Did anybody come down from the housing authority?

MR. CANNON: I was the housing authority, I was there.

MR. BROWN: Didn't you ask for help?

MR. CANNON: No, I didn't ask for help.

MR. BROWN: Was it S.O.P. of a housing authority if the manager thinks there is trouble brewing, are you supposed to handle it, fifteen hundred people?

MR. CANNON: Yes.

MR. LOFTON: I'm trying to ascertain, Mr. Cannon, in terms of that Thursday after Wednesday night which obviously so much involved on that Wednesday night activity within the Hayes Homes, I'm trying to ascertain whether or not there was any communication between the law enforcement contingents and those persons responsible for the administration of the Hayes Homes attempting to see what can be done?

MR. CANNON: I had no conversations with no one pertaining to what happened Wednesday night. No conversations at all.

MR. BROWN: But Thursday night at six



o'clock did you call the Housing, the police?

MR. CANNON: Not the police, I called
and I spoke to Mr. Danzig.

MR. BROWN: You told Danzig?

MR. CANNON: I told Mr. Danzig about
every significant thing. I told him about the leaflets earlier
in the afternoon that I had gotten, I told him about the fact
that people were beginning to assemble on 12th Avenue. I told
him that people had -- I could see people on the roofs now.
That was not all one conversation, this was two or three con-
versations. I told him, you know, I told you the kind of things
he was telling me about seeing the people get in and so forth.
I told him in my last conversation, I remember, and this was
after the thing had really started and the kids were really
surging through and they had hit G.E. and they had burned a
couple of cars, I told him I was going to keep the man that I
had on duty in the maintenance office for absolute emergency if
I had to do something I would. I was not going to go out and
try to crush a riot.

MR. BROWN: What did he say to you?

MR. CANNON: "Do the best you can."

MR. BROWN: You told him that cars were



already burning and people were surging through the place, and he told you to do the best you can? What was his tone?

MR. CANNON: Certain. I learned subsequent to that that both Danzig and Siballeto, who was on vacation, had been in touch.

MR. LOFTON: I would assume in a complex like a housing project, normally there are pockets of leadership which the other kids normally gravitate around, is that true of the Hayes Homes?

MR. CANNON: I think this is true in the way you put it.

MR. LOFTON: My second question is, are you familiar with who these teenagers may be, by name?

MR. CANNON: One or two I may know.

MR. LOFTON: What I'm getting at is in case the commission may want to talk to a person who may be one of these natural teenage leaders.

MR. CANNON: Could I supply some names? Yes, I think.

MR. BROWN: Now, Mrs. Ward. She's more likely to be in touch, isn't she, in this particular zone?

MR. CANNON: In the area of 302



Hunterdon Street where the shooting occurred.

MR. BROWN: She'd be, she'd have a lot to say?

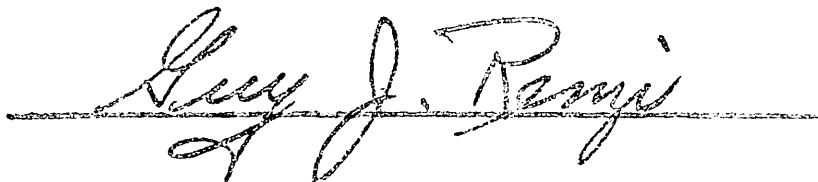
MR. CANNON: Yes.

CHAIRMAN LILLEY: I think if we are all agreed, Mr. Cannon, you've been with us a long time, you've come after work and you've been very helpful. Thank you very much.

(Hearing then ended.)

* * * * *

I, Guy J. Renzi, do hereby certify that the foregoing is a true and correct transcript of testimony taken at the time and place hereinbefore mentioned.



C O L O N E L D A V I D B . K E L L Y, Commander of the New Jersey State Police, was sworn by the Chairman of the Governor's Commission and testified as follows.

EXAMINATION BY MR. JAFFE:

Q Colonel, what is your official position?

A I'm the superintendant of the New Jersey State Police.

Q And how long have you been superintendant?

A January, 1965.

Q Could you tell me what your responsibilities as superintendant of the State Police are?

A The control and supervision of all the State Police functions and their responsibilities.

Q What is the responsibility of the State Police in the context of New Jersey?

A This is pretty well spelled out in Title 53, it spells out the responsibilities and the duties of the State Police. Of course, I do have a copy of that, an excerpt, I can get that for you, but it is spelled out in 53.1:1.

Q Could you make that available to the Commission, please, a copy of the duties of the State Police?

A Yes.

Q And could you just generally, for the purpose of the record,

tell us what your responsibilities and duties are, not specifically in terms of the statute, but what your general overall duties are?

A The State Police has the responsibility of enforcement of all laws, statutes, federal and ordinances. In addition, this is supplemented by a policy which is regulatory with the structure of the State Police in that we have divided the state into three geographic areas of responsibilities, full, partial and cooperative.

Q What do you mean by those three?

A When we say the State Police have full responsibility -- full responsibility is in the area where there are no local police departments, or the police department as such, it may be a chief or one individual.

Q Could you give us an example of that kind of an area?

A Yes, Sussex County, the rural section, Cumberland County.

Q And you are responsible there for local law enforcement?

A Right. That's the full. The partial is where there is a police department and the police department is such that it needs assistance either in traffic, crime, either/or both. And the State Police will assist the police department.

Q Is that type of partial responsibility based on an agreement



between the State Police and the local authorities?

A This is the understanding, this is the agreement between the local authorities. Now we have this all spelled out and it is all broken down by order and defined by agreement with the local police.

Q In other words, an area where you have responsibility there is actually a written agreement?

A Well, there is no written agreement, there is an understanding but we have it spelled in our own orders, the break-down, full, partial and cooperative.

Q Could you give us an example of an area where you have partial responsibility?

A Yes, a police department that may have a chief and maybe three or four policemen, like Brick Township, one of the townships down in the southern area, where the assistance is required and the population is such that it demands more assistance.

Q Now, would you give us an example of the third area?

A The third is the cooperative responsibility, where we cooperate with the local police authorities, that would be Newark, Perth Amboy, those police departments. We do provide technical assistance to these municipalities, all municipalities in terms of polygraph assistance, assistance in specialists in narcotics,

state identification for such testing that may be required.

Q Where you have cooperating in the area of cooperation do the State Police perform any law enforcement on their own or just in cooperation with the local authorities?

A In the area of cooperation we will, at the request of the Chief of Police, we will come in and aid them in areas that I have just explained or at the demand of the prosecutor or on the order of the Attorney General.

Q Does the Attorney General have authority to send the State Police in any area of the state to perform local law enforcement?

A Well, in true terms the Governor is really the sole -- by law the sole authority, and I assume this would be delegated to the Attorney General, he would have this particular responsibility and the authority.

Q And he does have the authority to delegate the State Police?

A Yes.

Q What is the responsibility of the State Police in terms of policing the turnpikes and parkways?

A The turnpikes and parkways and the Atlantic City Expressway, they're separate entities and actually they lease State Police in true terms. For example, they pay for the training, they

pay for the uniform, equipment, they pay the salaries and the maintenance and the full cost of State Police.

GOVERNOR MEYNER: And the pension benefits.

THE WITNESS: Pension benefits.

MR. LEUCHTER: So you would not go into a city which has its own police force in this so-called cooperative area unless either ordered to do so by the Attorney General or your presence requested by the local police force?

THE WITNESS: Off the record.

(At which time a discussion was held off the record.)

MR. LEUCHTER: In the context of our group in terms of mass violence of some kind you would not even then go in on your own without somebody asking you, either the Attorney General or the local police?

THE WITNESS: We cannot go in, the law is specific in this, Title 53 is that the Mayor of the municipality must request of the Governor State Police assistance, and we cannot go in unless the Governor directs us to.

CONTINUATION BY MR. JAFFE:

Q Unless it is an area in which you have full responsibility or

an area in which you have an agreement?

A Yes.

Q Colonel, could you just briefly sketch for us the organization of the State Police? Just very briefly.

A Basically we have -- the organization, we have broken it down into three functional areas, administration, operation and investigation.

I can give you an organizational chart.

Q Do you have one with you?

A Yes.

Q Could we introduce that, Mr. Chairman, as exhibit 1, Governor's Commission?

MR. LILLEY: Yes.

(At which time chart was introduced as C-1 in evidence.)

CONTINUATION BY MR. JAFFE:

Q Could you briefly describe that chart, Colonel?

A Right. As I said, we have the functional, administration, operations and investigation. There is a Major in charge of each one of these major functions, they have a staff. There are related duties.

The Administration, as in our function of logistics, personnel, the same organizational structure as in industry or anything else.

The operation deals with traffic, records, planning, etcetera.

The investigation deals with investigations, problems, identification, intelligence and the services that we render.

The state then is broken into geographically three areas, Troops A, B and C. A is the southern section. B is the northern section, and C is the central section. This is commanded by a troop commander, a captain, he has approximately two hundred seventy-five men. The function of that troop again is again broken down into the three areas, administration, operation and investigation. And he has full responsibilities for the areas that he is geographically in charge of.

Troop D is the turnpike. Troop E is the parkway with a separate function. Atlantic City Expressway is under the control of Troop A commander.

Q How many members do you have in each troop?

A Well, it varies. On the turnpike we have a hundred, one

hundred and one. The parkway a hundred and one. I have a table of distribution here that I thought would help you.

And then the working troops have approximately two hundred sixty to sixty-five, they are the working troops.

MR. LEUCHTER: Each or altogether?

THE WITNESS: Each troop.

CONTINUATION BY MR. JAFFE:

Q Take something like Troop A that has two hundred and sixty-five men, how would that be broken down into administration, operation and investigational?

A I would say at the troop headquarters level in the administration would probably be four people plus some clerical help, civilian help. In the operation section, which would include the radar, traffic, there may be thirty people, and in the investigation field at the headquarters there may be eight or nine people. The sub-divisions are stations and in Troop A we have thirteen stations, thirteen stations in Troop B and fourteen stations in Troop C.

Q Do your men vary positions with somebody who is in an operational section sometimes, and in the administration and vice versa?



A Yes. When a man graduates he must go on the road and he must go to a station. He is moved generally every six months, because the types and kind of work vary according to the geographics of the state, and we try to give a man a full exposure to all police work. A man must have two and a half years in the State Police before he can go on the turnpike and parkway.

Q Colonel, could you leave with us that table of distribution that you have?

I wonder if we could mark it in as exhibit C-2, and then we might circulate it.

COLONEL KELLY: Off the record.

(At which time a discussion was held off the record.)

THE WITNESS: I can give you the whole thing, it is by name too, this roster is of the month of August.

Q If you prefer, Colonel, you can send us a table of distribution.

A You can have this one, and if you want to supplement it by anything further, I can do that.

MR. LILLEY: C-2.

(At which time organizational

table was marked C-2 in evidence by the Court Reporter.)

CONTINUATION BY MR. JAFFE:

Q Colonel, what is the total number of State Policemen that you have generally?

A Governor, will you read that number to him?

GOVERNOR MEYNER: 1266. That's the authorized strength. Actual strength is 1180. Then you deduct those that are on the assignment of the three parkways and you cut it down.

THE WITNESS: Since that time we have graduated thirty-eight people last week, so the actual strength is increased by thirty-eight.

CONTINUATION BY MR. JAFFE:

Q Colonel, does the State Police have any special type of technical squad that handles civil disturbances, do you have any kind of special squad for that?

A Yes. Each troop is required to have civil disturbance platoons, and each troop has had civil disturbance training, riot control training and all the practical phases. We started in 1965, and I can give you orders, administrative orders showing the training, the reason for the training and the composition of the groups.

Q Well, could you sketch for the Commission, please, when you began this type of training and what the composition of these squads are?

A Well, if I can, if I may, then I have a report here, it is my report. For the record, dated 8/17/65.

MR. LILLEY: Would you just read the title of that report so the reporter can identify it?

THE WITNESS: "Meeting with the Mayors, Governor and Attorney General, reference, the role of the State Police and National Guard at times of disorder."

CONTINUATION BY MR. JAFFE:

Q And when was that, what is the date on that?

A 8/17/65.

Q And is that the inception of the State Police planning in civil disturbances?

A Well, for the record, this is, yes.

GOVERNOR DRISCOLL: Colonel, the State Police had had riot control studies long before this period?

A Right, sir. This is, very true, Governor, the State Police probably had the first riot control manual as far back as twenty years ago. When we go through the academy we are all

trained in the use of the Baton, the fire arms, the formation, we probably had the most up-to-date and complete riot control formations. In fact, our copies have gone throughout the country. And other police departments have developed them and accepted them. You are right in this.

GOVERNOR MEYNER: You are talking about your administration?

THE WITNESS: Yes.

CONTINUATION BY MR. JAFFE:

Q Just so we can clear the record up on this, just let me back track for a minute. How much training does a State Policeman have, what is the period of training?

A State Police now, the course is sixteen weeks. After graduation he will go out and be with a coach, this is a man that is assigned to this individual who stays with him for three or four months, then we bring the man back for two weeks further training and he is again on probation.

Q Now, where is the sixteen weeks training?

A At the State Police Academy.

Q Is that run by the State Police?

A Yes, sir.

Q What are your standards for acceptance of a man in the State

Police, generally?

A Five foot -- high school graduate, five foot eight, he must take a written test, the written test is one of those walk-in things, there are no applications, we advertise throughout the state and we hold tests approximately every three months. The tests are metropolitan areas, they're in the southern areas, they're throughout the state. We have Morristown, Hoboken, Trenton, Hammonton, Sea Girt, and we hold the tests in the areas that we feel we would get the people.

Q Do you generally have trouble in filling the authorized strength of the State Police?

A Yes, sir. Probably the reason -- we wouldn't have any problem filling the authorized strength if we lowered the standards. The point is, to give you an example, we will have twelve to fourteen hundred men take the written test, fifty percent would fail the written test approximately. Then we give the medical and the physical. Fifty percent of that group would fail. Then we have the investigation, you give them an application, you supply us with your history and then we investigate you. Then you are called before an oral interview board and generally we lose again fifty percent at that oral interview board. You are then accepted into the academy, and of

the people that are accepted in the academy fifty percent holds true here, it is fifty to sixty that we lose.

So, to give you a rough idea, generally one to two percent of the people that take the test survive the whole system.

Q Colonel, what I.Q. level or general educational level is the written test aimed at, what group?

A This I.Q. level is in the area of ninety to one ten. I really don't know, but we have tested our own people, and, of course, we have so many people with I.Q.'s of a hundred and thirty, a hundred and thirty-five, some real quiz people.

Q Do people who graduate high school also fail your written test?

A Oh, many, many.

Q Have you done any studying on easing up the requirements on your written tests and increasing the number of people that would be eligible?

A The average rating used to be seventy, and we reduced it to sixty-five and we found that we got more people, but one of the problems we encounter is the physical. Most of the people fail on the physical and the medical. This is the area that we find ourselves in trouble.

Another problem in the academy

itself is the many people resent possibly the regimentation or the discipline that goes with this type of training.

Q What is the percentage, if you know, Colonel, of negroes in the State Police?

A Percentage, we have five colored troopers.

Q What would you say, if you know, Colonel, would be the number or percentage of negroes who apply and don't make it for one reason or another?

A I really can't tell you this, because as I said to you, we don't count by color, we count by number. And this test is wide open, anyone can walk in off the street and take the test, there is no one counting, other than the number of people that took the test, the number of applications, and we do not know how many colored people take the test.

Q There would be no way for us to get any kind of an approximation?

A The only way we would know is if they come in and took the physical and the medical, and after you pass the physical and the medical, then we would know.

GOVERNOR MEYNER: Isn't it true that for a time you had to go out and try to get them interested?

THE WITNESS: Yes, sir, we con-

ducted tests in Newark, I think, last year, and I think there may have been nine negro boys that took the test. We conducted it in the Roosevelt Armory and we did this for this purpose.

CONTINUATION BY MR. JAFFE:

Q Are you doing now any special recruiting to obtain the interest of the negroes in the state?

A Yes, we have our people out. In addition to this we have in Fort Dix, in the Mc Guire Air Force Base, as those people are coming out we have people there to interview them or referred to our Fort Dix Station for reference, and we are doing this through the State Employment Agencies.

MR. LEUCHTER: You mean as they're being discharged from the Army, Colonel?

THE WITNESS: Yes, sir, the Army is working with us on this. And our pamphlets are handed out to these people upon discharge. We have posters, we have state wide radio commercials, we try to get to as many people as we can in all these directions.

CONTINUATION BY MR. JAFFE:

Q Do you have any people specifically trying to recruit in the negro communities or churches?

A Yes, sir, our people in the civil rights have been handing out

and have been talking and have been promoting this program for the last four years through the Civil Rights Program.

Q Would you say its been generally successful or not? Do you have an opinion on the program?

A I don't know whether it is successful or not. When you are talking about successful -- I don't know.

Q Let me rephrase the question. Do you have an opinion as to whether or not that type of special recruiting toward a particular ethnic group is valuble?

A Certainly it is valuble and desired, because we need more negroes.

Q Do you have any suggestions or thoughts along the lines that the Commission might suggest as to ways in which we could improve recruiting of negroes in the State Police?

A No. When I say no, let me point something out to you. I realize that we were not getting to the city people, so two years ago, three years ago -- two years ago we instituted a trooper youth league and we worked through the State Department of Education and we requested that they pick A. and we took two from each county, that they pick the schools, and the schools in turn pick the boys that would come and spend the week with us at Sea Girt. We trained them as recruits. The boy must be

a junior in high school and we want him to be a junior because we want him to go back and he must present a program as a senior to the whole school or classes that may be interested. We have a film that we give him, he must either write a thesis, and essay or something, and he must send the report to us, we find that this is very helpful. Some of the people that never even knew there was State Police, all of a sudden find out themselves.

GOVERNOR MEYNER: Haven't you always had a tendency of getting more of your applicants from the rural areas than the cities?

THE WITNESS: Right, this is so because of the association with the State Police. Very seldom do people ever see us in Newark in uniform as such. Generally the people in the metropolitan area think the only thing we do is ride up and down the turnpike and give tickets, they think this is our sole function. They haven't any idea of what we really do.

MR. JAFFE: Colonel, what is the number of Puerto Ricans in the State Police, do you know?

THE WITNESS: We have some, but the number I don't know. I had to give two of our Puerto Rican boys last Sunday to the Puerto Rican delegate that was here,

they escorted him, so I know there are two pretty active Puerto Rican boys. But I don't know.

MR. LEUCHTER: Colonel, are there any college graduates in the State Police?

THE WITNESS: Yes, I think the last time we had there was a hundred and forty, a hundred and fifty, two hundred in this area.

MR. LEUCHTER: Could you also give us, for the record, the basic salary schedules, starting, minimums and maximums for patrolmen and maybe for officers?

THE WITNESS: Right. If I can give you a salary schedule --

MR. JAFFE: Would that be acceptable?

MR. LEUCHTER: Yes.

MR. JAFFE: Send us a schedule at the next meeting.

THE WITNESS: I hope the meeting will be after November because the Governor promised to give us two increments.

MR. LEUCHTER: How does the State Police salary schedule compare, one, to the top municipal



police force in the state, salary wise, and two, to other state police organizations, and, three, to a national group such as the F.B.I.?

THE WITNESS: The basic salary is around fifty-five, but they're authorized seventeen hundred dollars maintenance allowances, that brings them to a starting salary of about seventy-two. Of course, they have to live away from home, this is the consideration for maintenance. In six increments they go to about ninety-one hundred dollars, including everything, maintenance, salary. Princeton Borough pays their police department ninety-two hundred. Other towns pay less. But in terms of ours and time away from home, this is the only compensation that we have. Our men live away from home. They may be away for two days or three days or one day, according to the monthly schedule.

MR. LILLEY: Colonel, is that a requirement that they live away from home?

THE WITNESS: They're assigned to a barracks and that's it. As they progress in time and assignment they may be assigned to their so-called day job, it really isn't but they would not have to live in a barracks.

CONTINUATION BY MR. JAFFE:

Q Colonel, of the five negro troopers that you have, are any of these troopers in supervisory positions, or what is there, do you know?

A No, they're all troopers, the oldest one, I think, has five years, five and a half.

Q Can an individual enter the State Police in a supervisory capacity?

A No, you must go through the academy

Q I mean, could you go through the academy and then come on as a sargeant or lieutenant or whatever grades you have?

A By the present system, no.

MR. LEUCHTER: If they pull somebody in from another state?

THE WITNESS: No. The only way you can become a member of the State Police is by going through the State Police academy.

CONTINUATION BY MR. JAFFE:

Q How long do you have to be a trooper before you are eligible for promotion?

A Actually a man in established standards, we require tenure after five years.

If I may, let me give you -- we



enlist a man, when he graduates from the academy we enlist him for a period of two years. After two years he is re-enlisted, if he is recommended by his superior. We can drop him without cause. After five years you acquire tenure and there is no longer any re-enlistments.

Q Let me ask you an opinion question. The President's Commission, National Commission on crime and your police study, recommended that police forces and State Police forces have two and sometimes three levels, and that police forces, not just recruit and have people enter as patrolmen or troopers, as the case may be, that if somebody has had college training in police science or masters in police science and has a particular expertise, that they be hired by the police or by the State Police force in a supervisory capacity so as to attract people that have some expertise in this area and not restrict them to the trooper level. What is your opinion on that?

A Let me tell you about this cross-firing and type of thing. In the first place, this is well. We can take a boy that graduates from college today and say, "now he is a college graduate, he should come in at this level in the State Police." Well, I kind of refute that statement in this regard. Let me give you the State Police, and I'm talking strictly State Police.

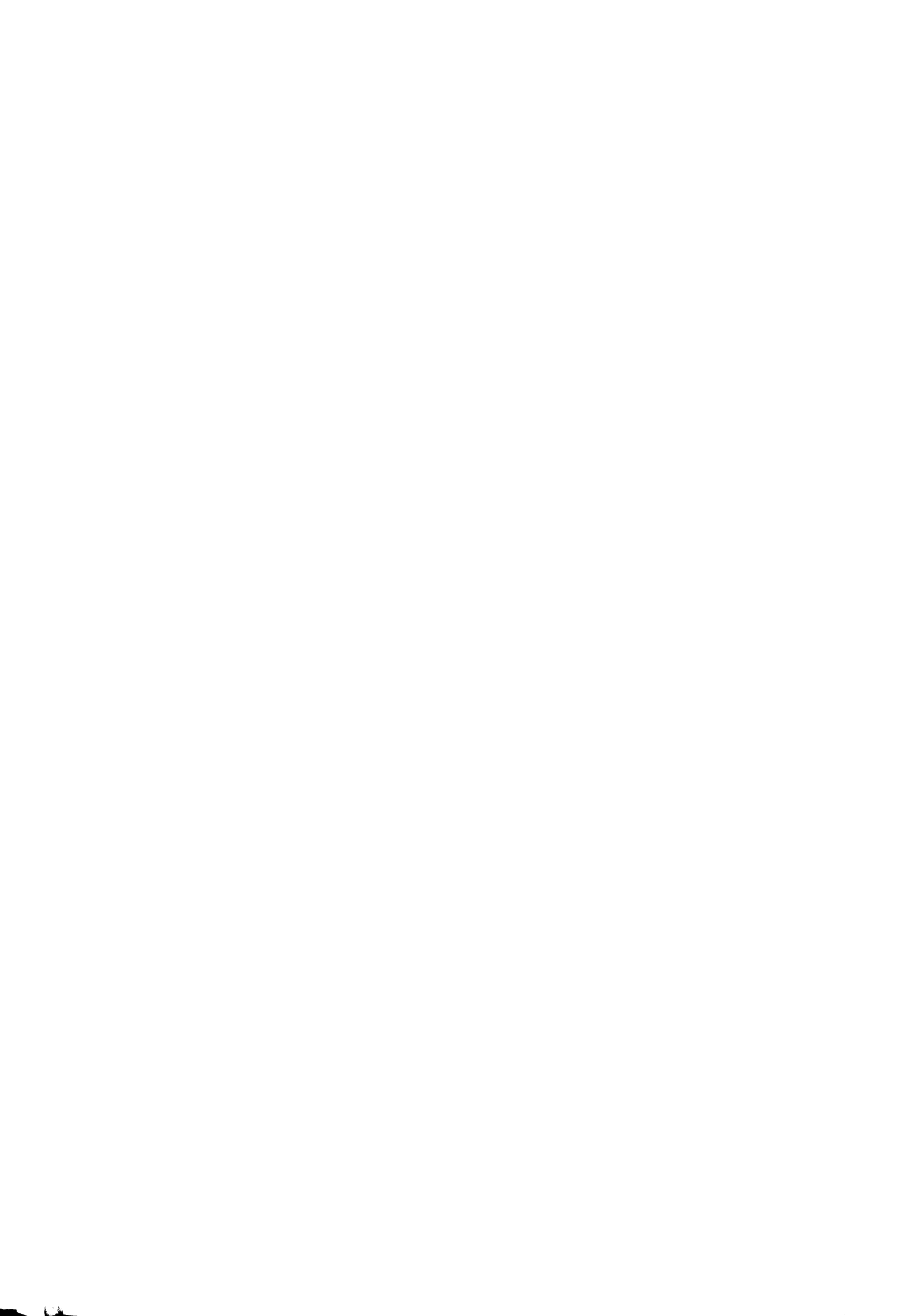


First, if you do not have the police knowledge, the training and the practical experience, you can't very well supervise people that know more than you do. And we have broken this down and I've looked at this real closely. First we have operational people, we have administrative people and we have technical people. The people you are talking about are strictly administrative, nothing else. But we still have to have men out there arresting the drunk, stopping the speeder, doing leg work, investigative work, and this does not come by sheer academics.

MR. LEUCHTER: How about the technical personnel?

THE WITNESS: This is different, chemist, radar men, this I can understand. My opinion would be this, we pay a man his worth in regard to his knowledge, but this doesn't mean he'd have to have a rank as such.

Now, if you are talking about administrative people, our people are trained administratively, we have a scholarship program, the State Police ourselves, as individuals, our own organization pays for the college education. We now have -- I gave fourteen scholarships yesterday or last week to the State Police, eight last year, that's twenty-two



that we are paying for ourselves. I went to the Department of Education and they recognized the State Police Academy, and you get twelve college degree credits for graduating from the academy. As such, you will be admitted to any of the community colleges throughout the state, and this is recognized.

Now, if a man wants to go to college we will provide means, some partial payment or full payments to any of the community colleges in the state. All of the community colleges will accept the twelve college credits.

If we are talking administration, police administration is no different than any other kind of administration. You deal with people, you deal with money and you deal with situations that concern people and money. So we train people not to be police administrators, but to be administrators.

So, if you are talking across the board level, move a man from here to here, you have to talk about the operational men. There are some men that are geared strictly to be traffic men and they are contented, and this is what they like to do. Other men would like to be detectives and this is all they want to do, but as they grow in experience and time they become more proficient, but I disagree that if you



take a guy from here and move him there, he doesn't have the experience, it can't be done.

GOVERNOR MEYNER: Your theme has always been, "how do you get along with people and how do you handle people."

THE WITNESS: Most important.

CONTINUATION BY MR. JAFFE:

Q Do you think it would be advisable or helpful if you had a certain degree of flexibility? In other words, if a sergeant or a lieutenant in the Chicago police force was interested in coming to the New Jersey State Police, you could bring him in and start him in that area.

A In what area are you talking?

Q Any area you wanted. Would it be advantageous to you to have the flexibility to bring people in at a level other than the trooper level?

A If you are talking in the administrative area or the technical area, I could accept this, but if you are talking about in the operational area, no.

Q Even if you had a state policeman from another state?

A No, I don't agree with this. Let me tell you something, that we have a fifty percent loss in our academy, and through the



whole system, and some educators question our selection system, but I point this out to you that we have less of one percent attrition rate. They don't quit and I think the national average in governmental agency is something like thirty to forty percent.

GOVERNOR MEYNER: How about the integrity rate?

THE WITNESS: This is something else. This is the type of individual that we want, and this is the system that we have developed.

CONTINUATION BY MR. JAFFE:

Q I understand that, Colonel, and I'm not trying to press you, and I gather from your answers that the basic philosophy of the State Police is to take a man and train him. The only question I threw out is whether or not it was worth considering another source of recruitment?

A Can I say this, I don't think that the President's Crime Commission was directed to State Police. I think it was directed to local police departments.

Q You think it has more validity there?

A Yes. I can appreciate the consolidation of efforts and equipment, I can understand that and appreciate that.

Q Colonel, just very briefly, could you very briefly describe the substance of the sixteen weeks training at the academy, just very briefly?

A Briefly, if you wish I will give you a copy of the whole program.

Q I think we'd like that for the Commission, sir.

A They are trained in human relations, community relations, they are trained in traffic, investigation, police practice and procedures, identification, practically anything you can think of we incorporate into the program.

GOVERNOR DRISCOLL: Included is the handling of fire arms?

THE WITNESS: Oh, yes, sir, this is an extensive program. This is a daily program. All people must qualify both left handed and right handed.

CONTINUATION BY MR. JAFFE:

Q With what kind of fire arms?

A In every fire arm that we use, primarily the .38, which is our pistol that we carry. Shotgun, rifle, gas grenades and all people are qualified to use these weapons.

Q You wouldn't graduate anybody until he is qualified?

A We are not going to and we can't, and this is one of the



reasons that people would be kicked out of the academy because they could not qualify.

Q Do you continue your fire arms training?

A Every year every man is required to fire and qualify

Q How long does he go?

A It used to be a troop level basis, we have now consolidated, we now do it on a division basis and he goes every year, and this year and last year it was at Sea Girt.

Q How long a period would that be, I mean how long would he go down to Sea Girt?

A He would be there for the day just to qualify. If he doesn't qualify, he would return.

Q Do you have any program of in-service training during the year?

A Every year we have one weeks in-service training.

Q Could you tell us what that's like?

A According to the emphasis in the particular area in a particular area. It may be traffic, human relations, court decisions, court opinions. In addition to that every man is given a physical fitness every year, and according to their age, he must pass this physical fitness test. Human relations, community relations, every year it is part of the program.

Q So each man will have to go for a week?

A Yes, sir, it varies from three to five days. Now, in a specialist course, there are various courses that we run continually. drunkometer courses, every man has to be back for a refresher in the drunkometer course, of course, the fire arms, radar people are in. Detective courses we run for our own investigators.

Q Who are your instructors generally?

A Generally they are State Policemen, and, of course, we have many qualified people that come in from the outside such as in human relations field.

Q Have you sent any people down to the FBI Academy?

A Yes, we have three people who graduated from North Western last year and we have two people that are there this year, all of the police schools throughout the country we generally attend.

Q Who teaches your courses in constitutional law?

A We teach that and supplemented by the Deputy Attorney General, and, of course, we will have a magistrate and a judge come in and qualify such questions that might have to be answered.

Q Could you tell us how much time during that sixteen weeks period is devoted to, riot control and riot training?

A I can't tell you, again the schedule I will give you.

Q Just generally?



A It seems to me -- well, it is a concurrent thing. it is concurrent with other subjects. All men are taught the riot control formations, gas masks. Let me say sixteen hours.

GOVERNOR MEYNER: I think there is one thing people don't realize, and that's the amount of time your troopers have to spend in court. Can you give us some estimate of that? I mean, you've got the traffic people who have to go in, and if there is a contest he has to wait around or go there, or if there is an automobile accident he investigates it, he has to go to court and wait there. There are other instances. Can you give us some idea of how much time is consumed in that area?

THE WITNESS: And off the cuff estimate?

GOVERNOR MEYNER: Is this off the record?

THE WITNESS: No.

GOVERNOR MEYNER: Oh, off the cuff.

THE WITNESS: Would be that if a man today, generally speaking, if an individual receives a summons and it means his license, sixty, seventy, he appears



in court, which means our man goes. If he receives a summons for driving impaired or drunken driving, he goes. This involves not only the municipal, then it goes to the appeal. And when we go to court, one drunken driving arrest may mean ten to twelve hours in court.

MR. JAFFE: And the stiffening of the penalty causes more court appearances?

THE WITNESS: Right.

GOVERNOR DRISCOLL: Colonel, would it be fair to say that approximately one third of the time of your troopers is devoted to attendance in court, at one level or the other?

THE WITNESS: Well, if we are talking about the trooper level, that is in traffic, I would say that would be kind of a fair evaluation. If we are talking about the detective who has the routine B & E and such things as this, in certain periods of time it may be more.

GOVERNOR MEYNER: In the rural areas you have them appearing before Grand Juries, on most of the criminal cases they have investigated.

THE WITNESS: They have to appear.



GOVERNOR DRISCOLL: So this reduces the number of men who are available for active duty very considerably.

THE WITNESS: Yes, sir.

MR. LEUCHTER: Colonel, what is your assessment of the authorized strength, 1266, is it sufficient?

THE WITNESS: We are authorized 60 additional men as of January the 1st. We have a class in now, will go in next Monday, sixty-five, I think, have been accepted. We will probably come out with thirty to thirty-five. Another class will go in right after that. We have put in four -- two hundred and eighty-one people we have requested.

GOVERNOR DRISCOLL: Additional?

THE WITNESS: Yes, sir.

GOVERNOR MEYNER: The Governor acts on that in December or January?

THE WITNESS: Yes, this is our preliminary proposal to the A.G. and the Governor.

MR. LEUCHTER: This was more than a perfunctory question, I wanted to find out do you feel we are understaffed?



THE WITNESS: Right. The reason, of course, every man that we request we have to justify and a justification would be in terms of demands, and one of the primary demands within the next year or so will be that we will have nearly four hundred additional road miles through the state, the interstate system, that has to be policed. The new crime. The medical examiner, which means we have to have more technical people in our laboratories. We have to have more people in the computer area. The Uniform Crime Bill, we have ten men tied up in the Uniform Crime Bill. The local police must report to the State Police quarterly on all the crime that's in their municipality. We in turn have to have seven men out in the field just going to municipal police departments, correcting, advising them or showing them how to make out their reports.

GOVERNOR MEYNER: Couldn't that be done by clerical people?

THE WITNESS: Originally, no, eventually, yes.

GOVERNOR MEYNER: Eventually you could hire some Civil Service employees and put them in there?

THE WITNESS: Yes. The big



problem is we had to change our whole reporting system and we think that the municipality as such will adopt our recording system, which will give us a state uniform reporting system. It has to be adopted.

GOVERNOR MEYNER: Do you find that some of these rural areas that become suburban areas are more inclined to rely on the State Police than hire their own police?

THE WITNESS: What you are saying is very true, Governor, I would assume is very true.

GOVERNOR MEYNER: Maybe it's better that they rely on the State Police, because they probably would get better law enforcement.

THE WITNESS: Right. We are running into this problem now where a municipality assumes that the state should put a barracks in their area to take care of all the municipality enforcement. Well, we try to explain to people that our policy is to put a police barracks in the area that is needed by our estimates. Just because we are in the municipality doesn't mean that we are solely for that municipality and we would like to get this pretty well defined that we do not belong to the municipality but to the



state. But because of the geographics they would have priority because we are there. But we do not want to be the sole police enforcement agency in a municipality, we work for the state.

CONTINUATION BY MR. JAFFE:

Q Colonel, this is an opinion question, do you have an opinion as to whether the State Police should have the primary role in the control and the containment of civic disturbances?

A Well, according to the degree of the disturbance. Of course, I think the primary role is the municipal agency, there is no question about this, this is their responsibility. There are contacts between municipalities wherein the local police assist one another, those people are adjacent to one another, this should be considered. The State Police has to be considered in a primary role if it gets beyond this level. The system that we have adopted in the state is that the State Police would go first, and there is a reason for this.

Q The State Police would go first, why?

A The Governor would send the State Police first.

Q Assuming that the local municipality could not handle it?

A Right. The State Police would go first. The reason: the State Police has the responsibility to advise the Governor.

We, in every riot, in every disorder, on every strike, State

Police send observers and appraise the situation, evaluate the situation, in turn they report to the Governor on the degrees and intensity of these things. The reason this was adopted: I recognize this that if the National Guard goes first, they as a unit or as an organization do not have the intelligence -- I'm talking about criminal intelligence or know how intelligence or an association with police to evaluate a situation. Their primary function is to prepare for war in the event that they're called. But if they do not have intelligence as such, and for the National Guard to move cold into a municipality, there is time lost and the reason the State Police move first, we are talking on police levels, State Police with municipal police, we are observing in this particular area and it is a constant year around thing. With the instruction they have in the National Guard they do not have this type of people or this type of intelligence, primarily this is -- not that we say that the State Police is good or better than the National Guard, but it is the intelligence that we have. And we can recommend to the National Guard or recommend or suggest that you should do this or that.

Well, what would your opinion be of a special force that would have state wide jurisdiction that would be composed of primarily

State Policemen, but would have in its ranks local policemen from local municipalities who would be specially trained in riot control, the policemen would be in the local police normally, but on an alert basis would be called into this special force, and when a riot occurred in a particular area they would be moved in primarily?

A Are you talking about a combination of State Police --

Q Yes, State Police, municipal police, a special uniform that would function primarily to put down riots.

A I don't think this is functional. In the first place, I find from my military experience that the integrity of the unit must be maintained, I will not split a group. This is A troop assignment, B troop assignment, C troop assignment, and this is a mission that they have. If that mission needs to be supplemented with additional people we will send additional people, but they will have a specific mission wherein they will have control over the person who has this responsibility.

Q My thought is that you integrate, but the special squad is headed by one man and specially trained and it meets, say, three or four weeks a year for special training and the local police then function normally in their municipality.

A Where would the local police come from?



Q The local community, the man who is in charge of this special force picks them.

MR. LEUCHTER: With your present manning what is the greatest maximum number of State Police that you could throw now into a civil disturbance situation without stripping the state so bare that you couldn't perform your other functions?

THE WITNESS: We had over six hundred in Newark.

MR. LEUCHTER: Half of your entire police force in Newark?

THE WITNESS: If I can explain some of the complications in this regard to the integration of local police, municipal police and State Police. We find that the State Police do not get overtime pay, you are called to duty and you stay there. You get compensatory time. And the local, there is a payment, they get overtime pay, some get time and a half, some double time.

Now, I don't know who would compensate these people. I don't know what the ramifications would be with regard to the legal aspects, do they have jurisdiction?

MR. JAFFE: Well, do you have an opinion as to whether a special force, forget what we call State Police, integrated, or whatever we call it, would be better to handle riot control than the municipality at the initial stage? That's the gut question, just an opinion, if you have it, without working out the specificities.

THE WITNESS: I don't see how it can work. I say that municipalities that do have X number of people and policemen that they can train, they should train them as a unit, and I would say this, move them as a unit and they could operate with other agencies, but like I say, one policeman here and a State Trooper, another policeman, I don't think this would work. If you have a trained unit, yes, let's call on a unit for a municipality, they would have fifty or sixty people trained for this particular work. Let's say that we call on Newark, we need your unit to go to Plainfield.

CONTINUATION BY MR. JAFFE:

Q The question is whether or not the Commission should give some thought to exploring a specific unit to handle riot control that would be called in at the first instance, rather than leave it to a local municipality and then have the State Police and then the National Guard, rather than that sequence, whether

there should be a specific unit, the public knows about the unit, forgetting the problems of administration and all, that unit highly trained comes into an area. That was really the thrust of my question to you. Is it feasible?

A Conceivably it could work, but if you are asking my opinion, I don't believe so.

MR. LILLEY: Colonel, we had, I guess you would say, too serious incidents back to back in this state. Let's say we had four, say, simultaneously. On a man-hour basis would you have been in trouble?

THE WITNESS: Certainly. But now we are talking about four, six, eight, ten -- we are talking about National Guard in more numbers too. This is our responsibility. At one time during the Newark riots we had men in sixteen towns as observers, and if we gave an answer to all the requests that the Governor -- demands on the Governor, we'd have had National Guards in sixteen towns. This is our job to investigate situations, and demand of the municipality that they perform their functions. There was a demand for National Guard and State Police in Camden. We want a thousand National Guardsmen and X number of State Troopers to stand by. Well, here we stand.

GOVERNOR MEYNER: Before the Colonel goes I'd like a few things off the record, if I might, unless you have something else.

MR. LEUCHTER: I'd like to stay on this subject for a moment, Governor.

In the situations that you've faced this summer where there are local police on the scene, State Police on the scene, National Guardsman on the scene, what is the command structure in that setup? Who is giving orders and who controls whom and does the thing that Mr. Jaffe is leading to, gets into this field where you might have an integrated command with each knowing what is going on? What is your feeling on that?

MR. JAFFE: I was just going to get into that when we got into the Newark situation, unless you prefer a generalization?

MR. LEUCHTER: I thought that was what you were leading to.

MR. LILLEY: Could we let that wait? Are you through with your formal questioning at this time?

MR. JAFFE: Let me just get two

more questions on the record and we can conclude.

MR. LILLEY: We expect that you will be coming back, Colonel.

GOVERNOR DRISCOLL: Colonel, when did you join the State Police?

THE WITNESS: 1946, April, 1946.

GOVERNOR DRISCOLL: And as a trooper, you went through the academy?

THE WITNESS: Yes.

GOVERNOR DRISCOLL: Then you moved up through the ranks until your present position as Colonel?

THE WITNESS: Yes, sir.

GOVERNOR DRISCOLL: And how long have you been Colonel?

THE WITNESS: Since January, 1965.

GOVERNOR DRISCOLL: Assuming that you had an opportunity to have additional people over and above the number of men that you've asked for, that you are currently asking for, how many State Policemen could you keep busy constructively in the absence of riots? Would it be double your present force?

THE WITNESS: Well, we have a projection within the next four years of a need for approximately five hundred men.

GOVERNOR DRISCOLL: Additional men?

THE WITNESS: Yes, sir.

GOVERNOR DRISCOLL: Over and above the 1266?

THE WITNESS: Yes, sir.

GOVERNOR DRISCOLL: And if you had a thousand men over and above the 1266, could they be deployed and be constructively engaged in crime prevention or crime detection or law enforcement on the highways and so forth?

THE WITNESS: Yes, sir. Yes, sir, a thousand men we could use, there is no question about this.

CONTINUATION BY MR. JAFFE:

Q Colonel, just one question that I'd like put on the record so that I will know where to take up next time, that is this: in your administration since you have been the Colonel what is the beginning date of your specific preparation and specific discussions about how to handle civic disturbances, with the understanding that the State Police have had riot training for

many years? We are talking about specific preparation within your administration for civic disturbances?

A Seven months after I took over we had this meeting.

Q Would you specify for the record when the meeting took place and who was present and the substance of the meeting, and that will be my last question?

A 8/17/65 we met at the Newark Airport restaurant, Governor Hughes, Attorney General Sills, Generals Cantwell and Wolf. Mayors Addonizio of Newark, Whalen of Jersey City, Braves of Patterson, Holland of Trenton, Pierce of Camden, and a Deputy Mayor, Cuff of Elizabeth. That's a question mark, I don't know whether the name is right, he was a deputy mayor at the time.

The purpose of the meeting was called by the Governor to try to get the mayors to realize the importance of coordination with state officials with regard to civil disturbances and uprisings.

Q How long did that meeting last?

A We met at 8:30 and the Attorney General and myself left at 11:30 to go to Washington, but the meeting continued at that time, Mr. Joseph Katz of the Governor's office would take whatever notes were necessary.

Q And that begins your participation formally for preparing for



civic disturbances?

A Yes.

GOVERNOR DRISCOLL: Is that time
a.m. or p.m.?

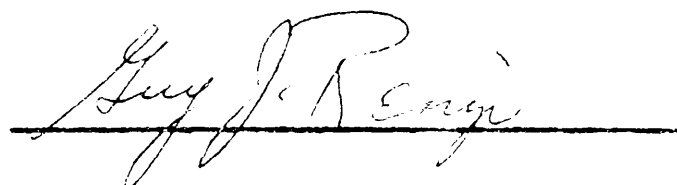
THE WITNESS: A.M., in the morn-
ing.

MR. LILLEY: Well, Colonel, thank
you for today, we'd like to have you back again. We have just
begun with you.

(Hearing then ended.)

* * * * *

I, Guy J. Renzi, do hereby
certify that the foregoing is a true and correct transcript
of testimony taken at the time and place hereinbefore men-
tioned.



1 MR. JAFFE: Will the record note Colonel
2 Kelly has already been sworn previously and this
3 is a continuation of his testimony?

4 Whereupon,

5 DAVID B. KELLY

6 recalled, duly previously sworn, testified further as
7 follows:

8 DIRECT EXAMINATION

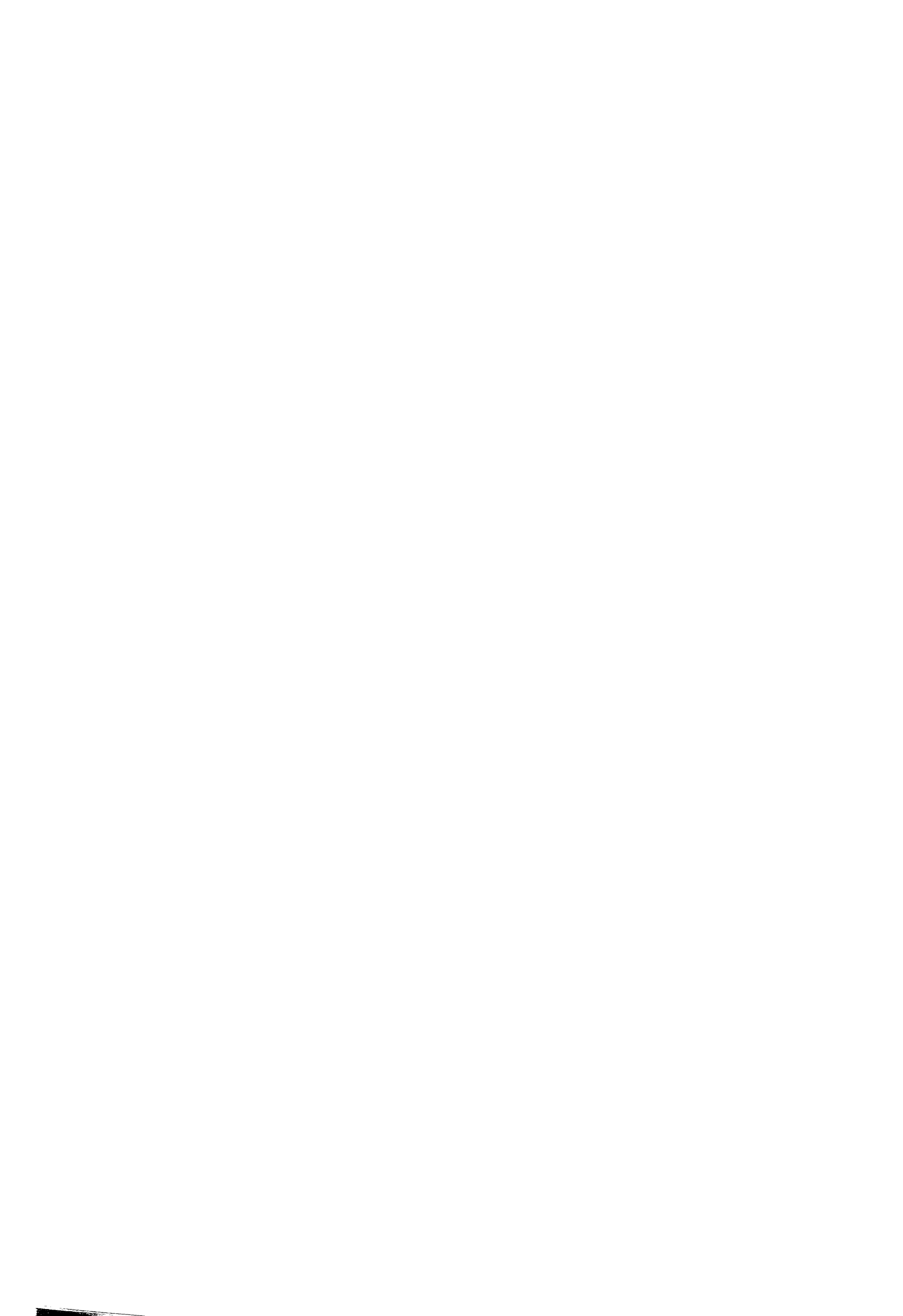
9 By Mr Jaffe:

10 Q Colonel, my recollection is we finished with the
11 question you were describing, a meeting in August, I think
12 August 17, 1965, in Newark which begins the specific
13 preparation in your administration for civil disturbances
14 Could you tell us, please, what occurred at that meeting?

15 A The Governor called a meeting, and we met at the
16 Newarker Restaurant at the airport, and the reason for the
17 meeting was to coordinate the major cities with the State
18 Police and the National Guard At the meeting were the
19 Mayors of Newark, Camden, Elizabeth, Jersey City, Paterson
20 and Trenton.

21 Q Could you tell us, Colonel, in essence what the
22 discussion was about and what plans were made as a result?

23 A At that meeting the Governor, through our information
24 outlined the possibility of disorders in the state, and it
25 was agreed at that time that the policy by the Governor was



1 that the State Police would be the first state agency in
2 to any municipality and the National Guard would be alerted
3 and activated only at the request of the State Police

4 The policy was discussed with the mayors, and some of
5 the mayors said that they would never need the State Police
6 or National Guard, and others said that they did have things
7 under control Others said they would call the State Police
8 immediately At least they were set pretty firm on the
9 policy that the Governor had decided upon.

10 Q Do you know whether or not there was any general
11 order of the State Police or a memorandum from the
12 Governor's Office confirming that procedure? Would you
13 know that?

14 A No, there wasn't any order, but we have the
15 minutes of that meeting, and I can give you those minutes.

16 Q Do you have those minutes?

17 A Yes

18 Q May I have them, please?

19 A I think they are someplace in this correspondence
20 I will give you the minutes. They are here someplace.

21 MR. JAFFE: Just note in the record that this
22 will be Exhibit C-3 It will be a copy of the
23 minutes of the meeting the Colonel referred to.

24 (EXHIBIT NO. C-3 WAS RECEIVED IN EVIDENCE.)

25 By Mr. Jaffe:

1 Q As a result of that meeting, could you tell me
2 what were the next steps taken by the State Police in
3 preparation for handling civil disturbances?

4 A Well, we immediately got working with the National
5 Guard First we became familiar with the commanders in
6 the National Guard.

7 Q Who was your liaison man with the National Guard?
8 With whom did you work?

9 A I worked with General Cantwell, but Colonel Sharp
10 was the liaison.

11 Q Is Colonel Sharp on General Cantwell's staff?

12 A Right.

13 Q What is his title?

14 VICE CHAIRMAN BROWN: He is the Chief of
15 Staff of the Department of Defense In the State
16 of New Jersey we have a Department of Defense
17 just as the national Department of Defense This
18 is headed by Major General Cantwell. He would be
19 the equivalent of the full-time adjutant in other
20 states. His staff is headed by Colonel Sharp as
21 opposed to, for example, the Fiftieth Armored
22 Divisions headed by General Weyhenmeyer, whose
23 Chief of Staff is Colonel Britt It is important
24 to remember this because it will help you to define
25 some of the things that happened in Newark and



1 Plainfield in terms of chain of command and control
 2 You must think of the Department of Defense as
 3 sitting in this corner and the Fiftieth Armored
 4 Division which supplied the troops headed by
 5 General Weyhenmeyer and his staff in this corner
 6 (indicating), General Cantwell's Chief of Staff
 7 over here, being Colonel Sharp, who is not the
 8 Chief of Staff normally

9 BISHOP DOUGHERTY: It seems to me we now have
 10 a Department of Defense, an Army, a National Guard,
 11 a State Police Am I correct?

12 VICE CHAIRMAN BROWN: No. It breaks down
 13 this way, Bishop: You have a Department of
 14 Defense. Under the Department of Defense are the
 15 Air National Guard people and our National Guard,
 16 which is called the Army National Guard, both at
 17 which administratively come under that corner
 18 (indicating), General Cantwell and Colonel Sharp.

19 The operational units, the Air National Guard,
 20 which is commanded by a General and the main army
 21 force, which is the 50th armored division, plus
 22 non-divisional units, come under them but are not
 23 operational generally They are under them for
 24 administration.

25 Colonel Kelley, you met with General Cantwell

1 and Colonel Sharp. You did not meet with Colonel
2 Weyhenmeyer or Colonel Britt, the actual
3 commanders of troops, with the administrative
4 commanders?

5 BISHOP DOUGHERTY: General Cantwell testified
6 in Washington this week.

7 THE WITNESS: Very critically.

8 BISHOP DOUGHERTY: Is that relevant to our
9 discussions at all?

10 VICE CHAIRMAN BROWN: It will be, and it is
11 very relevant, particularly his criticisms of
12 what the national body compared to this had said
13 and done. Also I believe that you are in receipt
14 of certain statements sent by General Cantwell.

15 MR. WACHENFELD: He is going to appear as a
16 witness before us?

17 VICE CHAIRMAN BROWN: Yes. I think, Judge,
18 before he comes, if you don't understand this
19 structure, some of the very crucial areas of
20 control and administrative chain of command which
21 Dave will testify to as being pertinent to
22 control of specific troops, reaction of troops
23 and the general demeanor will help you.

24 MR. WACHENFELD: I may not understand the
25 structure, but you understand what he said That

1 is sure

By Mr. Jaffe:

3 Q Colonel, could you tell us, then, what your
4 conversations with the National Guard were and what kind of
5 liaison you established? This is in the period of the fall
6 of 1965, is that right?

7 A Right From that period on we had meetings with
8 the National Guard, first, to determine their structure as
9 you received it here, the equipment, the availability of
10 personnel and equipment, the State Police role and
11 association, the missions that would be assigned and
12 generally familiarization with their equipment and the use
13 of their equipment and our equipment and familiarization
14 with personnel commanders.

15 Q Did the National Guard set up a specific unit to
16 handle civil disorders as a result of your conversations?

17 A The National Guard has an MP Company with the
18 primary role for civil disorders. Their role was in this
19 conventional type organization where the formation is in
20 squads and platoons and the dispersing of people en masse
21 and the use of gas and such things as this, but never in the
22 use of firearms.

23 Q Was there an agreement made at this time as to the
24 command structure that would result if a civil disturbance
25 occurred and both the State Police and the National Guard

1 were in the same area?

2 A Right

3 Q What was that?

4 A The command structure was this: That General
5 Cantwell would react to any request I made of him for the
6 National Guard and if I requested the National Guard --

7 Q Excuse me by interrupting you. It would be your
8 decision based on the Governor's decision, and you would
9 implement the Governor's decision to bring the National
10 Guard in? Is that the agreement?

11 A Let me go back. As you know, the legal structure
12 of this is that if the mayor of the municipality requested
13 assistance, the State Police would go first. Our policy is
14 that wherever there is a disturbance or a pending disturbance
15 or a possible disturbance, we have observers there. The
16 observers and the State Police keep us constantly informed
17 of the situation. We in turn will keep the Governor
18 informed. If the mayor requests assistance, it has to be
19 from the mayor to the Governor; the Governor then asks me,
20 "Is this request valid?" and I say yes or no.

21 On this I would say I need the National Guard. He in
22 turn would accept this recommendation and activate the
23 National Guard.

24 Q That was the agreement you reached in the fall of
25 1965?



1 A Right

2 Q When the National Guard would come into a particular
3 area, who would be the commander in charge?

4 A The National Guard is commanded and would be
5 commanded by National Guard officers as the State Police
6 would be commanded by State Police officers.

7 Q The liaison would be worked out between you and
8 the National Guard?

9 A Right

10 Q As an overall responsibility?

11 A Right

12 Q At this time, Colonel, did you also work out the
13 tactical aspects of a joint operation?

14 A Right

15 Q Could you tell what those were?

16 VICE CHAIRMAN BROWN: Is it true that actually
17 at the time of call you would work out with the
18 National Guard the overall responsibility, or is it
19 a fact that it was determined that you would have
20 the overall responsibility?

21 THE WITNESS: It was determined that I would
22 have the overall responsibility

23 VICE CHAIRMAN BROWN: It was not to be worked
24 out; this was predetermined that you as commander
25 of the State Police would have the overall



1 responsibility for operations?

2 THE WITNESS: Right

3 By Mr Jaffe:

4 Q Could you tell us the tactical -- by that I mean
5 the radio communication, command structures and so forth
6 that were worked out?

7 A If you are talking of 1965 --

8 Q Yes, I am talking 1965.

9 A At that time we were talking about conventional
10 disturbances where we weren't involved in sniper fighting
11 and shooting and this type of thing. At that time the
12 communications were tested, National Guard communications
13 and our communications were tested. We put in State Police
14 radios in the National Guard commanders' cars and General
15 Cantwell has a State Police radio and his major commanders
16 do have State Police radios. We tested their equipment.

17 Q When you say major commanders, how many people
18 would that be?

19 A Three brigade commanders, Colonel Sharp and General
20 Cantwell.

21 VICE CHAIRMAN BROWN: These three brigades
22 are from the 50th Armored Division? They are the
23 integral striking arms of the division, three
24 brigades and an administration company which handles
25 the administration aspects, including the chaplain,



1 the Adjutant General and so forth Then there is
2 the staff or headquarters, which includes General
3 Weyhenmeyer, Colonel Britt and his operational
4 people, including the S-3 or operations officer

5 So in your plan they were not included?

6 THE WITNESS: I can best describe it this way:

7 That the radios were put in the command vehicles
8 and they were state-owned cars. Whether General
9 Weyhenmeyer has a state-owned car or not assigned
10 to him I don't know, but General Cantwell does,
11 Colonel Sharp does, and those people that had
12 state-owned cars we put radios in there. Whether
13 General Weyhenmeyer has one I don't know, and the
14 brigades belong to him.

15 By Mr. Jaffe:

16 Q What other actions did you take to integrate the
17 forces?

18 A We had meetings within each troop and, as I said
19 before, Troop A in the State Police is South Jersey; Troop
20 B is North Jersey and Troop C is Central Jersey. The
21 brigades as such were married up to the particular troops.

22 They had meetings; they had CPX's, command post exercises.

23 We had the M. P. company train State Police and the
24 State Police train the M. P. companies. We had courses in
25 legal procedures as to arrest procedures and as to

1 containment procedures and such as that

2 Q What role during the fall of 1965 and the period
3 thereafter did the State Police play with any of the local
4 municipalities in the area of preparing for civil defense
5 orders?

6 A Well, again, as I told you, we have observers, and
7 there are many instances that come within the course of the
8 year, strikes and so forth.

9 Q Did you make any surveys of the capabilities of any
10 of the local municipalities?

11 A We made surveys, and I can give you copies.

12 Q Will you tell us generally and what cities?

13 A 5/8/65 The cities we have are Jersey City,
14 Elizabeth, Newark, Paterson, Camden.

15 Q Could we have those surveys?

16 A Right.

17 MR. JAFFE: Will the record note that C-4 will
18 be surveys prepared by the State Police of cities
19 in 1965

20 (EXHIBIT NO. C-4 WAS RECEIVED IN EVIDENCE.)

21 By Mr Jaffe:

22 Q Tell us how the surveys were prepared and generally
23 what they said.

24 A We made out a format and we went to the city and
25 asked the cities to cooperate, and this is what it contains --

1 the size, the population, the mayor, the police director,
2 the chief, the location of their headquarters and their
3 precincts, their manpower, their supervisors, the uniformed
4 personnel, their plainclothes personnel, their emergency
5 equipment to include ammunition, guns, gas masks, helmets,
6 auxiliary lighting, portable barriers, photographic
7 equipment, copies of local ordinances, transportation
8 available, communications, their frequencies, the number of
9 walkie-talkies, the number of public address system
10 bull horns and the points of assembly that we would have,
11 and the approach routes that we would have, the alternate
12 approach routes

13 Q Do those reports show the names of individuals in
14 the local municipalities with whom your people worked in
15 preparing those reports?

16 A No, but I would assume it would have to be the
17 responsibility of the chief

18 Q The chief of police in the municipality?

19 A Right.

20 Q Were the cities given copies of your reports?

21 A Right Actually it came from the cities, but they
22 have a copy of this survey.

23 Q Were those surveys also given to the National Guard?

24 A Yes.

25 Q Did the State Police or the National Guard act on

1 those surveys in any manner?

2 A When you say act on them --

3 Q As a result of making a survey of a particular
4 city would any organization in the state review the survey
5 to ascertain whether or not the equipment, the manpower,
6 the emergency procedures were adequate or inadequate?

7 A Yes.

8 Q Who would do that?

9 A We did this and we found that one of the major
10 problems we would have is gas. None of the police departments
11 in the whole state had a gas mask that could contain CS gas,
12 the new type gas. It boiled down to the point if we did
13 have to use gas, the only people that would be equipped
14 would be the National Guard and the State Police. Everybody
15 else would have to get out of the area. Local police
16 departments did not have the gas masks that could contain
17 this new gas.

18 Q Was any effort made to apprise local municipalities
19 of this type of efficiency?

20 A We told them. We had meetings with them, we
21 informed them of the situation about the gas masks with the
22 type of gas we used, and they were informed of this.

23 Q To your knowledge none of the local municipalities
24 obtained the type of gas masks you are referring to?

25 A They got some. In fact, there are many requests

1 of the National Guard for use of gas masks, use of helmets.
2 They didn't have helmets and gas masks

3 Q Were these requests in 1965 or were they post riot
4 requests?

5 A These were in 1965. We told them about it.

6 MR. LOFTON: Colonel, were all of the
7 municipalities that were included in the capability
8 survey found to be deficient as far as these gas
9 masks are concerned?

10 THE WITNESS: Yes.

11 MR. LOFTON: All of them?

12 THE WITNESS: I am talking about the six
13 major cities This was a 1965 report, and Newark
14 is one of them.

15 MR. LOFTON: In terms of their reaction to
16 your evaluation did all six make the requests for
17 the gas masks?

18 THE WITNESS: No.

19 MR. LOFTON: Which ones did and which ones
20 didn't?

21 THE WITNESS: It was a local municipality,
22 and it was up to them to purchase them and get them
23 whatever way they could. I don't think they got
24 them. They may have by now, but not until after
25 July.

1 By Mr Jaffe:

2 Q It would not be your function to supply them but
3 to point out the deficiencies?

4 A Right

5 Q What other deficiencies did you point out to the
6 six municipalities as a result of your 1965 surveys?

7 A One of the deficiencies -- it really isn't a
8 deficiency but an inadequacy -- we didn't have enough radio
9 frequencies, or there were not common channels With the
10 agencies involved there were not enough common frequencies
11 that we could communicate with one another. This was a
12 deficiency

13 Q Were there other inadequacies based on your review?

14 A Yes. We found out that they didn't have any
15 barrier equipment, stanchions

16 Q Describe that.

17 A Stanchions and rope and things like that to contain
18 people in crowds if they did have something of this sort.
19 We asked them if they would make a survey to determine
20 whether it would be available by county or by any other
21 agency that would have this type of equipment if they
22 needed it We found out that they did have this problem.

23 Q What about transportation facilities in local
24 municipalities, what was the status of those facilities?

25 A Transportation facilities, if we are talking about

1 cars, it is contingent on the local agencies to determine
2 whether they need cars for patrols or investigators or
3 detectives. If we are talking about cars for a type of --

4 Q Vehicles to handle disturbances, was that evaluated
5 at that time?

6 A No, not as such. We told them of the type of
7 mobile patrols that we would have, type and kind of patrols
8 that we would have. Whether they could have enough to take
9 care of this we didn't know.

10 Q Was there any attempt in this period of 1965 to
11 request from the local municipalities a plan of riot control
12 as to whether or not (a) they had one, or (b) they were
13 working on one?

14 A On some municipalities we requested the State
15 Police to give them training in the conventional book type
16 riot control. We have a book, and I can give you a copy of
17 it. It has been a long time that we have had it, but we
18 have updated it. It is on the formations, the type and kind
19 of equipment to be used. We did provide most of the
20 municipalities and requested it.

21 MR. JAFFE: Could the record note that C-5
22 will be a manual of the State Police on riot
23 training which we will get later?

24 (EXHIBIT NO. C-5 WAS RECEIVED IN EVIDENCE.)

25 MR. GIBBONS: Which municipalities requested

1 it?

2 THE WITNESS: There are many of them, but I
3 don't know specifically. I could find out, of
4 course. There are many smaller municipalities
5 that requested it.

6 MR. GIBBONS: Did any of the major cities
7 request it?

8 THE WITNESS: Yes. We gave Jersey City copies
9 of it.

10 MR. WACHENFELD: Did Newark request it?

11 THE WITNESS: I don't know.

12 By Mr. Jaffe:

13 Q Could you check and let us know?

14 VICE CHAIRMAN BROWN: Would you know about
15 Plainfield, Englewood and Paterson? You have talked
16 about the major cities. Would you list them?
17 Perhaps they are not included in the ones we
18 discussed. Six major cities I think you said.

19 THE WITNESS: It was Newark, Paterson, Jersey
20 City, Elizabeth, Trenton and Camden.

21 By Mr. Jaffe:

22 Q Colonel, besides the riot training manual of the
23 State Police, did any of the municipalities indicate to you
24 whether they had a plan of operation, a practical plan, if
25 that is the right phrase, as to how to contain and handle

1 such disturbances?

2 A We talked about Jersey City; we talked about
3 Newark.

4 Q Is this again in the period 1965?

5 A Yes. We are staying in that period. The municipal
6 police departments did have plans for disorder.

7 Q Which municipal departments?

8 A All of them had some sort of a plan that they would
9 put into effect

10 Q Were those plans submitted to you for approval?

11 A No.

12 Q Did any State Police official that you know review
13 those plans?

14 A No.

15 Q Did any National Guard official review those plans?

16 A No. We have no authority nor could we demand.

17 Q Did any of the six largest municipalities in the
18 state ask you to review the plans or ask the National Guard,
19 if you know?

20 A No, not that I know of

21 MR. WACHENFELD: If you had received such a
22 request, would you have reviewed them and made
23 recommendations and suggestions?

24 THE WITNESS: Yes, sir.

25 By Mr. Jaffe:

1 Q Colonel, before we leave this area, when you
2 reviewed the city surveys and you found what in your opinion
3 were inadequacies or deficiencies, were the municipalities
4 notified by letter or by oral notification?

5 A The procedure is this: As we are broken down
6 geographically, B Troop had the responsibility of contacting
7 the particular police departments. B Troop had the major
8 cities -- Jersey City, Newark, Paterson -- and the commander
9 or his representative did visit the local police departments.
10 The equipment status charts we got came from the local
11 police department We informed them of what we thought
12 were the inadequacies

13 Q So it was worked out through the relationship,
14 through the local troop commanders and the municipalities?

15 A Yes

16 Q Colonel, after this period of initial city
17 surveying and initial liaison with the National Guard,
18 could you describe for us the next steps taken by the State
19 Police in their role in preparation for civil disturbances?

20 A We continued our training We changed our tactics
21 right after the Jersey City affair, and I guess Ray Brown
22 could fill you in.

23 Q When was that?

24 A Three years ago.

1 THE WITNESS: Nineteen-sixty four Jersey
2 City had a situation, and we were called as
3 observers. The Governor sent me up

4 VICE CHAIRMAN BROWN: Could I fill in here?
5 I think what Dave is referring to is this: That
6 in 1964, and I remember his meeting was August,
7 1965 when not even this preliminary work had been
8 done, so there was no order precedent and, John
9 Gibbons, no statute nor anything else which
10 empowered anybody to enter any municipality except
11 on the request of the municipality. In other
12 words, if Newark or Jersey City blew up, they
13 could technically stop the State Police at their
14 borders, and in Jersey City that was not impossible
15 to have happen.

16 MR. GIBBONS: Nor anyplace else I suppose

17 VICE CHAIRMAN BROWN: I suppose, but Jersey
18 City has a certain tradition of isolation which is
19 different. But in the situation there the police
20 were using tactics that anybody could see were not
21 successful, particularly like myself being fire-
22 bombed in the middle of the street. The police
23 were led by Mr. Tumulty in a charge down the street
24 in which the CORE agitators and innocent people
25 were clubbed, including several Catholic priests

1 Father Kennedy and I were clubbed and everybody
2 else went up to the roofs and threw fire bombs on
3 on them, and they became so disorganized that I
4 called the Governor and said they better get
5 somebody in.

6 Colonel Kelley was the only man with the
7 training and the only man with the state no doubt
8 who could have the diplomacy and the ability at
9 the same time. So I think unofficially he advised
10 them, and they immediately began to use what were
11 then rather effective tactics such as holding
12 their people in reserve and picking up groups and
13 doing selective work rather than just charging
14 anybody in the middle of the street.

15 This, incidentally, brought it under control
16 within about twenty-four hours, but Dave was in an
17 untenable position. He wasn't asked; he wasn't
18 commanded; he wasn't supposed to be around. One
19 of his chief problems was he couldn't get in touch
20 with anybody at the Jersey City police because
21 there was nobody at headquarters and nobody had
22 any command sets, and he couldn't find the chief
23 of police. But I think that it has this historical
24 importance: That it led to the 1965 meeting, and
25 the very simple thing, Justice, if you,

1 Bud McManimon, tried to get in touch with Bob Lilley
2 now and he had no communications -- it just
3 recommended itself to everybody This is the
4 beginning of the pre-planning that resulted in
5 August from the Jersey City experience

6 By Mr Jaffe:

7 Q Could you continue for us as to what activities
8 the State Police continued to engage in in preparation
9 subsequent to 1965?

10 A Primarily updating the status charts, keeping in
11 contact with the major municipalities. We had two incidents,
12 if I can go off the record.

13 (Discussion off the record.)

14 By Mr. Jaffe:

15 Q Proceed, Colonel.

16 A In 1966 the State Police and the National Guard
17 decided that a test vehicle would be the Bridgeton incident
18 wherein the KKK was going to hold a rally, and it was
19 decided then that we would use this incident or situation
20 as a means of testing the liaison, cooperation and
21 communication and equipment. It proved worthwhile to this
22 extent: We found we needed some closer liaison; we needed
23 more communications, and it was very helpful to us in our
24 planning

25 Q Colonel, were there any tests between the

1 State Police and/or the National Guard with local municipali-
2 ties in that period?

3 A No.

4 Q Were any local municipalities involved in the
5 incident you just referred to?

6 A Yes, one municipality, Bridgeton.

7 Q But none of the six major municipalities had any
8 test runs with the State Police or National Guard?

9 A No

10 MR. GIBBONS: With respect to Bridgeton, isn't
11 that the place where there is a City of Bridgeton
12 and a Township of Bridgeton?

13 THE WITNESS: There is a City of Bridgeton,
14 and the township -- I have forgotten the township.
15 You may be right

16 MR. GIBBONS: Isn't the Township of Bridgeton
17 completely surrounding the City of Bridgeton?

18 THE WITNESS: I don't think so, but I don't
19 know. That doesn't sound right to me

20 MR. GIBBONS: There is a small city and a
21 large township surrounding it?

22 THE WITNESS: Right. There are many smaller
23 communities, but they are not part of Bridgeton.

24 MR. GIBBONS: Is this the incident that grew
25 out of desegregation efforts in the City of Bridgeton?

1 THE WITNESS: Well, there were some internal
2 problems in the City of Bridgeton. I guess it is
3 segregation. I really don't remember the problem,
4 but I knew the local residents had called the KKK,
5 and they decided to hold a rally in Bridgeton.

6 MR. GIBBONS: I am trying to place that in
7 context because I have recollection of a specific
8 school desegregation problem.

9 VICE CHAIRMAN BROWN: Then it accelerated
10 into a situation where there was supposedly police
11 brutality. I think they inaugurated an official
12 curfew, and I think Lillian Smith --

13 THE WITNESS: Irene Smith, who lives down
14 there about a mile or two away in Pitman.

15 VICE CHAIRMAN BROWN: They started picketing
16 for school desegregation, and that is when the KKK
17 was organized with the participation of the locals.

18 MR. GIBBONS: Off the record.

19 (Discussion off the record.)

20 By Mr. Jaffe:

21 Q In the period subsequent to 1965 were there any
22 other city surveys run like the ones you ran in 1965? Did
23 you update those in 1966 and 1967?

24 A Yes, they were updated.

25 Q When were they updated?

1 A In 1966 and in 1967 we updated the major cities.
2 I don't have the 1967's with me

3 MR. JAFFE: Will the record note that C-6 will
4 be the surveys for 1966 and C-7 will be the surveys
5 for 1967?

6 (EXHIBITS NOS. C-6 AND C-7 WERE RECEIVED IN EVIDENCE.)

7 By Mr Jaffe:

8 Q When you reviewed the surveys for 1966, could you
9 tell us to the best of your recollection what, if anything,
10 you did with that information from the six major municipali-
11 ties?

12 A We did nothing but file it This was for our
13 information. There was nothing we could do with it

14 Q Were there any significant changes in some of the
15 deficiencies pointed out in 1965?

16 A I don't know for a certainty, but I don't think so.

17 Q What about in 1967, were those city surveys
18 sufficiently different than the ones in 1965?

19 A I can't guarantee that, but I don't think so either.
20 I don't think there was any change

21 Q You don't recall any significant action taken by
22 the State Police as a result of the 1966 or 1967 surveys?

23 A Right.

24 Q Would that be a fair statement?

25 A It wouldn't be a fair statement in that we have no

1 control. It makes no difference

2 Q Let me rephrase that question. You don't recall
3 any significant action taken by the municipalities in the
4 1966 and 1967 surveys different than in the 1965 surveys?

5 A To my recollection, no.

6 Q Colonel, were there any other specifics in this
7 area of preparation by the State Police prior to the summer
8 of 1967 that you would like to discuss?

9 A I can say this to you: That one thing we did, we
10 intensified our intelligence to the point that we had more
11 of our investigators in the major towns. We had more
12 intensified investigations in the area of disorder

13 Q Could you tell us when you began that program of
14 intensifying your intelligence and how you did it?

15 A I will tell you what we did, not how we did it.
16 All we did was go around and ask questions, meet people, and
17 if you ask enough questions, you will finally find out
18 something is going on. From the reports that we got from
19 other agencies this information was all correlated. This
20 is how we did it really.

21 MR. GIBBONS: What other agencies?

22 THE WITNESS: Federal agencies, Institutions

23 And Agencies, municipalities.

24 By Mr Jaffe:

25 Q Were there any other meetings in the period between



1 1965 and the summer of 1967 between the State Police, the
2 National Guard and the local municipalities?

3 A Yes

4 Q Could you tell us generally when those meetings
5 occurred and the subject matter?

6 A If you are talking of State Police and National
7 Guard, we had many meetings, practically every quarter.

8 Q State Police, National Guard and municipalities?

9 A One of the major meetings we had was on June 1st
10 when we met in Jersey City.

11 Q What year?

12 A June 1, 1967.

13 Q Could you tell us who was there and what the
14 purpose of the meeting was?

15 A I have the minutes, and I can give you the minutes.

16 Q Just give us a general resume

17 A Present at the meetings, inspectors from Jersey
18 City, Captain Olaff at that time, Sergeant Halton and
19 Detective Goch. Detective Goch is our man in civil
20 disorders.

21 VICE CHAIRMAN BROWN: That is your special
22 man?

23 THE WITNESS: He is. The meeting was arranged
24 to discuss the racial situation and possible
25 disorder in Jersey City



1 By Mr. Jaffe:

2 Q By whom was it called?

3 A Jersey City and the State Police

4 Q Did the officials of Jersey City request the
5 meeting?

6 A I don't know whether they did or we did, but we
7 had some information and they had some information.

8 VICE CHAIRMAN BROWN: Off the record.

9 (Discussion off the record.)

10 THE WITNESS: One of the things that brought
11 this about was Hillside Metal Products, a large
12 factory on Clay Street in Newark, and I am reading
13 from the report now, with 1,560 employed in their
14 plant, of which 1,300 are negroes. There are no
15 negroes among the 50 office employees. Information
16 from a negro told the plant president that there
17 would be a picketing protesting employment
18 practices for negroes and that July is the target
19 date for trouble

20 A negro was also quoted as saying there will
21 simultaneous picketing by negroes during the three-
22 day period in July in "red hot Jersey City," bust
23 out all over Trenton, Camden, Elizabeth, Edgewater
24 and Perth Amboy. He hinted that there will be
25 general havoc, rioting, bloodshed and picketing

1 with the labor movement.

2 The dates of the picketing in July were
3 undetermined. This plant will be closed during
4 the first week in July for vacations. He suggested
5 that we contact the plant president for further
6 information.

7 This is part of the report. Inspector McGee
8 of Jersey City had informed that the Black Muslims
9 were making plans to take over the Fourth and Fifth
10 Precincts when the rioting started sometime in
11 July. "The Muslims planned to station men in front
12 of each officer's home to prevent him from getting
13 to the scene of the disorder. The scene of
14 meetings was the temple at Kerney Street and
15 Leslie's Barber Shop at Ocean Avenue. Meetings
16 were recently held there. Chief Smith discussed
17 the problem concerned; a Roman Catholic police
18 was critical of the police and the civil rights in
19 the city."

20 By Mr. Jaffe:

21 Q Was there any general discussion at that meeting
22 on how to handle civil disturbances in Jersey City?

23 A "The purpose of the meeting is to discuss plans
24 for the added police protection in the downtown area. The
25 chief stated that as many as 4,000 persons could be on hand

1 and picketing by civil rights groups is expected. Chief
2 Smith stated that Mayor Whelan will call the State Police
3 and militia without delay if anything erupted within the
4 city He asked how long it would take The reply was
5 two hundred men within two hours supplemented by three
6 hundred additional men. Captain Olaff then answered the
7 chief's inquiry concerning procedure in requesting State
8 Police and National Guard assistance The discussion then
9 centered on assembly points for the State Police, and it was
10 the opinion that the Jersey City armory would be the first
11 choice due to the location and facilities available."

12 The meeting was arranged with myself, Chief Smith
13 and several other chiefs in the metropolitan area for
14 Friday, June 2nd, in Chief Smith's office I at the time
15 was on active duty at Fort Knox, and I flew home from Fort
16 Knox on June 2nd and we had a meeting in the Jersey City
17 Police Department headquarters on June 2nd. The meeting
18 was attended by the New Jersey State Police, myself,
19 Captain Olaff; Sergeant Halton of the Jersey City Police
20 Department; the Newark Police Department, Chief Oliver
21 Kelly; the Elizabeth Police Department; the Paterson Police
22 Department; Perth Amboy Police; Bayonne; Hoboken; Secaucus;
23 North Bergen; Guttenberg; Weehawkin; Hudson County Police;
24 Union City; West New York and the New Jersey Department of
25 Defense

1 Q What was the general subject matter of that
2 meeting?

3 A This meeting was called due to increase of activity
4 in racial incidents that were reported to us and reported
5 to the municipalities. It was mentioned that the possibility
6 of Stokley Carmichael being in Jersey City on June 1 should
7 be considered and the Black Moslems plan in Jersey City was
8 discussed.

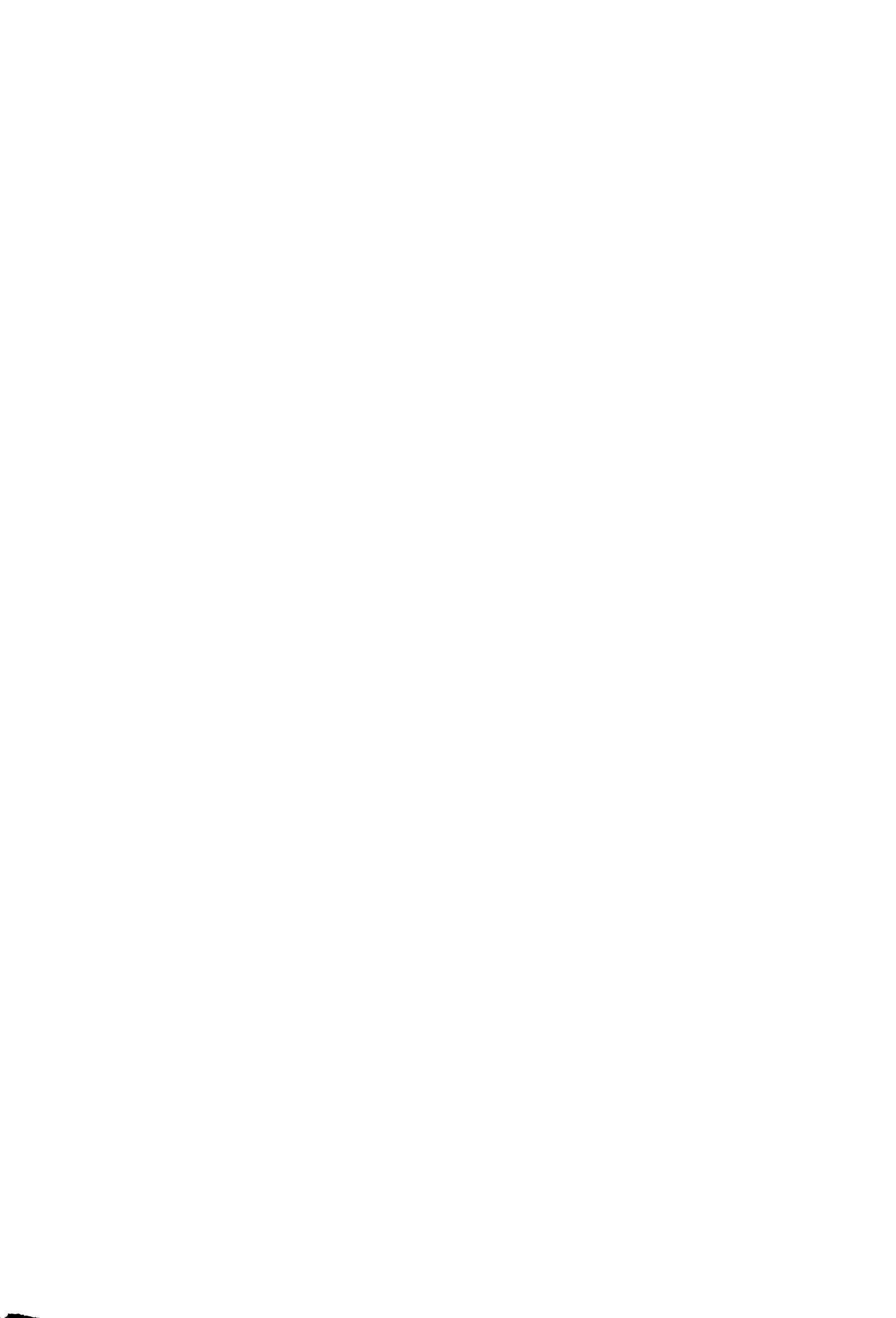
9 VICE CHAIRMAN BROWN: This was 1966?

10 THE WITNESS: Nineteen-sixty seven. We
11 discussed the Black Moslems' plan in Jersey City,
12 among which would be attempts by them to obtain
13 automatic weapons and conduct raids in white
14 neighborhoods. Again I have the minutes of this
15 meeting.

16 By Mr. Jaffe:

17 Q Did you at that meeting discuss the general plan
18 as to how to handle civil disturbances, if any would occur?

19 A The State Police began active planning for civil
20 disorders four years ago. Recently the State Police met
21 with the National Guard officials to discuss plans in the
22 event both organizations were called to quell a civil
23 disorder. Police departments must exchange information of
24 a racial or subversive nature because incidents can happen
25 anywhere. The problem was mutual. We need a central clearing



1 agency to disseminate the information The state will have
2 observers in troubled areas in the state We will go into
3 an area upon receiving word from the Governor The National
4 Guard will not be committed unless the State Police request
5 it

6 This is a general statement I made to open the meeting

7 Q Did you at that meeting or as a result of that
8 meeting coordinate with the local police forces who were
9 there, coordinate matters such as tactics to be employed,
10 assembly points, radio frequencies, communications and so
11 forth?

12 A Captain Olaff discussed the regional meetings held
13 with the State Police and National Guard, then he referred
14 to the trouble in Cambridge, Maryland The problem arose
15 among local and State Police and the National Guard
16 concerning areas of responsibilities This is when we told
17 them we needed maps, their road block plans and assembly
18 plans

19 Q Did you obtain those?

20 A Right. We obtained them and explained the State
21 Police communications capabilities, our man power and equipment
22 assets to them.

23 Q Colonel, was there any follow-up meeting with
24 Jersey City and/or Hudson County Police Chiefs? Was a
25 liaison established that worked pretty closely?

1 A On June 7 a meeting was held in the office of the
2 Police Chief, Oliver Kelly, Newark Police. The purpose was
3 to discuss plans in the event the State Police called for
4 assistance Present were troop commander of Troop B, Chief
5 Kelly, and again you can have this for the record unless
6 you want me to read the names.

7 Q Colonel, is this the first meeting you had in 1967
8 with the Newark officials?

9 A It is the first time

10 Q Who called that meeting?

11 A We did.

12 Q Could you just briefly tell us what happened at the
13 Newark meeting

14 MR. WACHENFELD: And when it occurred.

15 THE WITNESS: On June 7

16 By Mr Jaffe:

17 Q 1967?

18 A Right

19 Q What happened there?

20 A I will read the minutes. "Chief Kelly of Newark
21 took into account the possibility of three forthcoming
22 meetings in Newark -- June 12, the Medical Center Site
23 hearing; June 27, the Board of Education hearing, and July
24 20 to 23, the National Conference of Black Power. He advised
25 that Deputy Chief Redden would be in charge of the uniformed

1 personnel during the street disorders. Chief Kelly
2 questioned Captain McElroy on the State Police on the
3 procedure in establishing requests for State Police assistance
4 The State Police explained the governing body must make the
5 request of the Governor. The chief said that he didn't
6 know what person in authority in his municipality should
7 make the request. He said the municipal attorney would
8 interpret 53:2-1 to decide."

9 Q Were you at that meeting?

10 A No. That was Captain McElroy of B Troop. He
11 discussed the background of State Police activities during
12 disorders in Englewood and Paterson when troopers were
13 mobilized. As a result, plans were drawn up for assembly
14 points and plans were established for municipalities. We
15 stated then that the National Guard Armory was preferred
16 over the police station due to the facilities.

17 The State Police and Chief Kelly discussed the area of
18 communication concerning a command post. We were told to
19 contact a Captain Spiesak, Newark Police Department, to make
20 arrangements for communication.

21 Q Was that done, do you know? Was that contact made?

22 A Yes. We did that.

23 Q At that meeting was there a general exchange of
24 information between the Newark Police Department and the
25 State Police as to what their plans were for handling civil

1 disturbances?

2 A Our captain introduced Detective Goch and requested
3 intelligence information be forwarded to him on the Newark
4 situation. We weren't getting too much out of Newark in
5 terms of intelligence. Maybe we were getting all we had --
6 I don't know -- but we were not getting too much.

7 Q What I am driving at, was there a discussion with
8 the Newark authorities as to the plan they would use if a
9 civil disturbance occurred?

10 A I don't think so because we never did have a plan
11 for Newark as to the type and kind of formation. They did
12 have the conventional organization for mass control, but I
13 don't think any thought was given to anything other than
14 that

15 Q As a result of that meeting in Chief Kelly's office
16 were there any other meetings, follow-up meetings prior to
17 the riots in Newark this summer, any other Newark meetings
18 between State Police and the local police force?

19 A Not that I can recall. As I say now, the troop
20 commander has the responsibility for close association and
21 liaison with the municipality, and it is entirely possible.
22 I know there were telephone conversations and communications
23 back and forth.

24 Q What is the name of the troop commander?

25 A Captain McElroy.



1 Q Captain McElroy will be available to the committee?

2 A Yes. I see we have here the minutes of the National
3 Guard-State Police meetings, and we had them on the 17th,
4 18th and 19th of May.

5 Q Before we get back to that, I want to finish up
6 the Newark relationship. Were there any other meetings
7 between State Police and the Newark authorities between the
8 period January 1, 1967 and up until the riot in July of
9 1967 other than the meeting referred to in your minutes,
10 official meetings, to the best of your recollection?

11 A There were meetings on the lower echelon level, in
12 the communications level and in the telephone level and in
13 the armory level, but not on the major levels, not on
14 command levels

15 Q What do you say, Colonel, was the major purpose of
16 the June meeting you referred to between the Newark officials
17 and the State Police?

18 A Say that again.

19 Q What was the major purpose of the meeting in June
20 of 1967 between the Newark officials and the State Police?

21 A To prepare primarily the State Police -- I am
22 talking personally now -- prepare our organization in the
23 event there was a disorder in Newark and what we could do
24 because if something did happen, the State Police had the
25 prime role of moving in first. We felt we should be

1 prepared. This is why we went to Newark. Prior to this
2 there was not too much communication between Newark and the
3 State Police.

4 Q Were there discussions then or subsequent as to
5 the type of radio frequencies you would use and the type
6 of communication facilities?

7 A Newark gave us their frequency and we, of course,
8 gave Newark our frequencies.

9 Q At that point?

10 A Yes. Of course, that is all on the survey, too.
11 We knew their frequencies.

12 Q What kind of concrete steps were taken to mesh the
13 frequencies?

14 A There isn't anything you can do about meshing
15 frequencies. You have them or you don't have them.

16 Q Let me ask you as a layman, Colonel on a State
17 Police frequency can you communicate with the Newark Police
18 on their frequency?

19 A No. What we have to do is put a State Police
20 radio in there and monitor it and they have to do that.

21 Q Was this done in Newark? Were State Police
22 frequencies put in Newark police cars?

23 A You can't do this. What we did, we tested all
24 our radio and communications equipment and the National
25 Guard equipment from the Roseville Armory, and this is



1 when we learned that our walkie-talkies needed a relay
2 station We established a relay station in the Martlandt
3 Medical Center

4 Q When was this done?

5 A This is the Communications Section report. At the
6 request of Major Olaff recommendations were developed
7 following meetings, studies and inspection of the facilities
8 at Newark on June 27 through June 29. An inspection of the
9 Roseville Armory established the authority as a location and
10 command post. The armory has adequate facilities for
11 quartering personnel over an extended period of time.

12 Q This is a State Police report?

13 A This is our report

14 Q The purpose of that report is an inventory for
15 State Police purposes?

16 A We established telephone communications, and we
17 had direct lines from the Roseville Armory We established
18 a press line at the Roseville Armory, and we established a
19 hot line direct from room 201 A of the Newark Police
20 Department to our command post at the Roseville Armory.
21 These phones were installed on June 27 and were operational.

22 For security purposes the phones have been placed in
23 a metal chest at the command post and locked. They are the
24 pull-out type thing. The plugs are in. All we do is plug
25 them in we are in business.



1 We had to have direct hot lines, and we had to have
2 outside lines.

3 A radio survey of the City of Newark disclosed that
4 neither the police headquarters building nor the armory
5 could receive handy walkie-talkie transmission from every
6 point in the city.

7 Q It could not?

8 A No. It was necessary to establish a monitoring
9 position from which transmission could be received from our
10 walkie-talkies and radio contact could be maintained in the
11 armory and with the Newark police. The monitoring position
12 is located on the fourteenth floor of the Martlandt Hospital,
13 65 Bergen Street, Newark. Admission is gained by the
14 elevator. The key is in our headquarters for this room.
15 This location also serves as a monitoring position for the
16 Newark Police Department radio and affords an excellent
17 view of the entire City of Newark. We established this.
18 We found our walkie-talkies couldn't transmit throughout
19 the city without a high vantage point.

20 Q When you talk about transmitting on a walkie-talkie,
21 would your walkie-talkies be able to be used by local police?

22 A No.

23 Q They would have to have the same type and kind of
24 frequency before they could pick it up?

25 A Right. I don't know how many walkie-talkies they



1 have. It is revealed in the survey We are on an internal
2 frequency We have a high frequency for our walkie-talkie
3 and a low frequency for our cars. If you are going to get
4 technical, I can't answer you.

5 MR. GIBBONS: Is the technical information
6 on these frequencies contained in the volume of
7 the President's Commission On Crime in the
8 administration of justice dealing with technical
9 police problems?

10 THE WITNESS: I don't know what you said.

11 MR. GIBBONS: There is one whole volume
12 dealing with technical devices.

13 VICE CHAIRMAN BROWN: The difference is
14 their radio is on a different frequency and you
15 can't interchange, you can't call.

16 By Mr Jaffe:

17 Q That is the question I have.

18 A Let me give you some lay language The problem
19 in police work today is that there are too many frequencies,
20 too many municipalities having their own frequency. A little
21 town has two frequencies or three frequencies that they
22 don't even use. Newark is limited to one frequency and
23 should have about six or seven.

24 The frequency is tied up through some complicated
25 FCC regulation wherein this is regulated by the spectrum



1 which runs 44 to 60 megacycles as the spectrum for police
2 and something else would be for commercial and something
3 else for something else.

4 But we find there are not enough police frequencies
5 We have five, which are not enough. We need at least ten,
6 but we can't get them because they are controlled by the FCC.
7 The smaller municipalities may have two and probably never
8 use them, maybe make two transmissions in the course of a
9 day. Newark needs more frequencies, I understand.

10 But we cannot communicate on the Newark frequency.
11 We have our own frequencies

12 Q That is really the question I wanted to ask you.
13 As a result of even after you put your transmitter up in
14 Martlandt Medical Center, the purpose of that survey and
15 improving your communications in Newark in June was to
16 enable the State Police to more effectively function in
17 Newark; it was not to establish an integrated communications
18 facility between Newark and the State Police because that
19 could not be done?

20 A No. The only way we did it, we had a Newark radio
21 at our command post and he had to transmit to the Newark
22 cars.

23 Q Was that Newark radio at your command post to be
24 operated by a State Policeman or a Newark Policeman?

25 A Newark.

1 Q So that would be the only way in which State Police
2 command instructions could be gotten to the Newark Police,
3 through the Newark operator in the Martlandt Center?

4 A No. He had a relay station in the Martlandt
5 Center and at our command post in the Roseville Armory and
6 their police headquarters communications center We are
7 talking about three physical communications there, but
8 through their system.

9 Q In any of the six large municipalities in this
10 State is there any integrated communications between the
11 State Police and the local police?

12 A No Only right now there are three county systems,
13 Union County being one, Monmouth County being one, and we
14 can go through the county system and get to a municipality,
15 but direct State Police to a municipality, no One of the
16 reports at the Jersey City meeting shows this was one of
17 things we mentioned. We wanted a centralization of
18 communications so the state could communicate with all
19 municipalities at one time if necessary.

20 Q Has that been done?

21 A No, but we have made a survey and we are working
22 on this and we have recommendations made for this.

23 Off the record.

24 (Discussion off the record.)

25 MR. GIBBONS: The Colonel is indicating the



1 reasons, some of the reasons why they haven't
2 been able to achieve an integrated statewide
3 communications system, and I would like to have
4 him explore that further.

5 THE WITNESS: There seems to be a reluctance
6 on the part of the municipality to relinquish the
7 frequencies that they do have now in that they
8 feel they should maintain their own sovereignty,
9 integrity, there is a reluctance on their part
10 to want to be part of the statewide system.

11 We have advocated this, and I have this
12 recorded in the minutes in Jersey City, and we
13 have made a survey in the State Police and we
14 have made recommendations. We are going to go
15 through and request funds for a communications
16 system that will envelop the whole state

17 MR. GIBBONS: There is no legislative means
18 now whereby the State Police could step in and
19 regulate this?

20 THE WITNESS: No. To repeat what I said,
21 the frequencies are controlled by the federal
22 government, and no matter what legislation they
23 did have in the state, they could not give us
24 frequencies.

25 By Mr. Jaffe:



1 Q It seems to me, Colonel, one of the problems that
2 is developed as we listen to you testify is that fact that
3 the State Police has a very major responsibility pursuant
4 to the Governor's direction when a civil disturbance has
5 reached the proportions in which a local municipality
6 cannot handle it. In order to meet that responsibility is
7 it realistic for the State Police to not have an integrated
8 communications facility with the local municipality? Does
9 that hamper your work?

10 A It certainly hampers our work.

11 Q Could you describe how it would hamper it, please?

12 A We need direct communications; we need on-the-ground
13 communications with the municipality that we are working
14 with. We need person-to-person communications for
15 supervision, direction and control, and we must have this
16 type of communication.

17 Q Without that type of integrated communications
18 wouldn't you say the role of the State Police and the local
19 municipality in coordinating and containing a civil
20 disturbance is much more difficult?

21 A Oh, certainly.

22 VICE CHAIRMAN BROWN: It goes further. It is
23 almost impossible, isn't it?

24 THE WITNESS: Yes.

25 By Mr. Jaffe:

1 Q Mr Gibbons discussed a question of legislation.
2 Couldn't it also be done physically by physically placing
3 radios or some types of transmitters in there? Isn't there
4 a means of doing it?

5 A Physically this is what we did do. We established
6 communications between the National Guard, the State Police
7 and the Newark Police by physically locating individual
8 radios, the Newark radio, the State Police radio and the
9 National Guard radio. These three communicators sat next
10 to one another in the operational control of this whole
11 phase. If something came in over the Newark network, it
12 was conveyed to the National Guard and State Police.

13 Q Is there any way that could be done on a common
14 frequency?

15 A Presently, no, and this is what we are advocating,
16 that there should be some way and some common frequency
17 throughout the state for all police agencies in the event
18 there is anything of a disorder.

19 Q How are you advocating it? Is there anything the
20 Committee could do in that area?

21 A Get us money. That is all we need.

22 VICE CHAIRMAN BROWN: Some of these questions
23 are loaded because you come under the jurisdiction
24 of the Attorney General strictly, and many of these
25 questions relate to legal and legislative problems



1 that really do not come within your purview, is
2 that correct?

3 THE WITNESS: I don't think it is a question
4 of legislation; I think it is a question of, again,
5 federal legislation on control of the frequency

6 VICE CHAIRMAN BROWN: Suppose you had the
7 frequency As the law presently reads and as the
8 Attorney General's Office is organized, you couldn't
9 move in there and put up a radio anyhow.

10 THE WITNESS: We couldn't demand a municipality
11 to take upon itself the buying of the equipment
12 or the radio

13 VICE CHAIRMAN BROWN: Let's say tomorrow the
14 FCC says okay and someone says, "Here is the money."
15 You still couldn't do it?

16 THE WITNESS: We could get it, but we couldn't
17 get the municipality to accept it.

18 VICE CHAIRMAN BROWN: Nor have you any
19 authority for requiring that the local municipalities
20 have equipment which could contain this because
21 there are dozens of radios?

22 THE WITNESS: With different agencies. We
23 have RCA, Motorola, et cetera.

24 VICE CHAIRMAN BROWN: In other words, the
25 State Police can't say standardize or have one unit



1 for standardization, and "we now have the FCC
2 permission. We now have the money and we direct
3 you to standardize," and the state contributes
4 or you contribute part?

5 THE WITNESS: This would take legislation.

6 By Mr. Jaffe:

7 Q My question really was whether or not it was
8 technically feasible to do it

9 A I have made surveys, and it is technically feasible
10 to do it. The surveys we had made are that we want to go
11 video in addition to audio, and we have the capability
12 within the state, that this would be on the microwave, and
13 this has already been established for us by the Turnpike
14 and Parkway systems. This is entirely possible.

15 We have had people in to conduct surveys in this area,
16 and it could be a common frequency. It could be an
17 educational channel, too.

18 MR. GIBBONS: You mentioned earlier an
19 exchange of intelligence between the municipalities
20 and the State Police. Is there a statewide
21 telecommunications system between --

22 THE WITNESS: The State Police controls the
23 teletype system.

24 MR. GIBBONS: So you are into every police
25 department?



1 THE WITNESS: Into every police department
2 that has a system. There are 467 municipalities
3 but only 200 and some have a teletype system.
4 Major municipalities do have the teletype system,
5 but they do not have sending equipment They only
6 have receiving equipment The only sending
7 equipment they do have would be in Newark to
8 transmit internally. When they receive a message
9 from us, they would transmit to their precincts

10 MR. GIBBONS: So there is no wire communication
11 except phone, but no teletype communication to
12 Newark from the State Police?

13 THE WITNESS: The telephone, and we put it
14 on the teletype This we are trying to overcome,
15 too. We are trying to overcome this whole system
16 of communication I think we made some inroads
17 indirectly with the uniform crime reporting system
18 wherein all municipalities must report quarterly
19 to the State Police on the activities. We developed
20 the format, the forms, the whole bit

21 In addition to that, we have seven men who do
22 nothing but visit municipalities and assist them
23 in making out these reports

24 MR. GIBBONS: Will that eventually lead to a
25 wire reporting network statewide?

1 THE WITNESS: Right. It is up to us to give
2 the information so that they can evaluate this
3 information comparatively for their use in criminal
4 work or any work. As of now the only central
5 agency for intelligence since January of this year
6 is in terms of uniform crime reporting, which is
7 a quarterly report, but they do not submit them
8 monthly

9 MR. GIBBONS: But that is only on the incidents;
10 it is not really intelligence of the type you want?

11 THE WITNESS: It is not the type of intelligence
12 you are talking about. It is things that happened,
13 not things that are going to happen.

14 VICE CHAIRMAN BROWN: Let's take the mythical
15 city of Bridgewater, and they have a riot situation
16 and elect not to call the State Police no matter
17 how serious it gets, for whatever internal reasons
18 they have. Could you move in?

19 THE WITNESS: By law, no

20 VICE CHAIRMAN BROWN: You could come up to
21 the boundaries of the town and the mayor comes to
22 the boundary and says, "Stop. We didn't send for
23 you. We don't want you." What will happen under
24 the present law and under the present regulations?

25 THE WITNESS: This now is one of those things

1 we kicked around many times in the legal opinion
 2 as to the real interpretation of Title 53, and
 3 the State Police is not to be used as a posse
 4 Whatever a posse means in legal terms, that is your
 5 problem. That is the language of the law

6 VICE CHAIRMAN BROWN: Whatever language you
 7 use, could you come up to the boundaries of the
 8 city and the city officials say, "We don't want
 9 you in, but could you under the law say, "We have
 10 information this is out of hand and you can't
 11 control it We are moving in"?

12 THE WITNESS: Let me go around to the back
 13 door and answer you We have observers in
 14 Bridgewater whether they like us or not We would
 15 be there. We would send back information and in
 16 turn I would convey this to the Governor. I think
 17 in turn he would say yes or no, whether we could
 18 go in or not.

19 VICE CHAIRMAN BROWN: Let's forget the
 20 Governor He is the ultimate authority. Let's
 21 have a situation in this mythical town of Bridgewater
 22 and your observers tell you this is pretty serious
 23 and the forty-man police force can't handle it.
 24 The Bridgewater authorities say, "Stop." Could
 25 you within the framework of the Attorney General's

1 authority -- he is the cabinet officer, without
2 relying on the overall emergency powers of the
3 Governor -- could you and Attorney General Sills
4 come up to the border and say, "You can't handle
5 it We are moving in," without the Governor's
6 order?

7 THE WITNESS: I doubt very much whether I
8 would have the authority to mass troopers and move
9 them in The troopers that were in the geographic
10 location of that town that pass through there
11 normally that do that type of work, I would assume
12 they would take action

13 MR. WACHENEELD: Even if you did doubt your
14 authority under those circumstances as related by
15 Mr Brown, would you go in?

16 THE WITNESS: Yes.

17 VICE CHAIRMAN BROWN: Let's take Bridgewater
18 in a situation that has already happened there.
19 The police don't want you in for reasons that may
20 relate to the feeling that they don't want the
21 common radio. They have certain situations they
22 don't want you to know about.

23 THE WITNESS: This is not uncommon

24 VICE CHAIRMAN BROWN: This is why I am using
25 a mythical city I think it happens in all of the

1 towns and boroughs They say the don't want you
2 down on X Street because that is where the horse
3 parlors are. What do you do then? You can't do
4 a thing, can you?

5 THE WITNESS: No, sir. If you are talking
6 about the criminal aspect, the prosecutor can
7 request and we send them in. If you are talking
8 disorders, this is something different

9 VICE CHAIRMAN BROWN: I am talking disorders.

10 MR. WACHENFELD: If you add to that a direction
11 by the Governor, you would go in?

12 THE WITNESS: Yes, sir.

13 VICE CHAIRMAN BROWN: I realize he can
14 over ride, but this creates some very serious
15 political situations.

16 THE WITNESS: We know This is what happened
17 in Detroit.

18 MR. WACHENFELD: If you had legislation, the
19 only difference would be he could use his own
20 discretion, but he could accomplish the same thing
21 now and he says he would if he gets a direction from
2 the Governor.

3 VICE CHAIRMAN BROWN: I am talking about
4 mythical Bridgewater, but we know what happened in
5 Detroit. You went to Detroit Would you agree?

1 THE WITNESS: Right

2 VICE CHAIRMAN BROWN: I think you could state
3 a similar Bridgewater situation happened there in
4 Detroit. It was a question of authority and who
5 should move in. Would that be correct?

6 THE WITNESS: I don't think this is possible
7 in the state now for a reason that the State Police
8 are in there first. Let me explain why. We don't
9 want the business; we don't need this disorder
10 business. There are other jobs to do besides this.
11 But the problem in Detroit, as I see it -- we have
12 in the State of New Jersey centralization with
13 intelligence and centralization of the command of
14 the National Guard and State Police. This did not
15 happen in Detroit. In Detroit they had five
16 separate commands. They had three brigades of
17 National Guard independently operating, the State
18 Police of Michigan independently operating, and
19 the city police independently operating. There
20 was no centralization of command. Therefore, there
21 was guidance or no guidance or misguidance, and
22 operated independently on their own.

23 But the reason the State Police is first is
24 within the framework of your organization in the
25 National Guard you do not have the capability of

1 intelligence, police intelligence. This is not
2 your makeup. We in the State Police are in the
3 business of intelligence. When the National Guard
4 moved into Detroit, there was no intelligence for
5 them. They didn't know what to do, where to go.
6 This was established in the State of New Jersey
7 I want this as an observation

8 VICE CHAIRMAN BROWN: Is this established by
9 any legislation?

10 THE WITNESS: This is established by the
11 policy of the Governor that the State Police would
12 go first

13 VICE CHAIRMAN BROWN: Let's assume the
14 Governor changes in 1968. Is there anything that
15 would give a continuing body of law or direction to
16 your successor, to his successor or to the National
17 Guard, the Department of Defense? Is there
18 anything which is in the law or in regulation
19 which prescribes the kind of coordinated approach
20 which you have said now exists by virtue of your
21 conferences starting in 1965?

22 THE WITNESS: To my knowledge, no sir.

23 VICE CHAIRMAN BROWN: Let's assume Colonel
24 Jaffe takes over in 1968 and says, "I am not going
25 to follow that." What happens then? It is gone.

1 THE WITNESS: Right

2 VICE CHAIRMAN BROWN: What we have here is
3 really a liaison and cooperation, a pattern which
4 you yourself have created by exercising your
5 indirect supervision.

6 MR. WACHENFELD: You mean it is gone if a
7 new administration doesn't endorse it?

8 VICE CHAIRMAN BROWN: That is what I mean.
9 There is no law to require that such a thing
10 happen. There is no framework or regulation of
11 law which requires and establishes the procedure
12 such as you have outlined, and in Detroit you said
13 it didn't exist but it could exist here if you had
14 a change of personnel. If the Kellys go, the
15 Governor goes, if Cantwell goes, you may have the
16 same situation.

17 THE WITNESS: Could be. Because of my military
18 background I realize how inadequate the intelligence
19 for the National Guard is in that you are not in
20 the business.

21 VICE CHAIRMAN BROWN: You hold a brigadier
22 general's slot in the reserve?

23 THE WITNESS: Yes.

24 VICE CHAIRMAN BROWN: So if a man comes in who
25 is not a brigadier general in the reserve, you may

1 very well not have the understanding and cooperation
2 with the military?

3 THE WITNESS: It is possible

4 VICE CHAIRMAN BROWN: What we had here was a
5 brigadier and a major general of the Department of
6 Defense working out a coordinated plan which in
7 part was due to the fact of your military
8 background.

9 THE WITNESS: This is possible

10 VICE CHAIRMAN BROWN: So if something happens
11 to you, we don't even have this conceivably

12 THE WITNESS: Right

13 MR. WACHENFELD: You mean look at the results
14 we got under those favorable conditions. What
15 might we get under unfavorable conditions?

16 VICE CHAIRMAN BROWN: God help us

17 By Mr. Jaffe:

18 Q Were there any other meetings between the State
19 Police and the local police force in Englewood in 1967 prior
20 to the civil disturbances in July?

21 A I don't have this, but the troop commander, again
22 McElroy, was in Englewood and we talked with the Englewood
23 Police Department and Paterson.

24 Q What about Plainfield? Were there meetings in
25 Plainfield?

1 A No We had surveys but never had any meetings
2 with the police officials as such. Maybe he was part of
3 the meeting, but I don't think that specifically Plainfield
4 was --

5 Q What about Camden or Atlantic City?

6 A Atlantic City is a continual thing We have been
7 in there since 1964 since the convention

8 Q There has been a continuing liaison?

9 A Yes

10 Q And a continuing preparation for possible civil
11 disturbances?

12 A Not only for civil disturbances. It seems since
13 the 1964 convention the President has been in and out
14 several times, and as such we have established relations
15 with the local police department and with the communities.
16 We are pretty well oriented in terms of communications.

17 Q What about Camden, did you have any prior preparation
18 with the local officials in Camden in 1967?

19 A We had meetings where the troop commander went to
20 Camden and established what they had through the survey,
21 established some sort of rapport with these people. Again
22 this is a major city, and we may or may not be accepted.
23 We have plans for Camden. Whether they have plans or not
24 I don't know.

25 VICE CHAIRMAN BROWN: You never had anything

1 similar in Camden to your meeting with Jersey City
2 and Newark in June of 1967?

3 THE WITNESS: No. Only the troop commander,
4 the same relationship in Camden with the troop
5 commander and with the commander in Englewood and
6 Paterson. Although we are very suspicious of
7 Camden all the time.

8 By Mr. Jaffe:

9 Q Would you characterize your prior riot preparation
10 meetings by saying the meetings with the officials were the
11 most in depth and most meaningful, or is that an unfair
12 characterization?

13 A If we are talking comparatively --

14 Q Compared to the meetings you have had with other
15 local municipalities

16 A I think that was the most fruitful meeting, the
17 one we had in Jersey City where we brought in the major
18 municipalities

19 Q Is it really a very meaningful way of setting forth
20 specific plans and meeting the problems logistics through
21 these meetings? Has that accomplished the basic purpose of
22 providing a smooth road ahead if the State Police have to
23 move in?

24 A Primarily this is what we did it for. We have to
25 know what we are doing, and we wanted to find out what the

1 physical facilities are or were in a particular municipality.
2 We want to know what their communications are, who their
3 commanders are. Primarily we did this.

4 Remember, we have absolutely no control and we cannot
5 dictate to a municipality. We can't tell a municipality to
6 do anything. If we could say to Jersey City, "We want you
7 to do this," and they say, "You get out of here," there is
8 nothing we can do about this. We can only suggest and
9 recommend.

10 VICE CHAIRMAN BROWN: We will take a ten-
11 minute recess and run until twelve-thirty.

12 (Whereupon, a short recess was taken.)

13 By Mr. Jaffe:

14 Q Colonel, one more question on the liaison I didn't
15 put in. Could you tell us if you established any liaison
16 with the Federal Bureau of Investigation or any other
17 federal agencies in you pre-riot planning?

18 A Yes. We have pretty good working relationships
19 with the FBI now, and we did establish communications in
20 the intelligence area. The federal agencies do not have
21 a function in this particular area. As such there wasn't
22 much they could do other than give us information on the
23 criminal element concerned.

24 Q Would you say the primary role of the Bureau has
25 been as a gathering source on intelligence which they



1 transmitted to you?

2 A In the criminal field.

3 Q Not in the riot area?

4 A No.

5 Q Were there any other federal agencies that were
6 active with you in the pre-riot planning?

7 A No, sir.

8 Q Did you do any work with the Community Relations
9 Service of the United States Department of Justice?

10 A My relationship was on a personal relationship
11 with the United States Attorney, and it is through his
12 agency we would have communications

13 Q But none of this was prior riot planning?

14 A No.

15 Q Colonel, bringing your testimony up until the
16 riots in Newark, you have described for us your June, 1967
17 meeting and the July 3, 1967 communications set up in
18 Newark. Could you tell us the first indication you had as
19 commander of the State Police of a possible disturbance in
20 Newark in July of 1967?

21 A We had nothing firm on the City of Newark or any
22 other city, but as the intelligence built up and the
23 incidents were accumulated we had the feeling of a disturbance
24 or disorder.

25 Q When you say incidents, what do you mean by incidents?

1 Are you talking about incidents with civil rights overtones?

2 A Right Aggressiveness on the part of police,
3 civilians or both, reports of incidents where there were
4 reports of police brutality and reports of aggressiveness
5 on the people that were arrested. These things seemed to
6 be building up in this Newark area. If we are talking about
7 the Jersey City area, we had reports of the Moslem meetings
8 and their aggressiveness, overtones in this direction. This
9 gave us the feeling of possible disorder.

10 Q What period of time are we talking about?

11 A The period of June, 1967

12 Q Could you tell me what happened as this began to
13 build up? What did you do and what then happened?

14 A I thought I went through that We updated all of
15 our orders in State Police We then updated our mobilization
16 on our alert plan on our recall system. We put the troops
17 on a standby and we kept constant contact --

18 Q When were the troops put on standby, what date?

19 A The latter part of June. Our mobilization plan
20 was tested. Our recall system was tested.

21 Q In the latter part of June?

22 A Right

23 Q How did it work?

24 A We found that on our first test we had a 95 percent
25 efficiency, which we felt was pretty good, contacting people,

1 getting people in telephone conversation and some reporting.
2 We found that it was effective. We realized we were not
3 going to contact one hundred percent of the people, but we
4 found it was ninety-five percent effective.

5 We maintained practically constant liaison in the
6 City of Newark in that we had our investigators or observers
7 in Newark with the Newark Police Department. We worked
8 with the captain of their Community Affairs Division in
9 Newark. Our human relations people or community relations
10 people on the State Police were in constant touch with the
11 Newark Police Department.

12 The information we had was we were getting the
13 newsprints, periodicals, things like that that were coming
14 up, how to make Molotov cocktails and such stuff as this.
15 This kind of engendered a little excitement on our part
16 as to possible disturbance. The reaction we got from the
17 City of Newark was everything was under control and they
18 could contain and handle any situation.

19 Q When you say the reaction you got from the City of
20 Newark, could you be specific as to what individuals you
21 are referring to?

22 A Yes. I spoke with the police director.

23 Q Who is that?

24 A Spina.

25 Q What is his first name?

1 A Dominic.

2 Q Could you tell us when you spoke to him?

3 A This was not a formal meeting, but it was sometime
4 in June, 1967 I met him and he said, "We have things
5 under control."

6 Q What is it that you told him?

7 A I asked specifically if he expected any trouble
8 during the summer, and he said if there was trouble, it
9 would be under control and they could handle it. This was
10 the impression from my observers up there, that the higher
11 echelon of the government agencies was under the impression
12 they could control this.

13 Q When you refer to the higher governmental echelon,
14 you mean the mayor and his cabinet?

15 A I would assume. This is what my report was,
16 people in authority

17 MR. LOFTON: Colonel, just so that I
18 understand the reaction you are indicating the
19 police director gave to the information that you
20 communicated to him about the possibility of
21 disturbance erupting, were you suggesting to the
22 police director that certain special kinds of
23 procedures be inaugurated as a result of the
24 intelligence information that you had that the
25 police director did not feel was necessary because

1 he thought a civil disturbance would not break out?
2 Is that what you are saying?

3 THE WITNESS: I am saying in effect that I
4 personally felt from my information that there
5 could be or would be a disorder in Newark. He
6 didn't seem to feel so, and as such there wasn't
7 need for too much State Police cooperation in this
8 particular area. This did not take place in the
9 lower echelon with the chief and with the acting
10 chief and other people

11 MR. LOFTON: But with the police director?

12 THE WITNESS: But with the police director
13 He felt he could contain or take care of the
14 situation. The other people in the operational
15 end, Chief Kelly, Redden, Foley, they were under
16 the impression that there would be some problems
17 and they were making plans for it and it was done
18 on a cooperative basis. The only operational
19 planning that we have with the City of Newark was
20 done through the chief of police and that level

21 MR. LOFTON: There was during this period a
22 constant feeding of intelligence information on
23 the lower echelon into the Newark Police Department?

24 THE WITNESS: Right.

25 MR. LOFTON: Could you tell me how the

1 picture then develops as we get into July from the
2 State Police viewpoint, standpoint?

3 THE WITNESS: Do you want to take it up to
4 Wednesday night before the incident? I refer now
5 to the State Police logs. I will give you the logs
6 we have with reference to the night of July 12,
7 which is the night preceding the riot, wherein our
8 observers were in Newark and sending back reports

9 MR. JAFFE: Just for the record Committee
10 Exhibit 8 will be the logs of the State Police of
11 July 12

12 (EXHIBIT NO C-8 WAS RECEIVED IN EVIDENCE.)

13 THE WITNESS: On July 12 our logs revealed
14 that there was a situation created by an arrest of
15 a taxicab driver wherein there was a disorder or a
16 disturbance within the city and primarily within
17 the area of the Fourth Precinct At that time our
18 State Police reporters expected that there would be
19 trouble, and there was trouble, but this was
20 contained and the thing tapered off at about
21 two-thirty in the morning There was no request
22 for State Police at that time.

23 By Mr Jaffe:

24 Q Were any of your observers present at the Fourth
25 Precinct where the cab driver was taken?



1 A I don't think so. I think our observers at that
2 time were in the police headquarters

3 Q Police headquarters in Newark?

4 A Right

5 Q How many observers did you have?

6 A There are two on duty at all times

7 Q Could we have their names for the record?

8 A I will quote from our State Police log at Trenton,
9 the entry at 1:50 a.m. on 6/13: "Deputy Chief Redden of
10 Newark P.D. contacted State Police, Morristown, reference
11 looting, window breaking and use of Molotov cocktails in
12 the Fourth Precinct and racial disturbance

13 "1:57 a.m. a teletype message from Morristown. Trooper
14 Longo of our turnpike called reference a disturbance in
15 the Fourth Precinct. Lieutenant Palacia, Newark Police
16 Department, advised him it was under control and localized
17 by the Newark Police Department. The Newark P.D. was being
18 recalled "

19 The 2:45 entry reads: "Lieutenant Pepe, State Police,
20 Morristown, states that he had been in contact with Chief
21 Redden and the situation is simmering. Two plainclothes
22 personnel, Investigator Debuist and Investigator Steckel in
23 Newark as a surveillance team. Captain McElroy has assigned
24 Lieutenant Mount to interview Acting Chief Foley in the A.M.
25 No assistance requested at this time."

1 Q That is a log prepared by your two observers?

2 A This is a log prepared at our police headquarters.
3 The observers make reports of their own. This log is as it
4 is reported to us by teletype or telephone to the duty
5 officer in Trenton.

6 Q Would it be proper for your State Police observers
7 to have gone to the Fourth Precinct Station House that night?

8 A Right They probably were, too, if I recall this

9 "3:55 a.m. phoned Deputy Chief Redden. He advised
10 that a minor motor vehicle incident (cab following too
11 close to a police car) and arrest was made Fight broke
12 out about 9:30 to 10:30 p.m. at midnight a large group
13 descended on the Fourth Precinct across from the Hayes
14 project, stoned police cars, buildings and the police;
15 looted stores along Belmont and Seventeenth and Springfield
16 Avenue Cab drivers formed a motorcade and there were 30
17 or 40 cabs loaded with people, they drove to City Hall.
18 Several arrests were made and the group disbursed. Several
19 incidents occurred in the Fifth Precinct Things are
20 quiet now."

21 Q Do you know at this point where your observers
22 are?

23 A Four-ten our duty officer called Detective Trainor
24 to report to Newark Police Department and met with two
25 detectives, Debuist and Steckel, and opened the police

1 emergency room 201 A, which is the State Police room we
2 established the week before.

3 Q Where is that room, in State Police headquarters?

4 A No, in the Newark Police Department, in Newark
5 headquarters.

6 "Trainor will meet with Deputy Chief Foley at Newark
7 Police headquarters, Mulberry, Broad and McKinley Streets.
8 Lieutenant Mount is assigned from Troop B headquarters to
9 proceed to Newark.

10 "Seven-ten in the morning Trainor called and said
11 fifteen arrests were made, ten at the Fourth Precinct, one
12 at the First Precinct. Stores at Fifteenth and Belmont
13 Avenue section all damaged and looted. Entire Fourth
14 Precinct of 180 men on duty. Police car damaged True
15 picture of damage to be made in the A.M."

16 Q Does that report indicate where your observers
17 are?

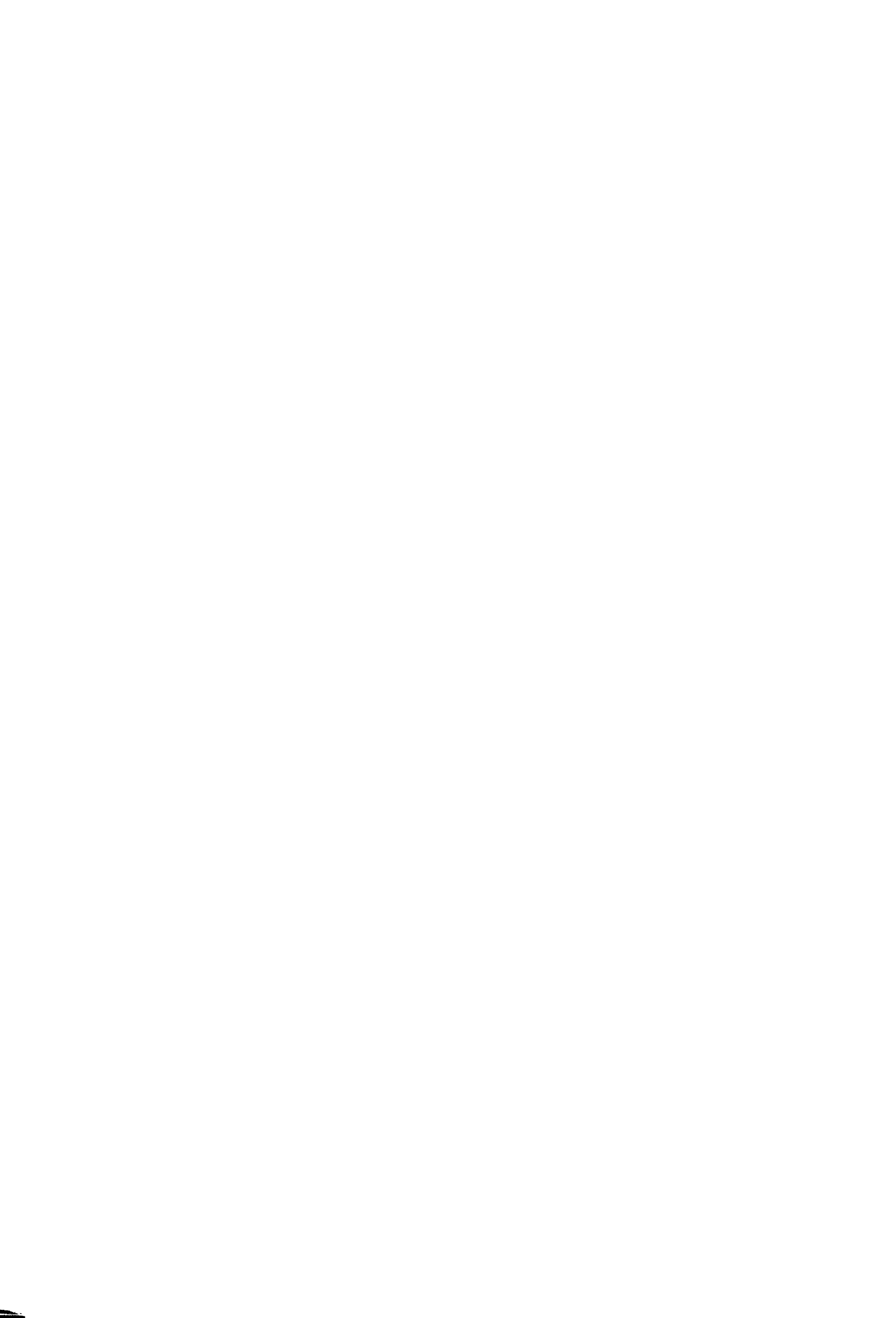
18 A No, but his report would. This is only a log as
19 he called in.

20 Q And that would be Detective Steckel?

21 A Steckel, Debuist, Trainor and Mount.

22 Q And it would indicate whether or not that report
23 is based on their observations or whether it is based on
24 what the local police had told them?

25 A Right



1 Q Develop the narrative as to what happens with the
2 State Police and how they get involved in Newark.

3 A We are now at 7:45

4 Q What day is this, July 13?

5 A July 13, A.M. Major Olaff called me and we
6 instructed --

7 Q Was this the first time you personally had been
8 called?

9 A No. We are in continual contact I am sorry the
10 telephone company has a phone in my house it rings
11 continually, I think.

12 Q At 7:30 you received a phone call from Major Olaff?

13 A It was all night, regarding the situation, but he
14 said he recalled Captain Gurkin, who was at that time
15 Communications Officer, and he sent up Palma and Ficke to
16 activate the armory post This was 7:45 a.m. that these
17 men were sent up.

18 If I might digress for a second, I want to inject this
19 into the record: Ficke and Palma are two men that we
20 trained to be communicators They are not technical men
21 but communicators.

22 Q What is the distinction?

23 A The distinction is this: These men handle the
24 radio and they must know the operational phase and they
25 must have a true picture all of the time as to what is going

1 on. To give an example, if a report came in from a car
2 that there was a sniper fire in X place, these communicators
3 were to establish, locate, record and control all
4 communication in an emergency like this. They were trained,
5 their job was, as soon as one of these things would come in
6 -- "Okay, calm it. We will take it from here " They would
7 calm the whole situation locally This was their job and
8 no one else was permitted to do this, but these two people,
9 but they had to have operational knowledge of the whole
10 situation. They had to know where the Newark police,
11 State Police and National Guard were. They operated from
12 maps, and the maps I will show you. A report would come in
13 there is looting in such and such a place. He had to know
14 what patrol was in that sector so he could send the patrol
15 to that sector. This was the training of these people
16 They as such are not technical men. They couldn't fix a
17 radio or tear it apart

18 Q Relate that back to the time.

19 A These two men were sent at 7:45 to activate the
20 post.

21 Q Who made that decision?

22 A I did.

23 Q Had there been a request by the Newark authorities
24 for State Police help?

25 A No.

1 Q Had there been a decision by the Governor to send
2 the State Police?

3 A No.

4 Q This was a decision that you made within your
5 discretion?

6 A Right, remembering we are now in an armory which
7 is state property and there is no infringement on the rights
8 of the municipality at all.

9 Q My question is not meant to imply that You just
10 want to set the record straight?

11 A Right There are a lot of phone calls here,
12 sending people to different places. "8:15 a.m., teletype
13 alarm, State Police. To All Troops: Man on standby as of
14 now "

15 Q Who ordered that, you?

16 A Yes

17 Q That was eight o'clock in the morning?

18 A Eight-fifteen.

19 Q What is the next action you took?

20 A Well, during the day, the rest of the day there
21 wasn't much more action other than the reports we did get
22 back from our observers and with regard to the situation in
23 Newark and with regard to association with the Newark
24 police

25 Q That brings us up to the evening of July 13. What

1 then happened?

2 A July 13, 8:35 p.m. This again is from the log.
3 "Acting Chief Foley, Newark, phones reference conditions in
4 Fourth Precinct, Seventeenth and Livingston Avenue, Newark;
5 indicates expected trouble "

6 MR. GIBBONS: What time was that?

7 THE WITNESS: 8:35 p.m.

8 MR. GIBBONS: This is a characterization by
9 Foley, or is this a characterization by the State
10 Police?

11 THE WITNESS: This is Foley. He called
12 reference conditions in the Fourth Precinct

13 MR. GIBBONS: Was that personal call to you?

14 THE WITNESS: This is to the State Police,
15 not to me This is the State Police duty officer

16 MR. GIBBONS: Then what happens?

17 THE WITNESS: At ten-thirty five we had in
18 turn alerted the National Guard that we were in
19 business in Newark.

20 MR. GIBBONS: You did that at 10:35 p.m.?

21 THE WITNESS: No, in the morning. The next
22 entry is 10:30, "Colonel Sharp, New Jersey National
23 Guard, phones from Sea Girt to advise that Colonels
24 Britt, McLean and Boyle of the New Jersey National
25 Guard have been activated and are en route to the

1 Roseville Armory. Newark "

2 MR. GIBBONS: Was this activation of the --

3 THE WITNESS: We notified them. They in turn
4 sent their people up there to be available at the
5 Roseville Armory

6 MR. GIBBONS: This was still done pursuant to
7 your general discretion in this area? The Governor
8 at this point had not acted?

9 THE WITNESS: That's right

10 MR. GIBBONS: Then what happened?

11 THE WITNESS: We were advised that General
12 Cantwell would be available at a certain number in
13 Sea Girt where he was. Conversations between
14 myself, Major Olaff and the Attorney General about
15 the situation

16 MR. GIBBONS: Was the Attorney General in
17 Trenton?

18 THE WITNESS: No, home.

19 MR. GIBBONS: Where were you, home or in
20 State Police headquarters?

21 THE WITNESS: I was not at State Police
22 headquarters. I left there about seven-thirty. I
23 don't know where I was. I was at Camp Kilmer, and
24 I left there.

25 MR. GIBBONS: Major Olaff was in charge of

1 State Police headquarters?

2 THE WITNESS: Yes, and he called me reference
3 the Newark situation at ten-forty five. At
4 ten-fifty two Acting Chief Foley called Major Olaff
5 reference Newark situation. Area presently affected
6 on Springfield Avenue between Tenth and Morris
7 Avenue, ten to fifteen blocks affected. Looting
8 and fires

9 MR. GIBBONS: As of 10:50 on the evening of
10 July 13 had you been in communication with the
11 Governor's office?

12 THE WITNESS: Yes, through the Attorney
13 General. At 10:51 Attorney General Sills phoned
14 and discussion had weighed the situation with
15 Major Olaff

16 MR. GIBBONS: Had you been in communication
17 with the Attorney General from the evening of
18 July 12 through the morning of July 13 and through
19 the day?

20 THE WITNESS: Yes.

21 MR. GIBBONS: You had not been in direct
22 communication with the Governor?

23 THE WITNESS: No

24 MR. GIBBONS: Were you basically informing
25 the Attorney General of the reports you received

1 from your observers?

2 THE WITNESS: Right

3 MR. LOFTON: You indicated in the latter part
4 of June you had a meeting with Director Spina?

5 THE WITNESS: It wasn't a meeting I met him
6 somewhere It was not a formal meeting.

7 MR. LOFTON: But you had a discussion with
8 him based on the intelligence information that
9 you had that something may break out in Newark,
10 and you related the substance of the director's
11 reaction. After the incident of July 12, on that
12 night when they arrested a cab driver when the
13 situation intensified beyond the point where you
14 had the discussion with the director, on July 12
15 did you at anytime communicate with your two
16 observers who were in Newark?

17 THE WITNESS: Right

18 MR. LOFTON: Based on the information they
19 gave you did you then in turn communicate with
20 Director Spina to activate the kind of intensified
21 coordination you had talked about before?

22 THE WITNESS: We had dealt with Acting Chief
23 Foley at the time. I don't know whether the
24 direct was available or not. We dealt with Acting
25 Chief Foley who was in charge of the police department

1 By Mr. Jaffe:

2 Q You didn't have any communication with the mayor
3 of the City of Newark as of 10:50 that evening?

4 A No. There is a sequence I am up to 10:52 I
5 gave you the area affected.

6 "Newark has 400 men committed to duty, of which 250 men
7 are committed to the trouble area. Director Spina presently
8 is in the Fourth Precinct, and there has been no mention
9 of requesting State Police assistance Foley advises that
10 the situation is ten blocks from Irvington and the Irvington
11 P.D. has been notified."

12 "10:53: Division headquarter key personnel recalled
13 to duty " These are the people in our division headquarters
14 that activate the command post, the operational center and
15 the communications That is Acting Chief Foley. "(continu-
16 ing) and requests assistance from Major Olaff. Major Olaff
17 advised Inspector Donnelly that the request will have to
18 come from the governing body through the Governor."

19 Q Was this the first mention as far as you are
20 concerned of a request by the local authorities for State
21 Police activity?

22 A Yes, it was at 10:10

23 Q At ten-ten the night of July 13th, and it was a
24 communication by --

25 A Inspector Donnelly

1 Q Of the Newark Police force, who called Major Olaff
2 to find out the procedure for bringing the State Police in?

3 A Yes

4 Q Was it Major Olaff who handled the call, or was
5 that communicated to you?

6 A He called me in the meantime He instructed
7 Sergeant Bianchini to contact a command post at Newark and
8 advise them to report progress every fifteen minutes. Our
9 people have to send progress reports in.

10 "11:50 Attorney General Sills phones and is given the
11 progress report. Attorney General requests periodic
12 progress. We will comply

13 "12:21, July 14: Lieutenant Mount (had been sent
14 there the night before) phoned while Olaff talks with
15 Attorney General Sills. Major Olaff carries on a dual
16 conference with A.G. Sills and Lieutenant Mount relaying
17 information directly to A.G. as received from Lieutenant
18 Mount Presently bands of eight to fifteen people traveling
19 on foot and in cars looting and starting first. Four
20 policemen injured, four new areas have broken out within
21 the past fifteen minutes. There is still no organization
22 within the Newark Police Department."

23 I don't know whether I should say that, but this is
24 the report in the law office.

25 Q What is meant by "organization"? No organization

1 in terms of riot control?

2 A Within the Newark Police Department I will have
3 to just state that. "All available transportation now in
4 use. The Fourth Precinct appears to be running their own
5 show. There are no barricades. No requests for State
6 Police assistance from Director Spina. Lieutenant Mount
7 now given instruction as to attempt to survey the area and
8 report back immediately.

9 "12:30: Detective Palma phones to call there are
10 seven drivers and six personnel carriers at the Roseville
11 Armory from the National Guard.

12 "12:50: Lieutenant Mount phones and advises that
13 Captain Graff and Detective Pollack, Newark Police Department,
14 and Detective Walker and Skarzinski of our State Police are
15 in the area using State Police Car No 488. Also Newark
16 Police has a vehicle equipped with a public address system
17 traveling through the area advising of a 1:00 a.m. curfew.
18 Looting on South Orange Avenue. Fire on Princeton and
19 Springfield Avenues and report of an alleged shooting
20 involving a woman on Blum Street. Crowds gathering at
21 Broad and Market Streets."

22 Q Were you at home at this point receiving this
23 information?

24 A Right.

25 Q Does this type of information continue through the

1 evening?

2 A The next one is 1:21, and I will excerpt it.

3 Lieutenant Mount is in charge of observation for the State
4 Police in the City of Newark at this point. "Car No. 488
5 cannot get into the Fourth Precinct area. Vehicle is being
6 stoned. Seven or eight large fires within the past half
7 hour Some shooting near Sears & Roebuck. Car 488 reports
8 looting; women and children doing most of the looting
9 Ninety-five percent of the stores on Springfield Avenue are
10 out Cars are overturned on the street

11 "Lieutenant Mount further advised that he has asked
12 Acting Chief Foley reference any request for State Police
13 assistance forthcoming from Newark officials and received
14 a negative reply "

15 Q What time was this?

16 A One-twenty one

17 Q The morning of July 14, 1967?

18 A Right We are now receiving phone calls from
19 people in Springfield Avenue requesting State Police
20 assistance.

21 Q These were from citizens?

22 A Mrs. Ahern, Springfield Avenue phones her father's
23 store broken into and looted; inquired why State Police had
24 not come into the area. Advised Mrs. Ahern that request
25 for State Police assistance must come from the city officials

1 through the Governor, and no request for assistance has
2 been received from Newark at this time.

3 Q Was the Attorney General being constantly informed
4 during this time?

5 A Right.

6 "1:37: Captain McElroy, troop commander, phoned
7 reference receiving request for State Police assistance
8 from Deputy Chief Redden, Newark; request Major Olaff
9 called Deputy Chief Redden in Director Spina's office.

10 "1:40: Major Olaff phones Deputy Chief Redden Chief
11 Redden apologizes to Major Olaff and recites request for
12 assistance, advising that he had been overridden by the
13 Mayor Newark Police Department had selected to ride out
14 night without assistance."

15 Q Is this a conference that occurs between Major
16 Olaff and Chief Redden?

17 A Yes.

18 Q As taken down and put in the log?

19 A Right.

20 "2:00: Lieutenant Mount phoned; no evidence of
21 subsiding; widespread looting; looting on Broad and Market.
22 Mob moving to Broad and Branford; could be curiosity seekers.

23 "2:30: Attorney General Sills phones Olaff. Governor
24 has received a request from Mayor Addonizio for State Police
25 assistance "

1 Q Was that the first information that the State Police
2 had as to whether or not the mayor had been in communication
3 with the Governor? Had the mayor been in communication
4 with the Governor prior to that to your knowledge?

5 A Not to my knowledge.

6 Q To your knowledge had the mayor of the City of
7 Newark been in communication with any state officials
8 concerning the riot?

9 A Not that I know of

10 Q Your knowledge starts at 2:30 in the morning of
11 July 14?

12 A Attorney General phones that the Governor received
13 request from Mayor Addonizio of Newark for State Police
14 assistance Instructed Major Olaff to have Colonel Kelly
15 call Mayor Addonizio at Market 2-5055 and Olaff to call
16 Director Spina."

17 Q Did you make that call, Colonel?

18 A Yes

19 Q Could you tell us what happened when you made the
20 call?

21 A I called and I spoke to the mayor and --

22 Q Would you tell us the substance of that call?

23 A I told the mayor that I had people on duty in
24 Newark and that until I got there I wished that he would
25 communicate directly with them and Lieutenant Mount. I

1 asked him if he had a specific request or requirements His
2 reply was that the whole city is gone.

3 Q The mayor said that to you?

4 A Yes I said I would be there in a half hour and
5 that just about ended the conversation

6 Q Did you discuss with the mayor in that short
7 conversation any question of command structure, responsibility?

8 A No, no

9 Q Anything of that nature?

10 A No.

11 Q You have given us basically the substance of your
12 conversation?

13 A Right I said I would be there within a half hour

14 Q Then what happened? Had Major Olaff meanwhile
15 communicated with Director Spina?

16 A "2:37: Called Director Spina and line busy 2:39
17 Major Olaff calls Director Spina. He answered phone at
18 2:43. Arrangements completed to meet Director Spina at the
19 Roseville Armory to discuss the mission," he to discuss the
20 mission with him.

21 Q Do you know what the contents of that discussion
22 were?

23 A No I know generally

24 Q Could you tell us generally to the best of your
25 recollection?



1 A About our pre-arranged plans where the State Police
2 assembly area would be, where we are going and we will be at
3 the Roseville Armory, which was our assembly area No. 1,
4 and we will be there to discuss further plans with Director
5 Spina.

6 Q After your conversation with the mayor, what did
7 you do?

8 A I got dressed and went to Newark. I got to
9 Newark approximately in a half hour by the turnpike.

10 Q About three-thirty in the morning now?

11 A I think it was earlier than that. I have forgotten
12 the time This is logged, too.

13 Q Somewhere around three in the morning?

14 A That is a good number. Probably around there
15 I spoke with him and at four-twelve he was at the armory.
16 I was at the police headquarters -- I don't know whether
17 police headquarters or city hall, whether they are both
18 the same or not.

19 MR. GIBBONS: City Hall is on Broad Street
20 and the police department is immediately in back
21 of it

22 THE WITNESS: I think I was immediately in
23 back of it. It seems to me I was in Director Spina's
24 office, but he wasn't there. The mayor was there
25 and other people

1 MR. GIBBONS: Who was with you?

2 THE WITNESS: Just the driver, a lieutenant
3 who lives only a block from me. We met the mayor,
4 and I asked him what the situation was. He said,
5 "It is all gone, the whole town is gone." I asked
6 him where the problem was. He said, "It is all
7 over." I asked him if he had any idea of the
8 instigators or trouble makers or what we should
9 look for. He didn't know.

10 MR. GIBBONS: Who was with the mayor? Do
11 you recall?

12 THE WITNESS: Melifonte. The other faces I
13 don't know.

14 MR. GIBBONS: Was Norman Schiff there, the
15 grey haired city attorney?

16 THE WITNESS: I remember Melifonte because he
17 was talking.

18 MR. GIBBONS: How long was your discussion
19 with the mayor?

20 THE WITNESS: I would say ten minutes, fifteen
21 minutes.

22 MR. GIBBONS: Did the mayor have any
23 instructions for you?

24 THE WITNESS: Nothing.

25 VICE CHAIRMAN BROWN: Did the mayor have any

1 specific idea of where the crucial areas were?

2 THE WITNESS: If he did, he didn't say it to

3 me

4 By Mr. Jaffe:

5 Q Did he have any specific request for the State
6 Police?

7 A No.

8 Q Did the mayor give you a general order?

9 A The mayor gave me nothing. He gave me no orders
10 nor did I take any

11 Q Any requests?

12 A Nothing

13 Q What did you do after you left the mayor's armory?

14 A I went to the Roseville Armory.

15 Q Did you tell the mayor what you planned on doing?

16 A No.

17 Q What did you do when you got to the armory?

18 A I waited for our people to come in and as they came
19 in at that time, they were coming in piecemeal and the
20 orders were to come in and bring as many cars as possible,
21 one-man, two-man to a car because we needed the transportation.
22 As the cars were coming in, we met in the Roseville Armory
23 and as we got missions that came across, we sent them out.

24 Q What time had the orders gone out to your force --
25 there had been a standby issued a few weeks before. What

1 time specifically was your force mobilized?

2 A Three-fifteen after our conversation with General
3 Cantwell

4 Q Are you talking about the morning of July 14?

5 A July 14. At least 1,000 men would be available,
6 two battalions to be activated immediately. The rendezvous
7 set was for the Roseville Armory. This is our conversation
8 with General Cantwell Three-thirty, Troop A.

9 Q Your phone call to General Cantwell is after the
10 phone call you received from the Attorney General?

11 A Right.

12 Q Was it prior to the phone call to the mayor or
13 subsequent to it?

14 A Two-thirty I called the mayor and Olaff called Spina.

15 Q The call to Cantwell was after that?

16 A Right, to discuss the mission. The National Guard
17 was activated. This was the word at two-forty five. Olaff
18 called Morven to give General Cantwell's phone number to the
19 Governor, and the Governor then activated the National Guard
20 personally at that time At three-fifteen he discussed the
21 thousand men he would have available, two battalions. The
22 State Police was activated immediately. Three-thirty Troop
23 A, our farthest station, was activated and the teletype
24 message went out simultaneously to all the troops.

25 Q So your force was mobilized at three-thirty that

1 morning?

2 A Right

3 Q You arrived at the Roseville Armory approximately
4 four or four-thirty?

5 A Right.

6 Q Was General Cantwell there yet?

7 A No

8 Q Who represented the National Guard?

9 A Colonel Sharp. "Three-thirty five a.m. Colonel
10 Sharp, National Guard, phones and requests transportation
11 for General Cantwell He is to arrive at Gate No. 7,
12 Newark Airport, expected to arrive at four-twenty

13 Q Could you very briefly describe for us the physical
14 setup that you established at the Roseville Armory when you
15 moved in at four-thirty?

16 A This was pre-planned. The State Police had the
17 Roseville Armory This is all diagramed in these reports.
18 The Roseville Armory, all of the vehicles were inside.
19 Arrangements were made for gasoline There was 7,000
20 gallons of gasoline Arrangements were made for messing
21 The National Guard was fed. We had three hundred cots
22 available that were in trucks in Trenton that we did not
23 move at this time Every troop was assigned an office with
24 a phone and their own radios, and as the troops reported,
25 they reported to their troop commander and given assignments.

1 Assignments and administrations were by troops

2 We immediately set up the divisional operational center,
3 and we divided the area into sectors. The sectors were
4 established by the intelligence reports from our men and
5 the Newark Police Department as the situation developed.

6 Q Just before we get to the sectors, up until this
7 time had you or any member of your staff seen the police
8 director of the City of Newark?

9 A I didn't

10 Q Was Director Spina present at the Roseville Armory
11 the morning of July 14th from four o'clock while you were
12 going through the process of setting your command structure
13 up?

14 A At 4:25 Mayor Addonizio; Paul Riley, Deputy Mayor;
15 Norman Schiff; Dom Melifonte, Public Relations man;
16 Lieutenant Ferrante, Newark Police Department, arrived at
17 the CP.

18 BISHOP DOUGHERTY: Spina is not mentioned
19 there?

20 THE WITNESS: No. Four-forty five Governor
21 Hughes arrived at Newark CP. When I say CP, that
22 is the armory. Four-fifty Director Spina, Deputy
23 Chief Redden, Newark police officials arrived at
24 the CP.

25 By Mr. Jaffe:

1 Q What was the role that the Newark police played
2 in setting up the command at the armory?

3 A Nothing

4 "Four-fifty one Governor Hughes, Mayor Addonizio,
5 General Cantwell, Colonel Kelly and Newark personnel
6 confer in the Essex Room. We met at four-fifty one."

7 Q You said the answer to my question was "nothing."
8 Was that because you felt that this should be a State Police
9 and National Guard CP headquarters, or was it because of the
10 fact that the local police did not coordinate with you?

11 A For two reasons: It was our mission, our role,
12 and we established this by sheer takeover. When I say sheer
13 takeover, this is where we were This is our CP. We
14 established this The Newark Police Department we have
15 requested to bring a radio so that we could have communica-
16 tions They did this. They also assigned an inspector who
17 was a liaison officer. I have forgotten his name in the
18 record.

19 The Newark Police Department was established and
20 located their liaison through a radio and their inspector.
21 He in turn conveyed messages to his police department or
22 directed his police department or cars, whichever, to give
23 assistance.

24 Q But that was the only participation at that time
25 in the CP headquarters?

1 A At that time In fact, all of the time they had
2 no other function

3 Q Could you give instructions to the local police
4 through the inspector?

5 A Yes. This is how we did it. I did not tell the
6 Newark Police Department, nor did I have authority or would
7 I tell the Newark Police Department, what to do. I
8 recommended and requested of the inspector they had there
9 our desires and wants and such.

10 Q And he would communicate those to his headquarters
11 where they may or may not have been acted upon?

12 A Right

13 BISHOP TAYLOR: Is there a dual line of
14 control in this case that the State Police has
15 certain authority and the City Police has certain
16 authority?

17 THE WITNESS: I think we established this,
18 Bishop, in this respect: We took over the critical
19 area, tried to take it over as best we could. We
20 outposted it, we contained it Newark or any city
21 still has the normal police functions throughout.
22 There are still going to be fights and children
23 born and this type of thing What we tried to do
24 was take over the critical area. We had this
25 responsibility

1 One of the problems that we encountered, we
 2 had our communications, telephone-radio communica-
 3 tions, but the municipality did not know State
 4 Police numbers. Consequently, all reports of
 5 looting, any damage, reports of anything were
 6 directed to the Newark Police Department because
 7 naturally they knew the number. As such the Newark
 8 Police Department would dispatch their patrols to
 9 take care of a situation that they heard over the
 10 telephone. They in turn received a Newark patrol
 11 or two patrols moving through an area that
 12 eventually we had contained. What would happen is
 13 that we would move in and stop looting or whatever
 14 the situation may be

15 What we would have to do is follow them and
 16 just observe or stand outside just to protect
 17 them. At the end of the whole mission when it
 18 ended we had control over two-thirds of the city,
 19 approximately fourteen miles, and eventually we
 20 tried to let Newark phase out of the critical area
 21 so they could perform their normal functions
 22 throughout the city. They had to function
 23 throughout the earlier phases of it because there
 24 was no communication to us

25 By Mr Jaffe:

1 Q When you set up your CP center and you had the
2 inspector and radio communication, that was from you to
3 police headquarters. Was there any set up of messages
4 that were coming in to police headquarters that would come
5 back to you at the CP?

6 A They had a line they were calling their inspector
7 on. This is why we had to have our communicators know the
8 situation. I could probably show you better on the map.

9 Q We will get to that next week.

10 A The citizens had a problem. There were two or
11 three children that were born during the holidays. They
12 needed ambulances, and they would call the police department.
13 The police department would react to this and move this into
14 the areas we had already posted National Guard in and the
15 State Police were patrolling in. We had no way of knowing
16 they received a phone call or where they were going or what
17 they were doing. All they were reacting to was a police
18 service

19 Q There was no counter feedback from Newark Police
20 headquarters to the CP?

21 A Not in areas like this. Later it was family
22 established, but in the first two days, no.

23 Q Colonel, how long did it take for you to fully
24 activate your troop and have the CP center operational on
25 the morning of July 14?

1 anybody in authority above the director there to
2 coordinate the command?

3 THE WITNESS: No The mayor would be in
4 every now and then.

5 VICE CHAIRMAN BROWN: At anytime did the police
6 authorities or the mayor defined the perimeter of
7 the area over which you would exercise command as
8 the riot area?

9 THE WITNESS: I don't think so. I think we
10 found out

11 VICE CHAIRMAN BROWN: Through trial and error?

12 THE WITNESS: We found out from reports from
13 their patrols that this would happen and that this
14 incident took place So we finally defined it as
15 you will see on the operational map we have here

16 VICE CHAIRMAN BROWN: But this was only after
17 operational experience of two days?

18 THE WITNESS: No, that night, and it grew.
19 We only had six sectors and then it grew to eight
20 and then to twelve sectors we had.

21 VICE CHAIRMAN BROWN: Was this growing like,
22 you will pardon the expression, Topsy or the
23 question of the police saying to you that there is
24 a definite area where certain things are happening?

25 THE WITNESS: It was growing for two reasons:

1 Because the Newark Police were eventually phasing
2 out of the things, and it was growing because
3 there were periodic and spasmodic incidents going
4 on

5 VICE CHAIRMAN BROWN: But this was something
6 as your experience indicated?

7 THE WITNESS: Right As our expectations
8 happened, we said that we better lock off and
9 contain these areas

10 VICE CHAIRMAN BROWN: Was this as a result of
11 any understanding you had with the police that it
12 would mature in this way, or was it something of
13 operational experience of the riot itself?

14 THE WITNESS: It was primarily a personal
15 experience I had We met some resistance from the
16 mayor and the police director, and I said the
17 Springfield Avenue will be closed.

18 VICE CHAIRMAN BROWN: What sort of resistance
19 did you meet from them?

20 THE WITNESS: The resistance in terms of,
21 "Well, you can't close Springfield Avenue. This is
22 our main artery." I said, "Main artery or not, it
23 is closed. Good bye Boom!"

24 VICE CHAIRMAN BROWN: What did they say to
25 that if anything?

1 THE WITNESS: There was a little opposition,
2 the Governor said, "Dave, do you want to close it?"

3 "Yes, sir " That's it

4 VICE CHAIRMAN BROWN: From this did it evolve
5 that you acted in support of the Newark Police,
6 or did you supersede them in certain areas where
7 there were defined perimeters as to the emergency?
8 In other words, would the Newark Police say to
9 you, "The emergency area of Springfield Avenue is
10 in a certain perimeter and you will control this,
11 and we will phase it out," or did you move and say,
12 "We will define this as an area of Springfield
13 Avenue where we must take over because it is out
14 of control," and they more or less agreed to take
15 over?

16 THE WITNESS: It was that type of thing

17 VICE CHAIRMAN BROWN: So you had no predetermin-
18 ed system of handling this?

19 THE WITNESS: No.

20 VICE CHAIRMAN BROWN: Is there any predetermi
21 priority today in terms of perimeter you would take
22 over leaving the baby services and the others?

23 THE WITNESS: There is, and there probably
24 had been established some at that time, but one
25 of the things in a phasing out period, they were

1 in there They just didn't abruptly move out
2 because situations were occurring, incidents were
3 occurring They were there They would get called
4 and react accordingly

5 VICE CHAIRMAN BROWN: But you wouldn't know
6 what they were doing?

7 THE WITNESS: No I don't know the telephone
8 calls they received at police headquarters Many
9 phone calls they reacted to we didn't know about.
10 The same way with the fire companies There were
11 telephone calls direct to the police department
12 which, in turn, directed the fire company to the
13 fire We didn't know anything about that

14 VICE CHAIRMAN BROWN: But your role was
15 command of the perimeter area and the National
16 Guard supported you and reacted to your command?

17 THE WITNESS: Right

18 VICE CHAIRMAN BROWN: I was trying to define
19 the area so that we can take up next time It is
20 now twelve-thirty, and I know you all have
21 commitments, but I want to end at a point where
22 we know we can resume

23 THE WITNESS: You want me to show the areas
24 the next time?

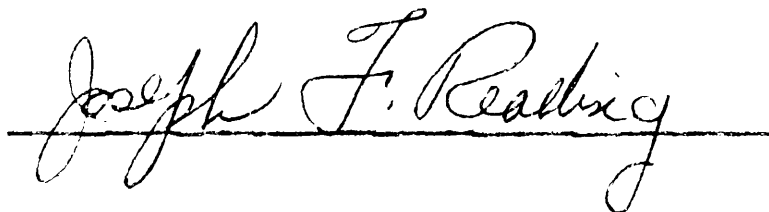
25 VICE CHAIRMAN BROWN: Right, so that you can

1 know you are beginning from approximately five-thirty
2 to develop a pattern of control and how it developed
3 and how the role of the various agencies fitted in.
4 I think this would be most useful to the committee
5 in terms of any definition or recommendations

6 - - -

7
8
9 C E R T I F I C A T E

10 I, JOSEPH F. READING, a Certified Shorthand Reporter
11 and Notary Public in and for the State of New Jersey, do
12 hereby certify that the foregoing is an accurate transcript
13 of my stenographic notes to the best of my ability

14
15 
16

17 September 23, 1967.
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1 CHAIRMAN LILLEY: Gentlemen, the meeting will
2 be in order. There are just a couple of matters of
3 Commission business. Once again I have to leave at
4 eleven a.m.

5 (Discussion off the record.)

6 Whereupon,

7 RAYMOND F. MALE

8 called as a witness, first duly sworn, testified as follows:

9 DIRECT EXAMINATION

10 By Mr. Jaffe:

11 Q Commissioner, could you please tell us your present
12 position?

13 A I am serving as Commissioner of Labor and Industry
14 for the State of New Jersey.

15 Q And how long have you been in that position?

16 A Eight years.

17 Q Could you tell us what the general responsibilities
18 of the department are that you have?

19 A It generally involves three or four major areas
20 that gets involved with the manpower function of the state
21 through the Employment Service which it operates in
22 partnership with the Federal Government. It gets involved
23 with social insurance programs such as unemployment insurance,
24 temporary disability insurance, workmen's compensation, and
25 for the federal government it acts on disability determinations

1 for social security Then it gets involved in certain law
 2 enforcement standards, setting up operations, engineering
 3 and safety being an important one; migratory farm labor and
 4 high-pressure vessels in a separate section, and a whole
 5 host of bits and pieces of legislation involving standards
 6 for both workers and employers.

7 Then we get involved in an important area of activity
 8 related to serving the state's interest in the industrial
 9 development side, although that is not our prime function.
 10 We handle a lot of statistics by employers and universities
 11 and others related to the work force in New Jersey

12 So it is in general the department that serves both
 13 employers and workers in a broad way throughout the state.
 14 The work force covers about 2,700,000 men and women.

15 Q In the later area you just pointed out, the
 16 industrial service area, could you describe that a little
 17 bit more in detail as to the relationship between that and
 18 the kinds of employment that practices?

19 A There are some who over the years have raised an
 20 eyebrow at a state having a Department of Labor and Industry
 21 There are some that think this is kind of a paradox and
 22 something that should not be. I think it is the trend. As
 23 a matter of fact, something similar was proposed for the
 24 federal government which did not get fully off the ground,
 25 but I will predict it will in a few years. I see nothing



1 inconsistent in the two primarily because in order to have a
2 fully utilized work force, you have got to have the jobs.
3 The equation is not a simple one to match, but one that has
4 to be matched.

5 So in the course of some of our work when the legislature
6 has given such assignments as improving industrial plants
7 for expansion and new building, this gives us a foot in the
8 door of knowing well in advance when architects and industrial
9 developers think about New Jersey, and we use that in order
10 to provide for them some insight into the services available
11 and the manpower available in New Jersey. So the two wash
12 each other.

13 Q Does the department in that area perform sort of
14 an active or passive role? Is it one in which you would
15 try to match industries with specific areas or what?

16 A It is an active role, bearing in mind that the
17 state's primary function in economic development is placed
18 in another agency, the Department of Conservation and
19 Economic Development, but Bob Roe and I work very closely
20 together in this and are often in joint meetings with
21 industry on these things. I think we are active in another
22 sense, active in the sense that at least during the eight
23 years I have been there the stress has been to do law
24 enforcement things, the negatives that were put into our
25 law, in a positive way, not to water down standards but to

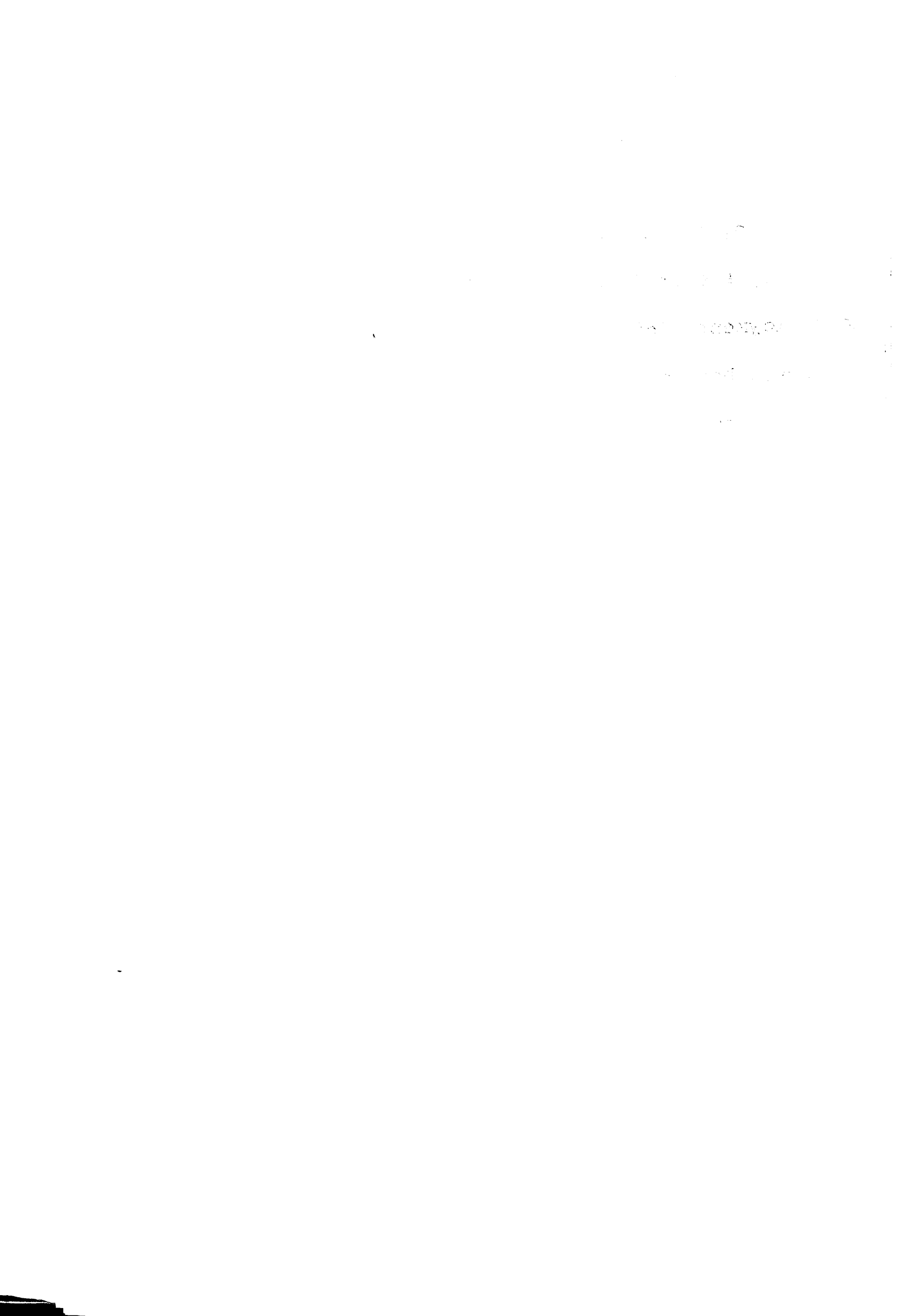
1 make them livable so industry realizes they are in their
2 best interests, too. Safety is certainly one of these areas.

3 Q What I am interested in is: Does the department,
4 for example, if an industry is interested in locating in
5 New Jersey and is in communication with your agency as to
6 the employment picture in New Jersey and what other aspects
7 New Jersey has to offer, aid in steering the industry to
8 specific areas? For example, do you have kind of a program
9 or do you think it is feasible to have a program of
10 industrial development in ghetto areas in which you could
11 steer industry?

12 A Not in a formal sense, but there is a great deal of
13 steering, as you put it, based on the manpower requirements
14 of any employer that is looking either to expand or to come
15 into New Jersey for the first time. Obviously the location
16 will depend on the prime needs. I have found over the years
17 in working with it that manpower becomes a pretty critical
18 one, much more often than tax policy or location, all of
19 which in New Jersey is effective, transportation most of all
20 in New Jersey being effective.

21 MR. LEUCHTER: May I expand on that question?

22 Commissioner, the new plants that have been
23 constructed in New Jersey, say, in the last eight
24 years during your tenure, would you say the majority
25 of them have been constructed in other than



1 metropolitan or core areas?

2 THE WITNESS: That is absolutely true. The
3 trend has been that way partly because of
4 technological changes in industry itself where the
5 old vertical still downtown factory-type thing has
6 been economically unfeasible for them. This led
7 them to the campus-type single-story development
8 which required large numbers of acres.

9 I am sure this is no news to this group, but
10 it is a fact of life which all industrial developers
11 have had to wrest with. It did mean even though
12 there is great industrial and business growth,
13 much of it has been outside the easy commuting
14 reach of either the large groups that were
15 unemployed or underemployed or low income or no
16 income people living in what could be described as
17 the ghetto areas of our cities. Maybe before we
18 are through we can talk about some ways to shift
19 this, but I have always felt that both our agency
20 and employers generally in the private sphere have
21 gone at it kind of backwards in terms of solving
22 this problem in the sense that we have always
23 tried to send the best qualified, and employers
24 have always tried to get the best identified, the
25 best trained, the highest skilled. This has

Mathematical Induction

1. Base Case

2. Inductive Step

3. Conclusion

Q.E.D.

1 always left the leftover, the one who did not have
2 the educational breaks or the experience breaks
3 with less than a delightful job future.

4 I think it is in this area we have begun to
5 see some changes. Even in my own agency I think
6 the Employment Service has always been credited
7 not only in New Jersey but across the country for
8 having the image, if you will, of trying to foist
9 upon employers people of less than the top drawer
10 skill. This bothered the Employment Service people
11 for a lot of years, but I always thought they were
12 on the leading edge of what would be the great
13 opportunity for service in the future years, and I
14 think we have come around to that. I think
15 industry itself will come around to realizing in
16 its job placement or industrial development scheme
17 it has a social responsibility to look back into
18 some of these areas. When it does, I think it is
19 going to find a very rich manpower source. This is
20 in spite of what I just said about lack of
21 educational experience and opportunity. This is
22 not a group without a great deal of potential.

23 By Mr. Jaffe:

24 Q Commissioner, to pursue this further, do you have
25 some views on how industry can be attracted to the central

1 city?

2 A Well, I have some that are not related to my role
3 as Commissioner of Labor and Industry As a citizen I have
4 some strong views.

5 Q We would be interested in both of those, your
6 views as a citizen and your views as to what you think the
7 department or the state government can generally do in
8 attracting industry to the central city.

9 A I think you would have to look at it as just not
10 state government. I think government at all levels would
11 be part of the equation, as well as industry and business
12 itself. There is something in this for everybody to change
13 thinking on. I would think this in terms of the local
14 level in terms of zoning, in terms of a tax policy, but
15 even there you would soon get involved with constitutional
16 and statutory blocks at the state level even if the most
17 enlightened mayor and council tried --

18 MR. MEYNER: You must remember he was mayor
19 of Princeton.

20 THE WITNESS: Not exactly an industrial giant,
21 but we had much the same problem. Princeton, New
22 Jersey has its own ghetto in a small scale in the
23 midst of a very affluent suburban community. It
24 has left out of its consideration an educational
25 policy by and large, and an employment policy, if

1 any, though it is hard to find a policy in a loose
2 sense like that.

3 CHAIRMAN LILLEY: I have heard Princeton
4 described as a golden ghetto. Is there anything to
5 that?

6 THE WITNESS: I think it has all the problems
7 of Newark or Detroit or any other American city,
8 and it has them roughly in the same proportion, and
9 I saw them at first hand when I was mayor of
10 Princeton and I still feel them deeply. I do not
11 think this is a problem of just the great cities,
12 great in size; I think it is a problem of all our
13 communities. I have long felt in New Jersey the
14 slums of the future would be in suburbia and not
15 necessarily in the renaissance cities.

16 I think what we are doing now, focusing our
17 interest on the city, is healthy, important and
18 needed, but it would not lead the Commission to
19 overlook the fact that this is a total New Jersey
20 and a total U.S. problem.

21 By Mr. Jaffe:

22 Q Could you expand on what you think as a citizen and
23 the department's thinking the role should be in New Jersey?

24 A There are several ways you can go about this.

25 This may sound funny coming from a Labor and Industry

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

5. The fifth part of the document is a list of names and addresses of the members of the committee.

1 Commissioner and manpower guy. I think our role is
2 secondary to another role and many other important roles,
3 plural. That would be education, which is why I hoped
4 Commissioner Marburger would be here this morning.

5 Q He is going to be here next week.

6 A I would see the kinds of educational systems or
7 plans or programs that we developed as being crucial to
8 what kind of industrial changes you can make in the city
9 areas. That would be in A-No. 1, if not number one. I
10 mentioned tax policy, and I guess I should say land use and
11 zoning policy, because if you are to provide the kind of
12 space that modern, progressive industry needs, we have got
13 to change our whole concept of how we use the core area.
14 Maybe it is not so essential to put all the jobs in the
15 middle of the city area if we solve the riddle of convenient
16 and inexpensive transportation for the people who haven't
17 had that solved for them.

18 If you look at the suburban growth, for example, in
19 Wayne Township and other areas of New Jersey since World War
20 II you find that almost one hundred percent of the employees
21 in those places drive to work. The rest happen to be in
22 convenient public bus or train locations but that has been
23 an accident with some steering from the companies who
24 obviously are interested in providing service. But for those
25 who didn't have readily available automobile transportation

1 or for whom the cost of a long commute would eat into bare
2 subsistence at the levels for which they could qualify
3 earning-wise, this becomes an impossibility

4 You just shorten the effective radius in which they
5 can look for work. This is not to say the city people are
6 not mobile. I didn't nail that one down. I read so much
7 about the lack of mobility of people not being willing,
8 but we have made commuter pattern studies in recent years
9 in New Jersey, and it is amazing the extent to which people
10 do commute. It is always amazing to find where they move
11 physically across county and state lines.

12 CHAIRMAN LILLEY: Is there any outward
13 movement?

14 THE WITNESS: There is an outward commuting
15 pattern. I remember it well, as a matter of fact
16 helped to push it perhaps in the period 1945 to
17 1952 myself when I was personnel director for the
18 State Institutions and Agencies, and when
19 Commissioner McCorkle is here later today he can
20 describe to you the out-commuting from New York,
21 and Public Service bus transportation has been
22 worked out to the front door of the State Hospital
23 at Graystone Park, which is 42 miles from the
24 central part of the city.

25 There are many, many negro employees and others

1 who commute.

2 CHAIRMAN LILLEY: Could you put a rough figure
3 on it?

4 THE WITNESS: I would ask Commissioner McCorkle
5 to do it. My figure would be as of March 15, 1958
6 when I left.

7 MR. MEYNER: I think the other mobility, an
8 illustration of mobility is the number of people
9 that come to New York to work in New Jersey every
10 morning and the traffic that is generated in those
11 tunnels.

12 THE WITNESS: I think it important for
13 Jerseymen to realize that the numbers of into-New
14 Jersey commuters are rapidly approaching the out-of
15 New Jersey commuters. The last time Commissioner
16 Dwight Palmer looked at this I think there were
17 125,000 going into New York and 75,000 coming out
18 of New York. The into-New York line was tending to
19 plateau or go downward, and the out-of-New York
20 line was tending to go upward. The only thing
21 that has slowed the upward steep of out-of-New York
22 into New Jersey has been the fact that they soon
23 decided to come and live here. That stops the
24 commuting pattern.

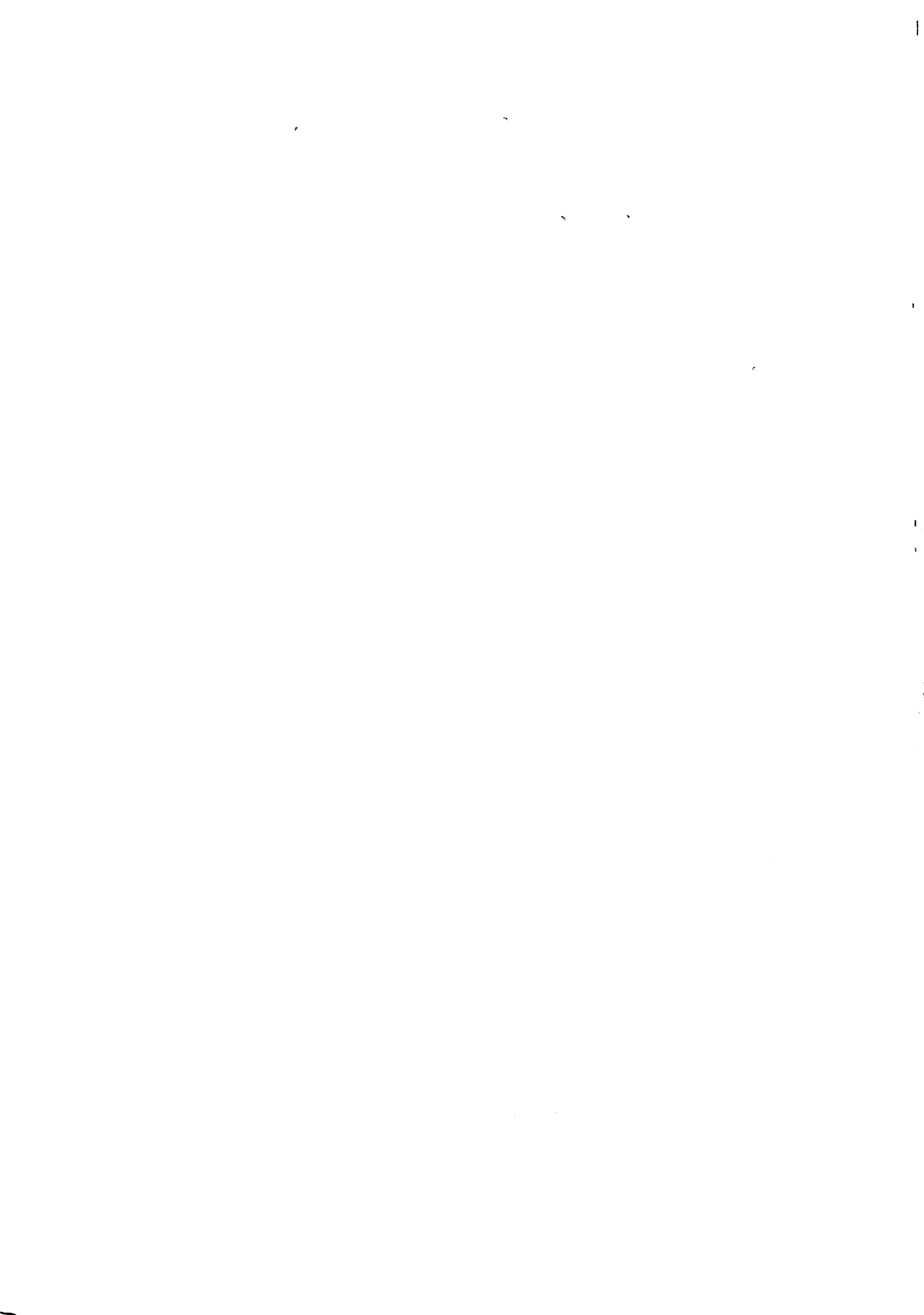
25 But this is true: that there is a kind of

1 mobility. It is also true that there is much less
2 of that in the areas under special concern of this
3 Commission, and I think the fact that that is true
4 means we have got to take a hard look at that to
5 see how we can make them as mobile as the others
6 have become mobile. In fact, the proof of their
7 mobility is to check on the original point of call.

8 MR. MEYNER: I think there is another
9 illustration: that you find great difficulty in
10 getting people to use public transportation.
11 Several divisions of Englehard were moved down to
12 Carteret, and they tried to set up a bus service
13 and it wasn't used. So generally people want to
14 go in their own cars.

15 THE WITNESS: We have had a number of employers
16 report that experience of actually chartering a
17 conveniently scheduled bus service which was still
18 not used. That is aside from what we started out
19 with, but it is part of this changing ingredient.

20 My own feeling is that the kinds of jobs that
21 will remain and grow in the city will not be the
22 factory production type jobs. This may sound crass,
23 but I am almost of the view that the quicker they
24 are out of the city, the better off we will be
25 partly because they are increasingly susceptible



1 to the machine for processing so the number of jobs
2 of the lesser skill declines, and what you are left
3 with is the management, supervisory and other types
4 which can be provided in even larger numbers in
5 the kind of commercial sense, in educational and
6 service facilities that a modern city should
7 provide.

8 So to the extent we are going to need and will
9 want variously increased production of goods as
10 distinct from services, I would not want to leave
11 the impression that I am for reversing that trend
12 of getting them out to the suburbs.

13 By Mr. Jaffe:

14 Q That question was the question I was going to ask,
15 do you think it is realistic --

16 CHAIRMAN LILLEY: Mr. Gibbons has a question,
17 Mr. Jaffe.

18 MR. GIBBONS: Your comment about land use in
19 the city interests me. Doesn't that, when you
20 begin it with this mobility a factor to suburban
21 industrial locations, point to some approach other
22 than multi-dwelling public housing for housing
23 present ghettos?

24 THE WITNESS: I think so. This is again
25 foreign to the direct concern of the Commissioner

1 of Labor and Industry, but I am sure the Commission
2 by now has realized the interrelated nature of all
3 of this job -- housing, education --

4 MR. GIBBONS: Certainly housing and employment.

5 THE WITNESS: It would certainly be easier --
6 five times I have driven across these United States
7 and back with my family, and I am always impressed
8 by the way in which you approach New Jersey. You
9 find this squeezing more and more people into less
10 and less space. I think ultimately the country will
11 realize there is a better way to redistribute.
12 This is not to say I want to tear down New Jersey's
13 growth, but I think there must ultimately come a
14 limit. I do not think the state has fifty or one
15 hundred million people in it. The question of what
16 you do about housing and jobs is too important to
17 look into the future of those curves.

18 When I was speaking of zoning and land use,
19 I was thinking particularly of this, and Plainfield
20 is an interest of this Commission. I know the
21 instant of the departure of the Mack Truck Company
22 from Plainfield, New Jersey was caused by an
23 impossibility of closing out a public street which
24 separated two major parts of what could have been
25 a single story effective operation albeit an older



1 building. At least the land use was there and
2 2700 people, men and women were employed full time
3 at high wages there. What looked like a little
4 thing become outwardly something big.

5 MR. GIBBONS: In that specific situation
6 wouldn't it have been sounder economic planning to
7 tear down blocks of that area surrounding the old
8 Mack plant and make it available for industrial
9 redevelopment, and instead of putting public
10 housing in there, give these people one hundred
11 government-guaranteed mortgages to purchase single-
12 family dwellings around the area?

13 THE WITNESS: Of course, each situation would
14 depend on the facts, and they would have to be
15 weighed carefully. I think we have got to do a lot
16 more innovating in the whole area of how we provide
17 the mix of jobs, housing, education and transporta-
18 tion. I think too often in my own agency -- and
19 my direction is guilty of this, too -- we tend to
20 fracture this bureaucratic thing into separate bins
21 and look at them as if they were soluble problems
22 and separately in an isolation and not letting the
23 left hand know what the right hand is doing is
24 difficult in all walks of life, but it is
25 especially difficult in this area.



1 MR. GIBBONS: Is anybody that you know of in
2 government studying the kind of legislation that
3 would be needed to achieve a more regional approach
4 to planning?

5 THE WITNESS: Commissioner Paul Ylvisaker of
6 the new Department of Community Affairs, from all
7 I have been able to learn from him and from what
8 he has been writing and saying, is tremendously
9 impressed with the regional planning concept for
10 New Jersey with these problems in mind.

11 BISHOP DOUGHERTY: Has that been coordinated
12 with the Second Regional Plan which is a large
13 scope plan?

14 THE WITNESS: I do not know.

15 BISHOP DOUGHERTY: Going roughly from New
16 Haven down to Trenton. They have talked about
17 megalopolis.

18 MR. MEYNER: To Norfolk.

19 BISHOP DOUGHERTY: What impresses me is the
20 tremendous complications of this whole thing. New
21 Jersey regional planning would be related to the
22 Second Regional Plan, which is much larger in scope,
23 and it would seem to me to fit into that.

24 THE WITNESS: I am interested in planning, but
25 I think in defense of some of my other notions I



1 would like to say I consider this secondary in
2 terms of overall solution to some other prejudices
3 of mine. I come here today having thought a great
4 deal about the problem of the Commission and the
5 problem that brought it into being. At the time
6 of the troubles in Newark and Plainfield I kept
7 asking myself the question with respect to me
8 personally and my own agency: Are we part of the
9 solution? I confess in my most candid judgment
10 I think we have been part of the problem. I say
11 that to show partially that I think we have been
12 looking for global-type solutions in which I would
13 put planning even on a regional basis as kind of a
14 global distinction from what I find over the years
15 of up and down hill, particularly these last eight
16 years in the very difficult spot. I have discov-
17 ered that the only solution that satisfies me with
18 respect to the people we are talking about is going
19 to be absolutely and completely retail on a one by
20 one basis.

21 At first that may stun some as being
22 impossible of attainment, but in approaching the
23 problem on a retail basis I find it is much easier
24 an attainment. It is kind of a tragic fact of
25 life that everything I have ever done that I felt



1 was worthwhile in public service, which is now
2 nearly a quarter of a century that I have been
3 making mistakes while doing it or at least being
4 clubbed or criticized or nearly fired for doing it.
5 Some of those things happened right here within
6 the City of Newark in the last eight years.

7 It is out of that experience I say what I do
8 with respect to this, not taking away from the
9 planning concept, but to focus from the established
10 point of my personal interest at this point, and
11 that of the agency, and what we can do to make the
12 individual person, particularly the younger ones,
13 which are my favorite targets, able to cope with
14 the problems we are talking about that they can in
15 fact solve it for themselves.

16 MR. MEYNER: What do you mean by retail?

17 THE WITNESS: I mean not expecting you to
18 wholesale changes in tax policy or industrial
19 development policy or zoning or land use or
20 educational systems or manpower services or
21 anything, but to come up with some net package of
22 kind of push button ordinary solution. By retail
23 I mean to take an individual kid or man or woman
24 and take care of the basic deficiencies, and I use
25 that word constructively now, basic deficiencies



1 that have prevented him or her from competing as effectively
2 as the rest of us do in New Jersey's system or in the whole
3 country's system.

4 MR. MEYNER: Do we have the resources for that?

5 I remember representing when in the navy a chap
6 who got into trouble for stealing somebody's else's
7 wallet, and they sent him to a psychiatrist and the
8 psychiatrist said, "I could do something for this
9 fellow, but I can only take care of ten patients
10 a year of this type." Is this the retail approach?

11 THE WITNESS: Let's back up from that. That
12 was the view I held some years ago when I thought
13 you never get anywhere one and two at a time. So
14 I would like to speak to two parts of your
15 questions, Governor. One is whether you would
16 ever reach the end of the line.

17 I think in dealing retail you focus in, first
18 of all, more specifically on what it is that may be
19 in large numbers later can be done. It is the old
20 Brandeis theory which said at that time states are
21 little laboratories with good or bad experimentation.
22 Once you find an answer, you apply it nationally.

23 I think we are going to have to do the same
24 thing with people living in these ghetto areas.
25 Let me give you two specific experiences

1 In 1962 the then Secretary of Labor of the
2 United States, Arthur Goldberg, came to Newark
3 and offered us in effect a small but a blank check
4 to try to answer an important question related to
5 your work. He wanted to know how many young
6 people between sixteen and twenty-one years of age
7 were both out of school and out of work. One of
8 the great problems in the country,,as well as in
9 Newark, is we don't have really sound data, facts
10 about the work force, about the people in the
11 country. It was his thought that if we could pick
12 two cities, St. Louis and Newark, and we would
13 actually establish a service open only to young
14 people between sixteen and twenty-one and where we
15 deal only with those who had been out of school
16 and out of work for at least six months -- we
17 started at least for a year but we decided we
18 needed to catch them earlier than that. Nobody
19 knew how many there might be. I had guessed
20 5,000, and the Bureau of Labor Statistics in
21 Washington thought that was an overestimate by
22 twice. It turned out we registered at the Youth
23 Career Development Center, as we gave it a fancy
24 name, over 10,000 young boys and girls who were
25 neither working nor in school. To me this was a



1 painful experience. We went about three years and
2 maybe not enough money, though I don't think
3 money is the answer to this riddle we are faced
4 with, we spent a lot of time with a good and
5 dedicated staff.

6 You remember Simeon Wallace who worked on my
7 staff, now in education here in the City of Newark,
8 he helped at operation and we had real
9 communication with these kids. We had all the
10 things we talked about needing.

11 When I said I considered us part of the
12 problem rather than the solution, in retrospect I
13 believe many of those 10,000 youngsters who had
14 the doors of opportunity opened to them, at least
15 they got a glimmer through counseling and advising
16 and inspiration and motivation of what could be
17 if they would just help. We were pushing, trying
18 to get a high school equivalency certificate and
19 program such as that, not knowing at the time New
20 Jersey wouldn't let you do that until you were
21 twenty-one years of age.

22 BISHOP TAYLOR: As you look back over it,
23 what would you propose now for those 10,000 young
24 people?

25 THE WITNESS: Knowing what I know now about



1 today's interest of the major employers in our
2 cities across the country, I think I would not
3 have given up so easily on the efforts to try, and
4 I want to use these words carefully, to invent or
5 create or artificially to stimulate employment
6 for young people who are not ready in a cash
7 register or a cost accounting sense to deliver a
8 viable service or product for an employer. We
9 have had some beginnings and we had them then of
10 small groups. Certainly the major employers,
11 Public Service, Bell Telephone, Mutual Benefit,
12 Bambergers, Klein's, they all had contributed
13 what looked like substantial numbers of jobs, but
14 after those several years of dealing with 10,000
15 kids, a number which kept growing and would be
16 growing now, we only placed about 2,700 of the
17 10,000 by dint of all kinds of effort. That
18 included placement after careful training.

19 MR. MEYER: It included misplacement.

20 THE WITNESS: It included misplacement, but
21 that is another corollary to our retail theory.
22 I think, too, many of us, and I would put industry
23 in the same bin with government agencies, were
24 afraid to fail. I think we have got to rethink
25 our cost of doing business in government and not



1 just in government because it makes me nervous to
2 read that government should be at all levels,
3 government in quotes, being the employer of last
4 resort. I think the people who are saying that
5 shouldn't really mean it. I think all of us,
6 whether in private business or industry or
7 government, research institutions or education or
8 the church, have got to rethink our employment
9 practice, not just in a sense to take anybody, not
10 that complete 180 degree flop from trying to get
11 the best and writing job specs up here when you
12 know most of the people are down here (indicating).

13 You asked how long I have been in this job.
14 It has been eight years this week and if the guy
15 who appointed me had looked at my union credentials
16 or my industrial experience, he would have never
17 appointed me to the position. He may be sorry
18 today that he did that, but at least his bad
19 judgment has been twice reconfirmed by his successor.

20 But the fact is if they would look at what in
21 rehabilitation they call the whole man or the whole
22 woman, the whole youngster, and see what we can do
23 with that to provide a viable learning experience
24 instead of throwing it out of the plant because
25 they can't pass a test or because they do not bathe

1 Labor and Industry a thing called the Rehabilitation
2 Commission. It represents health, education and
3 welfare through Institutions and Agencies, private
4 employers, labor unions, the general public, labor
5 and industry, and its regular mission in life,
6 using now seventy-five percent federal money and
7 twenty-five percent state funds, is to take the
8 physically disabled and in recent years the
9 emotionally disturbed and others with problems
10 that would not be narrowly construed as physical
11 but paying whatever it takes, and it often takes
12 many thousands of dollars to rehabilitate that
13 person, and to get him into gainful employment.
14 I think that kind of rehabilitation concept applied
15 to people we are talking about in this hard core
16 unemployed group is what is needed, and yet there
17 is nothing in that rehabilitation law which counts
18 them as handicapped within the terms of reference
19 of what we have ample public funds to do something
20 with. Maybe that is a suggestion for federal
21 legislation. It would have to be federal before
22 it could be state, unless they would allow us --
23 and the way I would prefer to do it -- to again
24 make New Jersey a guinea pig or pilot and try
25 the concept of vocational rehabilitation to the



1 individual who is not absent an arm or not in the
2 normal or psychiatric or psychological sense
3 handicapped. In that sense working retail, the
4 money is available, no in futuro business. I think
5 it would produce business.

6 CHAIRMAN LILLEY: Mr. Leuchter.

7 MR. LEUCHTER: Back in 1961 and 1962 during
8 the Kennedy administration the Area Redevelopment
9 Administration was formed, and there were
10 supposedly a funding for occupational training
11 programs to be set up with government financing,
12 with the state playing a role in area groups
13 within these so called employment backward areas
14 or underemployment areas of the state to work in
15 theory, I would think, with the non-handicapped
16 person, the untrained, unskilled whom you are
17 talking about. What was your assessment of that
18 effort during those years? Was it too narrow? Was
19 it too broad? What were its strengths or weaknesses?

20 THE WITNESS: Part of the fracturing up with
21 all its advantages, and it had a couple of
22 glorious successes under the old system, it still
23 represented fractures. The City of Newark took
24 years to get the data restructured so you could
25 qualify in an area that included so much high



1 employment; that it kept pulling the problem areas
2 down. So it was wholesale rather than retail in
3 eligibility.

4 MR. LEUCHTER: Was Newark an ARA underemployed
5 area or not?

6 THE WITNESS: No, because the Newark labor
7 market area, and here is another one of our
8 problems where we are dealing with constructions
9 of areas on a data basis -- for too long Newark
10 was kept in the same bin with the Newark areas,
11 which meant that the high employment and low
12 employment areas contiguous to here brought the
13 percentage below the federal requirement.

14 MR. LEUCHTER: Specifically the community
15 which needed this the most was ineligible for
16 this because it was lumped together with the
17 suburban area that had high employment?

18 THE WITNESS: Let me add a footnote to that
19 because you are seeing another reason why I come
20 to the retail versus wholesale concept. ARA's
21 eligibility was applied in that sense wholesale
22 to a community that was eligible. It should have
23 been applied retail to individuals who were eligible.
24 If you have a family of four or five kids and you
25 are unemployed for three years, you don't like to



1 read statistics that unless six percent of your
2 community is unemployed for two years you are not
3 in trouble.

4 There is another case where individual
5 treatment was needed. Certainly in your part of
6 the state we had our most glorious successes in
7 ARA. We took former migratory farm workers of
8 little or no education and no job skill and put
9 through a kind of pioneering training program
10 involving tractor training. It was more than
11 tractors, but it was farm implements, how to
12 run and repair them. Every graduate of that
13 original course became full time employed year
14 'round by New Jersey farmers because they had a
15 skill to offer even when the harvest season was
16 over.

17 So it is that kind of thing that has been
18 terribly useful, and I can give you a hundred
19 examples of that. It is always kind of late we
20 come to this. The thing in Newark with the kids,
21 we are still working with kids. We have got a
22 youth center, now called the Human Resources
23 Development Center -- Washington has changed the
24 labels a bit, but down at 1004 Broad Street you
25 would see there, I think, an outstanding example



1 of trying to thread the available services. There
2 a person can learn about opportunities, not only
3 jobs available, but all the training available,
4 the Peace Corps, the selective Service opportunity,
5 any kind of future training or job potential being
6 listed.

7 There again we come back to the job equation.
8 I was in that office just a few Mondays ago, and
9 they had then 1500 young men and women who had
10 been tested and counselled and gotten ready in
11 every sense for some kind of job training
12 preparatory to employment The day I was there
13 all the available training slots, places to put
14 people, as distinct from their money available,
15 which was available in abundance, numbered only
16 seventeen. It would vary from day to day from
17 seventeen upwards to one hundred, but at any
18 given time --

19 MR. GIBBONS: What are these slots?

20 THE WITNESS: The slots that were available
21 that day were in what I think is one of the finest
22 training centers in the country, right here at
23 Broadway and Newark at the Multi Skill Center
24 That is kind of a retail operation. It is not
25 big enough, but it is doing in the numbers that it



1 can handle the kind of job that I think is
2 necessary. There the unqualified or unde qualified
3 person can get anything from reading and writing
4 and simple cash register-gas station arithmetic all
5 the way up to job skills in electronics, working
6 around computers, automated wall scrubbing.

7 MR. MEYNER: Who runs that?

8 THE WITNESS: That is jointly sponsored by
9 the Department of Labor and Industry and the
10 Department of Education. The actual management
11 is in the Vocational Education Division of the
12 Department of Education. I think it is a showplace.
13 It is the old condemned, abandoned State Teachers
14 College in Newark, and it has also been
15 rehabilitated in the course of setting it up for
16 this purpose.

17 MR. MEYNER: I have always felt that the
18 vocational schools generally have, you know,
19 relied on the very old skills -- pastry making or
20 cooking or a bit of plumbing or something of that
21 sort. I know in my connection with some industry
22 I had some contact with some of these vocational
23 school people, and it was amazing to me how little
24 knowledge they had of the modern day world and
25 the needs of the modern day workd, what, if



1 anything, is being done to bring about a better
2 liaison between that group.

3 THE WITNESS: I cannot agree and violently
4 disagree because I feel the same kind of impatience
5 with the thing. It is true that in many places
6 across the country, if you look at the vocational
7 school plants and schools, you will find they were
8 in old buildings declared unfit for teaching
9 academic subjects, and into that went some
10 twentieth century machinery to teach industrial
11 processes long abandoned. When the product of
12 the training is brought to an enlightened industry,
13 they say, "Forget everything you have learned; we
14 will start and teach you." There is that side, but
15 there is also a much more helpful side.

16 If you go again to South Jersey, the Salem
17 Vocational and Technical School on a county basis
18 was given a country club by DuPont. I throw that
19 in because I think industry has been part of the
20 spark wherever you have seen some innovation. They
21 gave their country club over to the beginning of a
22 real live thing. The industries in that area,
23 electronics and others, have provided the most
24 modern tools there are, often more modern than
25 what is in the same plant. The teaching is being

1 done by the retired person, maybe too early
2 retired from industry, experts in all those fields

3 So that is the trend Let me put a caution
4 on that. Some of the good stuff -- and where there
5 is good plant, for example, Bergen County, there is
6 some good, technical education plant and program,
7 but the complaint in a town like Englewood, for
8 example, from the Urban League directors, and I
9 met with them over the years to try work on some
10 of those -- long ago he was complaining up there
11 that because the school was so good it had also
12 raised its standards so high that it was screening
13 out the very young men and women we are talking
14 about here today. There again the education
15 compels us to change our concept of always writing
16 the prescription for what we are going to work
17 with way up here (indicating) and then screening
18 out the ones down here. If you look at the retail
19 end, whether it is possible in your question, the
20 numbers get to be very small. As a matter of fact,
21 at the time of the disturbances this summer
22 unemployment was as low or lower than it had been
23 in many periods in the past ten or fifteen years
24 in the state.

25 In other words, if employment was the key

1 to riots, then the wrong time was picked this
2 summer for rioting. I don't say that to defend
3 against the charge if we had found everybody a
4 job there would be no riots. It is not that simple,,
5 but the fact is that the so called -- and I hate to
6 use this kind of label, so you will understand it
7 -- hard core of unemployed, the long-term jobless
8 or those who are in or out four, five, ten times a
9 year of jobs that last a week or a couple at very
10 low, less than subsistence wages, that number is
11 rather small for us; but it is that number that we
12 are not reaching.

13 Most of our programs are geared to this other
14 kind of thing in relation to your suggestion that
15 vocational education should lift its sights. As it
16 lifts its sights, it gets them higher than can be
17 reached at the moment by these kids. I mentioned
18 some of our failures. The failure of the youth
19 career was one. The second failure that still
20 bothers me was the shortlived experimental project
21 called Belleplain. I am sure that word to those
22 from South Jersey will recall memories. We took,
23 I took, since I personally selected the seventeen
24 boys from the very area in Newark that was the
25 problem area -- we took seventeen boys, fifteen

1 negroes, to a state park at Belleplain state forest
2 in Cape May. They were only there for a few
3 glorious weeks, but in those weeks before I got
4 that program turned off rather unceremoniously we
5 proved to my satisfaction that you could take the
6 least of these, not talking about the high academic
7 standing, the toughest ones, and we proved with
8 imaginative teaching we could bridge this gap
9 between the fellow who was reading at the third,
10 fourth and fifth grade level, what he needed in
11 order to train for a job to grease a car, we
12 proved that could be a matter of ten or twelve
13 weeks, not six or seven years or three years.

14 We also proved that kids that had been
15 nothing but troublemakers could, when given
16 intensive supervision and direction and some
17 discipline, some of it even for the first time in
18 their lives, could produce, not a year from now
19 but instantly. If you see Commissioner Roe, you
20 ask him about that because they were pulling
21 poison ivy out of the beaches and building picnic
22 tables. Don't tell the trade unions this because
23 we might have another problem that we haven't
24 discussed yet

25 They were paying their way because the



1 twenty-five cents public fee charges for some of
2 their facilities have long since paid the peanuts
3 of what those kids charged

4 I met boys down there and worked with them
5 that no employer, however progressive or non-
6 progressive, would have considered giving a job to
7 I would not have hired them myself for the least
8 skilled job in the Department of Labor and Industry.
9 But within a few weeks they were highly employable.
10 We tried one thing, and one of the failures I
11 might mention here because it gives me some clues
12 as to why I feel the way I did about retail -- every
13 two weeks we thought it would be a terrible thing
14 not to have them go home and keep up the family
15 ties with their mother and father, although there
16 was no father either present or ever. Everytime
17 we would send them home by bus from Belleplain
18 we found that they came back distraught, emotionally
19 upset and incapable of the kind of productive work
20 they had done before. So it occurred to us we
21 might meet with the parents and talk to them about
22 this problem, find out what was happening to them
23 over the weekend.

24 That night we learned from a mother of one of
25 the boys that "What you all are trying to do is



1 help our boys and it is very important, but if you
2 really want to help them, don't send them home
3 because that is where the trouble is." I remember
4 that as if it were yesterday because it is so true.

5 We cannot separate these younger ones from the
6 kinds of dilemmas they find themselves in in the
7 non-working hours. I think this has been the
8 problem.

9 I have been in the Newark schools working
10 with the teachers there trying to spoon in a little
11 vocational counselling. I went to the west side
12 years ago and talked to the kids like a Dutch uncle
13 and said, "A lot of you are dropping out to take a
14 job. What I want to tell you about that is when
15 you drop out you can't get a job, or if you get it,
16 it will last two weeks and then you will be sacked."

17 In the course of getting to know them I found
18 out that kind of information gap, the mythology
19 we had built up over the years of what needs to
20 be done to help these people into successful
21 adjustment to the work force, I think some of our
22 answers would have been woefully wrong.

23 The kids such as I was working, with, nearly
24 half had not been born in New Jersey. Their
25 educational deficiency could not be laid at the

1 doorstep of our educational system. In the case of
2 this boy whose mother I quoted, this had been a
3 Virginia school system, a rural school, separate
4 but obviously not so equal. Only two or three
5 years at that. The boy felt that when an uncle
6 urged them to come to Newark because he had a job
7 with the Post Office here it was an opportunity,
8 and the kid felt that yes, it was better. The
9 mother felt that yes, it was better. But still
10 by the standards of what we are living by it was
11 not good enough.

12 MR. MEYNER: Someone made the suggestion the
13 other day since we get all these fine negroes in
14 the Post Office let's take them out of there and
15 make the Post Office take on some of these less
16 qualified.

17 THE WITNESS: That may be said kind of half
18 in jest, but I have seen a number of areas where
19 the relatively unemployable, without regard to
20 race now or any other qualifications because this
21 is not limited in this country to negroes, have
22 been given a chance by an employer that is willing
23 to invest money he cannot immediately get back.
24 One of those employers, believe it or not, is
25 Secretary of Defense McNamara. Based on my



1 personal observations of what is obviously a pretty
2 tragic way to do this, observation of some minority
3 employment and disadvantaged youth of all races,
4 employment by Mr. McNamara as a group which I saw
5 at first hand at Vietnam, I would have to say
6 that this military establishment, which makes me
7 nervous, is probably doing one of the finest jobs
8 of education and character development and job
9 training of anything I have seen, including even
10 much more expensive facilities than in normal life.

11 I flew across the Pacific in the spring with
12 a negro boy from Montgomery, Alabama, and what a
13 proud guy he was. He had reenlisted in Vietnam
14 for the third six-month stint. One was all he had
15 to do. He had already, in addition to being there,
16 gotten his Armed Forces, USAFFE school certificate
17 which he carried with him wherever he went. He was
18 staying in the military long enough to get his
19 GI credits and said he didn't know whether he could
20 get into college, but he knew he could get into a
21 technical or some kind of training school to earn
22 a living. He is trying to persuade his younger
23 brothers to follow his route.

24 To me that is kind of a tragic route to take,
25 but I think again on a retail basis, along with the

1 Post Office and others -- you can see the Post
2 Office has not made a profit on this It is a de-
3 ficit operation. I think the deficit should be shared
4 by all -- the employers and the public -- and we
5 are not doing that. I think we could get to that
6 on a tax basis.

7 One of the things you might question Lloyd
8 McCorkle today -- he and I are absolutely on the
9 same wave length on this -- we have too many
10 problems in New Jersey and far too many in Newark
11 where a breadwinner will take home less if he works
12 full time under all the federal and state laws and
13 under the going wage practices in New Jersey and in
14 the country than if he is a full time client of my
15 colleague on public assistance because in the one
16 case Lloyd McCorkle's budgets are built on subsistence
17 and they include shelter and food and transportation
18 and medical and dental care and clothing and the
19 rest. But a job does not. You may not want to
20 get into that area, but this is another tremendous
21 area which spills over into a question of: Are some
22 of these people who have been long unemployed
23 motivated to go to work? I believe they were, I
24 believe they can be again, but I suspect a lot of
25 our system, again getting back to the money

1 question -- we are paying the money anyway. This
2 is maybe a suggestion that would be laughable
3 in your eyes, but I have often thought it might be
4 far better instead of having Lloyd McCorkle give
5 individual subventions to individuals who at the
6 moment are unable to earn enough in the job so
7 that they can in effect sit it out or must sit it
8 out. I would rather give that money to industry
9 or to a small business and put it through the
10 payroll department because I think in the short
11 as well as the long run more would be gained from
12 it. That is not an overnight possibility. I
13 realize all the torturous routes.

14 MR. MEYNER: Aren't you really talking for the
15 minimum annual stipend for everybody based on
16 husband, wife, children?

17 THE WITNESS: I have read the proposals, but
18 I am not an authority on them. I think the
19 reason the Freedmans of Chicago and the others
20 are groping for some kind of a minimum that would
21 provide for subsistence is their reaction to seeing
22 this is not being done now except through the
23 stigma-producing public assistance system. The
24 reason I don't immediately say yes to your notion
25 or their notion of this is I am enough of an old-

1 fashioned character to believe there is this very
2 important work equation, and whether I am
3 Commissioner of Labor and Industry or not, I
4 cannot get over the fact you would be missing
5 something terribly important if we could all sit
6 back and get the check and did not have the
7 opportunity -- I will not say the necessity -- to
8 produce.

9 I think that I could even speak for at least
10 there are cases where I have worked retail with
11 hundreds of the people in these ghetto areas that
12 I sense among them the greatest opposition to any
13 kind of guaranteed income plan as distinct from
14 the economists of the country who think it is a
15 great idea.

16 MR. MEYNER: What is their argument?

17 THE WITNESS: They just feel they want a
18 chance to earn their way. There are exceptions
19 to that as there are in all groups, but by and
20 large the men and women, and especially the
21 youngsters with whom I deal, do not want somebody
22 writing them an IBM check so they don't have to
23 produce.

24 MR. LEUCHTER: It occurs to me this is one
25 of the most important subjects this Commission can

1 get into. Right now we have something like an
2 either/or situation which you are alluding to
3 where the benefits of various types of public
4 assistance are greater than what the person can
5 earn in private enterprise, lower than a subsistence
6 level. We have a generalized condition in which
7 the person at this level we are talking about must
8 make a choice -- either get this much by doing
9 nothing or receiving public assistance or lose it
10 if you go to work.

11 Isn't there some kind of happy ground where
12 the incentive can be given to public assistance
13 and various welfare channels where the person will
14 not be penalized in attempting to obtain employment
15 or training?

16 THE WITNESS: You have got about four
17 questions there. I hope I can work backwards.

18 Number one, yes to the last part, it is
19 perfectly possible and it is now very difficult
20 to administer. You can work full time, and many
21 do get a public assistance supplement to their
22 full-time earnings. The big problem with that is,
23 to begin with, the subtractions from the public
24 assistance budget at the initial point of going to
25 work is one problem. There is no incentive built

1 in. They ought to be allowed to go way beyond
 2 subsistence if they are willing and able to work.
 3 There ought to be, not a quid pro quo or dollar
 4 for dollar.

5 Number two, if in the best of motivated heads
 6 of households the guy or gal is out working while
 7 being supplemented by public assistance and that
 8 job stops, and it often does because they are in
 9 these high turnover jobs, not through their own
 10 defect, but there are certain kinds of New Jersey
 11 industry that are seasonal, the minute that stops
 12 it takes so long to get back on that full
 13 subsistence level that after they have been
 14 through that two or three times they realized it
 15 would be far better not to take this low-paying
 16 job that risks their kids eating properly three
 17 months from now. That could be solved easily.

18 This gets me back to Governor Meyner's point.
 19 We are so worried about blame or fault. I think
 20 we should tell welfare directors we expect a
 21 certain amount of error and labor complications.
 22 Instead we expect perfection. So they build in
 23 their system the kind of straight jacket that
 24 destroys incentive.

25 I did not mean to leave the impression, which

1 I got from the way you restated my comment, that
2 the benefit levels may be too high.

3 MR. LEUCHTER: No, I did not imply that.

4 THE WITNESS: Instead of saying the benefit
5 is this high (indicating) and the wage is here,
6 you should say where the subsistence needs are.

7 MR. LEUCHTER: Let's call a spade a spade.
8 We all in this room have heard this great -- I
9 don't know whether it is a myth, but it is not
10 presented as a myth; it is presented as a reality
11 -- that there is a great mass of leaches in society
12 who don't work, or never want to work, who want
13 to live on welfare all their lives, and it is
14 generally applied in middle class and upper class
15 white society to the negro primarily.

16 THE WITNESS: Let's nail that right now. I
17 think I am qualified as anybody because of my last
18 twenty-five years with the kinds of jobs I have had,
19 including the seventeen years I worked night and day
20 as a personnel man trying to staff up hospitals,
21 prisons and reformatories in New Jersey, which are
22 not the highest-paying jobs, a twelve-hour day,
23 six days a week paying about \$50 a month then,
24 you know, and relate that to life and you will see
25 if people wanted to be leaches. We were able to

1 get, train and motivate people to do that. From
2 that on through to my present day experience I
3 would say there is no large number of this leach
4 type. There is this factor, and I am sure you are
5 aware of it and this would happen to me and
6 probably to you. I know if I were told for the
7 next thirty, sixty or ninety days I absolutely
8 could not work, I think by the end of that period
9 I might not be able to work.

10 There is something in that whole chemistry
11 of employment that is important. When people have
12 had this kind of six months, one year, and for
13 half a lifetime of either no work or even when
14 they know they have a job -- let's say we send
15 them over --

16 MR. MEYNER: Not a lifetime; generations.

17 THE WITNESS: That's right. Then we built in
18 this, not this leachlike quality, but a fact of
19 life that they know. It is a fact for them that
20 they cannot rise above this.

21 MR. LEUCHTER: Therefore, the structure of
22 our regulations is forcing this type of society
23 which we complain about. Even in the Aid to
24 Dependent Children program does this not in many,
25 many cases realistically force the absence of a

1 man from the household because a woman with six or
2 seven children might be better off financially if
3 a caseworker absolutely cannot find the head of
4 that house? Isn't it financially advantageous for
5 that guy to disappear; whereas, shouldn't we have
6 a set-up which would encourage the man of the house
7 to be there and still be able to provide aid for
8 the children?

9 THE WITNESS: I think the legislature has
10 gotten us out of the business in New Jersey
11 where you have to desert in order to make eligible
12 aid to dependent children. I thought I read that
13 when I was off in Vietnam.

14 MR. LEUCHTER: I never heard this.

15 THE WITNESS: I shouldn't testify to this
16 because it is not my direct area, but it is one
17 of my direct concerns. I think we have forced
18 desertions. I think the number has been overstated.
19 If it is going to be overstated to get the result
20 of correcting the problem, go ahead and overstate
21 it. The fact is that is one of the areas where we
22 need change. It gets back again to the Governor's
23 point: Where are we going to get the money? If
24 you as a commission will put on an adding machine
25 the funds we are spending each year in New Jersey

1 alone, federal, state, county and municipal
2 government, forgetting all private, eleemosynary,
3 you will see that a reconsideration of that and
4 reexpenditure of it in more imaginative and effec-
5 tive ways would not cost you anything. Also you
6 might cut down on some of us who are part of the
7 overhead.

8 MR. MEYNER: Are these social workers necessary?

9 THE WITNESS: I think the social workers are
10 absolutely necessary, but very few social workers
11 in America are free to practice what they have been
12 trained to do -- rehabilitate people. They are
13 glorified account clerks. I would rather see a
14 computer figuring it out. You could throw a
15 computer any of the knowledge about the kids, the
16 diseases, the eye problems and have the check.

17 As to the need, yes, I think they have a role
18 to play in stimulating the kind of interest at
19 home where a mother cannot and will not, because
20 of past practice or inclination, encourage a kid
21 to stay in school or learn to work. I think a
22 social worker can do that. It is much too late
23 for us to go into job counselling with a kid who
24 has fallen out of ninth or tenth grade if nobody
25 in the third grade told the kids it is important

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1 to read and write your language.

2 CHAIRMAN LILLEY: Mr Jaffe had some addit-
3 tional questions, and you have been citing how much
4 Commissioner McCorkle can tell us. We want to
5 leave room for him.

6 THE WITNESS: I didn't want to get into his
7 area, but they do overlap.

8 We have done other studies. Prior to his
9 tenure as Commissioner we made a study of public
10 assistants clients, men, heads of families, to see
11 how many of them might be employable. He could
12 give you some eloquent testimony that changes that.
13 There are not these large numbers of people sitting
14 around. There are men on public assistance who
15 are tubercular and psychiatric problems and not
16 over two percent of whom we ever found in any
17 study could hold a job for one week.

18 MR. GIBBONS: Mr. Califano gave a good talk
19 on that six months ago.

20 By Mr. Jaffe:

21 Q Commissioner, does your agency have a program
22 whereby you would mesh the opportunities in private industry
23 with the particular job things that you would be training
24 people for?

25 A Yes. There are several ways that is done. One is

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1 we obviously keep a close tab on the labor market itself,
2 what are the growth areas. It is a little silly to train
3 for something that is being automated out of existence. So.
4 we get a lot of that just from watching the reporting of the
5 inputs in the work force.

6 The second part obviously comes from knowing usually
7 a year and a half to three years in advance where the new
8 job development is coming through that industrial plant
9 approval device.

10 A third is through an advisory commission made up of
11 labor and industry people who advise the whole manpower
12 development training mechanism. None of those and none of
13 the others in involved in this work well enough to be sure,
14 but I think for the time being there is no training of
15 people for skills that don't exist. One of the requirements
16 in the federal law is you have to demonstrate job potential.
17 In fact, I quarrel with that a bit because before you can
18 demonstrate that this person can get that job even with
19 training, you have got so much repair work to do educationally,
20 motivationally and otherwise before you even get to skill
21 training.

22 Q How do you compile your statistics on unemployment
23 and projected employment in both those areas?

24 A This is the traditional area of our department,
25 which is the oldest part, since 1880. The department has



1 been the repository for all the facts which employers file
2 with us as to payroll and nature of employment. So we get
3 it through that kind of reporting. We also get it through
4 all the observations of the job orders that come through
5 to the employment agencies, which are the short skills.
6 We license the private employment agencies and keep in close
7 touch with their demand list, and in the case of field
8 representatives in safety and wage and hour they are
9 continually spading up new --

10 Q Do you keep that on a monthly basis?

11 A Pretty much, though it doesn't change month to
12 month.

13 Q Do you also keep it on a city basis?

14 A It is this crazy labor market area basis that we
15 have been paid to keep it by. This is another one of our
16 problems. While we are a state agency, we operate some of
17 our fashions on a federal plan.

18 Q Do you also break it down by groups -- negro,
19 Puerto Rican, white?

20 A We were not allowed to do that by law until
21 practically moments ago.

22 Q I am wondering if we can get from your agency a
23 picture of the unemployment rate for the last year or the
24 last two years and, say, the four or five major cities in
25 New Jersey on a month by month basis, and if you could also



1 give us a breakdown by groups -- negro, Puerto Rican, white.

2 A I can give you a rule of thumb that I think would
3 be precise enough for the Commission's concern, and I will
4 apply it to Newark. Newark as of this month, in terms of
5 the city now, the labor market area, this wider Essex County
6 thing, has unemployment by the way the Federal Bureau of
7 Labor Standards tells us to measure of 4.3 percent. That's
8 total, everybody.

9 Q What would be the unemployment in the negro
10 community in the central ward?

11 A Let me get to that in two stages. The 4.3 percent
12 is the area. If you look at the City of Newark, you
13 immediately get to 8.3 percent, nearly double.

14 If you look at the negro unemployment in the City of
15 Newark, you almost double it again and you would get to
16 about fifteen percent. Before you quote me on those
17 numbers, this has to be estimates, generalizations based
18 on some particular studies made in particular areas

19 Q Would you say those figures would also be the
20 figures in July of 1967, or were they higher or lower?

21 A They would be about the same. I could give you
22 the figure for July. Again they would be estimates. They
23 would not be the same for Plainfield. I gave you Newark.
24 Plainfield would be much lower in the labor market area
25 for the whole county, lower for the city, and then again



1 high.

2 Q If you could get that kind of a breakdown, say,
3 for the last two years on a month by month basis and in the
4 major cities in Newark, New Jersey, plus Plainfield and
5 Englewood, it would help.

6 A I can construct or extrapolate that data from
7 other stuff, but it would be misleading to you to say month
8 by month we do a head count. I can show you, based on the
9 trend lines -- I can come up for your purposes to a perfectly
10 reasonable figure. The federal government would frown on
11 it. We are not equipped to tell you the answers to those
12 questions. I answer this because I would hope the
13 Commission would help us to see to it the ten-year census
14 we have been doing since 1790 is so obsolete in terms of
15 what we need. With a computer we ought to take the census,
16 but we don't have those.

17 Q The fifteen percent negro figure, would you
18 consider that hard core or non-hard core unemployment?

19 A It includes some of both, and maybe to save the
20 time of Commission I could recommend a couple of look-sees
21 that you might want to look at.

22 Georgiana Smith, a sociologist at Rutgers, completed
23 a study of one block in what turned out to be the area of
24 your immediate concern, in February of 1966. It might have
25 been 1965, public assistance, general assistance and got a



1 family background, ages, employment history. It is a very
2 exciting document, an unusual one, and it is only a few
3 pages. So there is that kind of thing.

4 We put the first seed money in and the city joined us,
5 and it will be available to you -- they have the preliminary
6 data in the mill -- a study by Rutgers by a different group
7 where the interviews on this very question were completed
8 two days before the riots began. This was study in which
9 the federal government had an interest in employment and
10 unemployment in the ghetto area. It has some very startling
11 things. It explodes some of the myths that even I held
12 about the kinds of employment patterns that are involved.

13 Q Has that study been published?

14 A No.

15 Q It is in the process?

16 A Yes.

17 Q What would be the easiest way of getting that?

18 A Doctor Chernik, Jack Chernik of Rutgers in the
19 Extension Division, you can get it through Dean Ernest
20 McMahon.

21 One of the things they found was a great missing
22 number, which turns out to be true in the other cities of
23 the country, of young negro men in the 18 to 24 year old
24 age group not explained by their absence in military
25 service or in any other way. There are at least 50 major

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1 things like that, flashy suggestions.

2 Q Does the State Employment Service have offices in
3 the negro areas?

4 A Yes. We do have them in and around. This is
5 another part of the problem. There were those in Washington
6 who approved placement of offices who felt for a long time
7 that it would be stigmatizing to put a service in the middle
8 of a ghetto area and say, "This is for you." We were
9 trying to bring them into downtown and have the full
10 services available to everybody. I still think in the long
11 run that is the answer.

12 Q You don't think they should be in ghetto areas?

13 A We have got some, and we have out-station people
14 working with community agencies, poverty-fighting groups
15 and others. I think the physical location of them is no
16 where near so crucial as what we are able to supply.

17 Q Could your State Employment Service agencies also
18 do some of the training? Is it possible for you to use
19 your State Employment Service agencies to train them?

20 A You mean to train people not for work with the
21 state agencies, but for other employers?

22 Q Yes.

23 A I think it probably would be preferable if the
24 State Department of Education could maintain and strengthen
25 its services in the training itself. I think we can be

1 most helpful when we pinpoint need and develop the customers,
2 find the ones who are ready, but to have somebody else do
3 the training. I would not want to see us, the Employment
4 Service, get into what might be for a long time a second-rate
5 training school. I think myself that neither Education nor
6 we can do this in large enough numbers, which is among the
7 suggestions I would like to leave with this group, that we
8 buy this from employers who would not be doing it as they
9 now do, an on-the-job training basis that you would have to
10 guarantee would hire, but that you would be getting paid
11 and you won't hire; that they will be available to the small
12 employer of two, three or six who couldn't afford to train
13 them themselves.

14 BISHOP DOUGHERTY: Your reference to education,
15 this has been going around in my mind during the
16 last hour or so, relating it to the community
17 college development in the state and again this
18 matter of intercommunication, because I think the
19 emphasis right now on these emerging community
20 colleges is on the academic. I think the need is
1 on vocational education at that level. I thought
2 this should be part of the record: that there has
3 to be more communication and coordination of effort.
4 I think the academic people are inclined to get a
5 heavily academic program and then also to aspire to

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1 make a four-year liberal arts college of it, and
2 then we are back to the same sort of problem.

3 THE WITNESS: As much as we might want to use
4 them, we need an intermediate step. That kind of
5 intermediate step is that Newark Skill Center. I
6 would hope some of you might want to look at that.
7 It is not my baby so I can brag about it. I think
8 it has the answer to getting them on the first two
9 rungs of the ladder, which is literacy and
10 motivation and appearance. Once they get the high
11 school equivalency certificate, it doesn't matter
12 whether they are learning retailing or fixing a
13 radio or what. They can go to the community college
14 with some help and support from the intermediate
15 school and make a go of it better than trying to do
16 what I know the two-year college people I have
17 talked to have said, that they don't want to
18 water down their questions.

19 By Mr. Jaffe:

20 Q Does the State Employment Service agency have
21 people going out into the community with lists of jobs and
22 trying to bring the people into the employment agency, or
23 is it basically the fact that these people come looking for
24 a job? Do you let them know what is available?

25 A For the last year or so, using some funds from the



1 Office of Economic Opportunity, we have hired some really
2 unemployable people from those areas ourselves and used
3 them as pried pipers who go out and say, "Hey, there is this
4 agency that can help." My problem is not reaching the
5 people. I have read that in the New York Times, and how
6 are we going to reach the people? Our problem is having
7 reached the, we let them down by having nothing to offer.
8 If I went in there and reached them, they would be rioting
9 against me.

10 Q What is the role of the private employment agency
11 in the state generally? Do you find that private employment
12 agencies generally have a great number of listings, greater
13 than you have? Is there an interchange between the listing
14 of the state and the private agencies?

15 A Not an interchange. We often have the same job
16 listed. I have two separate hats. I license and regulate
17 and help to upgrade, hopefully, and preside over some
18 ethical questions in the private sphere, and operate the
19 others. I get mostly guesstimates as to how many they
20 cover. We need both in New Jersey and both need to be
21 strengthened.

22 When you raised the question first, I thought you were
23 going to step on another sore toe problem, and that is for
24 a long time, though not now, the private employment agency
25 in New Jersey and in the United States generally acted as

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1 the screener and the discriminator against the people they
2 were trying to help. I got in great trouble some time ago
3 in cooperation with the Division on Civil Rights whose
4 PR was less than deft. I pointed out that there was a lot
5 of coding of individuals in the private agencies and
6 prejudicial referrals being made. I say that has been
7 stopped. There will always be some. There can be some in
8 the public agency for this reason: If a private employer
9 consistently refuses to hire a Puerto Rican or a negro, the
10 employment interviewer is trying to get a record for
11 placements and often psychologically stops referring
12 because he feels he is going to lose a customer.

13 Q Wouldn't the way out of that be a requirement that
14 industry had to list its opportunities not only with private
15 agencies but with the state agency and give both employment
16 agencies an opportunity to fill them?

17 A This may shock you, but I would hate to see us get
18 to that step.

19 Q Why?

20 A Because I would rather see us solve the problem
21 in the private agencies and private employers rather than
22 get it to this point. We have a very difficult situation in
23 this country. I think we tend to take this whole problem,
24 social problem, and say, "Let the government do it." I
25 think in terms of this retail thing we are never going to

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1 be big enough in the Employment Service to handle all these.
2 You want to help strengthen the private agencies, and they
3 now have an Ethics Committee which they set up in response
4 to the other unpleasant things we have had. They are
5 policing themselves and working on this. I feel great
6 progress has been made. If you want to encourage employers
7 to list them, fine. But I would not want to see that get
8 to be a compulsory thing.

9 MR. MEYNER: Wouldn't you say 80 percent of
10 the placement occurs by reason of a plant or a
11 factory or company putting an ad in the newspaper
12 and the people going directly to the plant?

13 THE WITNESS: I can give you figures, but I
14 don't have them in my head. We do check that every
15 once in a while to see about where you found this
16 job. It is true a high percent comes from within
17 a plant. For example, if New Jersey Bell or
18 Western Electric wanted somebody, their employees
19 would know about it. Somebody is retiring or
20 leaving, and a neighbor or a friend or a relative
21 will be in before there is advertising.

22 There are a number of ways that the job
23 marketing keeps replenishing. That is one of the
24 problems for the people that do not have connections.

25 MR. MEYNER: I made this supposition largely

1 by looking at the classified ads in the newspapers.
2 I gather most of the manufacturing plants put an
3 ad in, have a personnel office and people come in,
4 and not too many are referred from other sources.

5 THE WITNESS: I will get you those percentages.
6 Ther is no one single source that is predominant.

7 CHAIRMAN LILLEY: You have been building up
8 your successor so that you want to make sure there
9 is some time for him. Eleven o'clock has come. I
10 can assure you we could keep you here much longer.
11 I would like to feel that our staff can have full
12 use of your facilities. You have implied this.

13 THE WITNESS: That's right. I would state it
14 clearly not only personally, but for the whole
15 agency we have no secrets. We operate in a
16 goldfish bowl. It would be helpful if you poked
17 around in there.

18 CHAIRMAN LILLEY: You mentioned some statist-
19 ics and a survey, and if you would send those to
20 us and it may be as we move along we would like to
21 have you back to philosophize some more.

22 MR. LEUCHTER: I do want to hear the next
23 speaker, too. I have been saving one question for
24 the end of this because we have been dealing in
25 the realm of economics and education mostly, and I

would like to ask a personal assessment question of the commissioner in the realm of discrimination.

On the basis of your statistics available to you, and your experience, what is the extent of employment discrimination, in your opinion, in New Jersey in terms of (1) basic hiring practices where so called equal opportunity employers are not really that; and (2) what is the extent of tokenism where the low level job is available for negroes but not supervisory posts in the years to come?

THE WITNESS: That picture has totally changed in the eight short years, or long years, that I have been in the job. It would be honest to say that in the first part of those years there was too much tokenism, outright discrimination. Employers used the kind of psychological testing that was professionally geared to providing a barrier to some people. You had the coding in jobs; you had flagrant rejection of qualified candidates. From our Youth Center we could refer out eight brilliant negroes and two whites that couldn't make it. The two whites would be hired, and that would be all the employer would need. End of that message.

I think we are at the point today in New Jersey



1 where there is not even a secondary problem. The
2 biggest screening problem we have now is to get
3 within the retail individual guy or gal the capacity,
4 and this is a pretty fundamental and basic capacity,
5 to read and write well enough to do a job or to
6 learn to do a better job and to keep this movement.
7 I find that while discrimination even five years
8 ago would have been number one on the list, today
9 I think it is trying to erase this backlog of
10 handicapped that they have had, which is erasable,
11 but give me any New Jersey man or woman of any age
12 who can meet the kind of minimum standards. I
13 don't mean job and degrees. I don't mean high
14 school diploma, but certain minimum standards, and
15 I guarantee you we can have them employed instantly.

16 MR. MEYER: Didn't you omit one thing, not
17 intentionally, but the equal opportunity activities
18 of the federal government, the various agencies
19 that move in on factories and plants and have
20 thorough examinations? I guess more recently it
21 is the Defense Department.

22 THE WITNESS: This all applies to the blue
23 ribbon employers, the big guys. A big part of your
24 Newark employment, and the biggest part of the
25 employment we are talking about for these people

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1 doesn't get you involved with them; it gets you
2 involved with a much different kind of industrial
3 and commercial clientele, the small shop-keeper,
4 the small loft-type thing, which is a safety
5 problem, and there is a great deal more discrimina-
6 tion to be sure, though not always.

7 Surprisingly enough I have had discrimination
8 in the reverse in the sense Bob Roe and I sat with
9 the most recent industrial developer who wanted to
10 know if we could get him 1,000 negroes at 1 dollar
11 and cents per hour to go to work in a new factory
12 he would build out of Newark or Paterson. So you
13 can't generalize. There is great movement. If I
14 had to pick the number one problem, I would not
15 now pick discrimination.

16 CHAIRMAN LILLEY: Thank you, Commissioner.
17 You have been a great help to us. We appreciate it.
18 (Whereupon a short recess was taken.)

19 MR. GIBBONS: (Presiding): Gentlemen, for
20 the sake of expedition since we want to quit at
21 twelve-thirty, I would like to suggest that Mr.
22 Jaffe complete his questioning before any of us
23 ask any questions.
24
25

1 thereupon,

2 LLOYD W. MC CORKLE

3 called as a witness, first duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 By Mr. Jaffe:

6 Q Tell us your name and title and position.

7 A My name is Lloyd W. McCorkle. I am Commissioner
8 of the Department of Institutions and Agencies, State of
9 New Jersey.

10 Q Could you just generally outline for us the scope
11 of your agency?

12 A The Department of Institutions and Agencies is
13 the largest of the departments in state government. It has
14 primary responsibility for the state's programs in mental
15 health, mental retardation, correction and public assistance.
16 In addition, we operate the state's mechanism that provides
17 funds for voluntary hospitals, and we license and approve
18 nursing homes. Those are our major activities.

19 Q Could you briefly describe for us the operation
20 of the public assistance program and its major objectives
21 and whether they are being achieved?

22 A The Division of Welfare in the department has
23 really the responsibilities of three characters I suspect:
24 One, through the Bureau of Children's Services in the
25 Commission for the Blind we provide direct services to

1 persons. In this instance it would be children who need
2 the protection and care of the state in the instance of
3 the Bureau of Children's Services, and in the instance of
4 the Commission for the Blind for those persons who are
5 sightless and who receive educational or vocational services
6 through that commission.

7 Another arm of the Division of Welfare has responsibil-
8 ity for the supervision of county welfare boards and the
9 welfare programs to see that they conform with both state
10 and federal requirements.

11 In addition, the Division of Public Welfare has
12 responsibility for those municipal general assistance
13 programs which are jointly funded by municipal and state
14 funds.

15 Q Commissioner, where they are jointly funded do
16 you also have the responsibility of setting up regulations
17 determining when and where and how much welfare is paid and
18 under what conditions? Is that a statewide responsibility?

19 A Yes. We assume responsibility for the grants. We
20 have budget committees working through the Division of
21 Welfare with the various assistance agencies both at the
22 county, state and municipal levels that determine the grants,
23 and these are issued from the Division of Welfare.

24 Q You also set up the regulations as to when and
25 where people get welfare and what conditions they have to



1 meet in order to get it?

2 A That's correct.

3 Q Do you also do that with the county welfare boards?

4 A Yes. We are responsible for the administration
5 of the state plan which determines eligibility and the
6 amount of the grants, funds paid, and so on.

7 Q What is the relationship of your department to the
8 Aid to Dependent Children Program?

9 A The aid to families of dependent children is the
10 federal Categorical Program, and it is operated by the
11 County Welfare Board and we can set the standards consistent
12 with the state plan approved by the federal government,
13 which must be in conformity with the federal guide lines.

14 Q We had a little discussion about it this morning,
15 and maybe you could clear it up for us. Is it a federal
16 guide line or a state guide line that requires the husband
17 or a male not to be in a home in order for children to
18 receive aid under this ADC Program?

19 A Prior to 1962 it was not possible to include what
20 is known as ADCUP or Aid to Dependent Children Unemployed
21 Parents. In 1962, largely as a response to the disorganiza-
22 tion of urban family life, there were amendments made under
23 the leadership of the late President Kennedy to the Social
24 Security Act that made it possible for states to develop
25 what are know as ADCUP programs. Legislation has not been



1 enacted in New Jersey, but if legislation were enacted in
2 New Jersey, it would be possible to include the children
3 of unemployed parents under the federal Categorical Program.

4 Q Would you have an opinion as to whether or not
5 you think such legislation is desirable in New Jersey?

6 A I have a personal opinion, but the department has
7 consistently urged this legislation, and in a recent adoption
8 in the last six months it has given the highest priority
9 by our State Board of Control?

10 Q You mean the adoption of this type of legislation?

11 A Yes.

12 Q Is this your personal opinion, too?

13 A My personal opinion is strongly if you are going
14 to do anything about urban family life, this is one of the
15 first necessary steps because at the present time, of
16 course, such families are dependent upon general assistance
17 programs unless one or the other of the parents leaves the
18 home. So to some extent you place a premium on desertion.
19 You place a premium on a kind of institutionalized contempt
20 for regulation and law because you hear all the stories
21 about the father that moves out of the home so the family
22 can get on AFDC and he goes back and sees the family.

23 I think even more importantly you make a contribution
24 at a broad level to the integrity of the family life.

25 Q Has such legislation been introduced into the



1 Rev. Jersey Legislature recently? Has it been part of the
2 Governor's program?

3 A Legislation was introduced I think every year for
4 the last several years.

5 Q Has it done fairly badly generally?

6 A I don't think it has ever moved out of the
7 committee to vote. If you would like me to go on with the
8 legislation, the important thing about the legislation
9 would be that it would bring in, it is estimated, and I
10 could supply the committee with refined data on this if
11 you would like --

12 Q We would like it.

13 A I will be delighted to supply it to you, and I
14 would also supply to you, if you would like, the objectives
15 of the Division of Welfare which indicates the high priority
16 placed by our Board of Control and by the Board of Public
17 Welfare on this particular piece of legislation which I
18 think is crucial for urban family life. This is a personal
19 opinion of mine as well as an opinion of the department.

20 But we estimate that it would bring in approximately
21 six million additional federal dollars into New Jersey for
22 children. The big bottleneck, I am sure you are all aware,
23 is the fact that a load that is now being carried by
24 municipalities would be transferred to county welfare
25 boards. That is the big bottleneck.

1. Introduction

2. Methodology

3. Results

4. Discussion

5. Conclusion

1 MR. MEYNER: And there would be more federal
2 participation?

3 THE WITNESS: Unless there is a change in
4 matching ratios, the counties would save money.

5 MR. MEYNER: We get nothing from the federal
6 government on general assistance?

7 THE WITNESS: That's correct.

8 BISHOP DOUGHERTY: Just a clarification on
9 general assistance as distinguished from assistance
10 to dependent children. What would be the difference?

11 THE WITNESS: Let me try to make it very
12 simple. If I were suddenly unemployed and I needed
13 assistance, I would have to go to the Trenton
14 Municipal Assistance. If I would leave my family
15 and go over across to Pennsylvania, my wife would
16 then go to the Mercer County Welfare Board and she
17 would be eligible for aid to families with
18 dependent children because we happen to have a
19 dependent child.

20 BISHOP DOUGHERTY: Which is, according to the
21 scale, a number of children.

22 THE WITNESS: That's correct.

23 BISHOP DOUGHERTY: It is general assistance
24 also according to scale?

25 THE WITNESS: General assistance in New Jersey

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1 operates like depending upon whether or not the
 2 municipality participates in the state plan and
 3 receives state matching. If they receive state
 4 matching, then they are subject to general state
 5 supervision. But in general the provisions are
 6 organized around an emergency concept and,
 7 consequently, I know they are considerably less.

8 MR. MEYER: Some of the smaller municipal-
 9 ities are cruel.

10 THE WITNESS: They don't participate. Cruel
 11 is a very apt word for some of the municipalities
 12 which do not participate in the state plan and
 13 over them we have no supervision or control.

14 MR. GIBBONS: Historically running the poor
 15 house was a municipal function, and that is what
 16 the general assistance program really is. It is
 17 an outgrowth of the old poorhouse in a municipality.

18 By Mr. Jaffe:

19 Q Commissioner, has there been a trend, or is there
 20 a trend in centralizing this on a statewide basis?

21 A I couldn't answer this authoritatively, but I
 22 think you would find most states have a system of state-
 23 supervised county-administered. Connecticut is an exception
 24 which has a total state program.

25 Q Do you have an opinion as to whether you think



1 welfare ought to be run on a statewide basis, run by, say,
2 your division with uniform regulations and uniform payments,
3 uniform program?

4 A I don't think that we would resist, but I think in
5 general if you tried to develop an opinion and a posture
6 in our department, you would get much more support for
7 state-supervised county-administered but welfare programs
8 administered within the county.

9 Q Take it out of the city and leave it in the county?

10 A Right. I think you would find that would be a
11 kind of a point of view that would get much broader support
12 than state-administered.

13 Q Do you think county government generally in this
14 state is sufficiently sophisticated to administer that kind
15 of a program?

16 A I think so. I think they need regulations. I
17 think you need to have standards at both the national and
18 state level, but I think as an administrative unit the
19 county can do it. In general I would think that the county
20 welfare boards and the county welfare agencies in New Jersey
21 do a fairly credible job.

22 MR. MEYER: They do a better job than the
23 municipalities, don't they?

24 THE WITNESS: Yes.

25 MR. MEYER: But everytime you try to

1 eliminate, the municipalities rise up in
2 righteous wrath and go to the legislature?

3 THE WITNESS: Yes. You have a number of
4 problems. You have built in the municipal
5 assistance programs people who have been in them,
6 the Municipal Welfare Directors Association and
7 so on. So you have that on the one hand.

8 On the other hand at the county level you
9 have the possibility unless you have increased
10 participation by the state in the non-federally
11 financed portion of welfare costs, then from the
12 point of view of the county they see themselves
13 picking up a load that was formerly a municipal
14 load. I think here is where this problem boils
15 down to.

16 By Mr. Jaffe:

17 Q You could work it out on a pro rata contribution
18 from a tax standpoint?

19 A I think almost everyone would agree that the
20 state contribution to welfare costs in New Jersey, which
21 is almost the lowest in the United States, should be upped.
22 When I sent you the statement of the State Board of Control
23 on this and the Board of Public Welfare, they flatly take
24 the position that the state contribution for the non-
25 federally financed portion of welfare should go up. They



1 don't indicate any amount. They also indicate that New
2 Jersey should share on administrative costs, something we
3 do not do at the present time. These are high.

4 In general we have estimated that if you move the
5 formula to 60/40 for all programs across the board in the
6 State of New Jersey and you got ADCUP enacted, it would
7 cost the State of New Jersey somewhere in the neighborhood
8 of \$12,000,000.

9 If you moved the formula to what the freeholders want,
10 75/25, we are sharing on administrative costs in both
11 instances, and it would cost the state somewhere in the
12 neighborhood of \$20-22,000,000.

13 Q Would the increase in state funds go in terms of
14 increase in welfare recipients or in welfare amount,
15 particular families?

16 A In the case of ADCUP you would have the operation
17 of both of these factors. In the other programs, no. The
18 increased amount of the state would be that they would pick
19 up a higher portion of what is already being made available
20 to people in terms of the grant. You would also pick up a
21 portion of the administrative cost, which at the present
22 time the state does not contribute to.

23 Q Could you give us just a very brief sketch of
24 what the general welfare assistance is, I mean how much
25 money in terms of a family?

1 A I will send you that data. New Jersey's grants
2 for individuals and families under the Federal Categorical
3 Program are among the highest in the United States, if not
4 the highest, because our Division of Welfare has consist-
5 ently operated on the basis of need.

6 Q Is there a time limit on the welfare grants to
7 families?

8 A No. As long as they are eligible, they receive,
9 as long as they meet the test.

10 Q It is a very broad question, but I think we
11 would be interested in your views. Do you have some views,
12 do you think that the basic concept of the welfare programs
13 as they are presently administered, the philosophy behind
14 them, is meaningful this day and age? Do you think it is
15 a good idea? Do you think it is something that should be
16 continued?

17 Secondly, the question is: What do you think can be
18 done by either approval or change in direction?

19 A Needless to say this is a highly controversial
20 area. As you know, there have been all sorts of
21 recommendations for negative income tax, guaranteed wages,
22 more recently the not yet enacted but many proposed social
23 security amendments of 1967 with their high emphasis on
24 rehabilitation, the administrative reorganization of the
25 Department of Health, Education and Welfare. All of these

1 reflect a growing concern about the administration of public
2 assistance in the United States. There is need for change.
3 I think almost anybody who looks at the structure of
4 welfare in the United States would agree. Obviously you
5 have all sorts of bureaucracies that have evolved at the
6 federal level, at the state level, probably to a lesser
7 extent at the county levels in New Jersey. New Jersey's
8 bureaucracy at the state level was a relatively immature
9 one. We spent less on the administration for welfare than
10 almost any state in the union. I think that is still
11 probably true.

12 MR. MEYNER: Isn't this to some degree
13 because we insist before anybody can get a grant
14 they have to show that they don't have people who
15 can support them?

16 THE WITNESS: I think the immature administra-
17 tive development of welfare in New Jersey was
18 primarily organizational. New Jersey's welfare
19 programs' early organization was in the latter
20 part of the last century and the early part of
21 this century, and New Jersey evolved an
22 organizational structure around seven programs.
23 There was never an integrated state force to
24 effect the kind of staff work in integration
25 that I would contend is essential to the



1 development of sound welfare programs until the
2 legislation was enacted in 1963, but the origins
3 of it go back to the Alexander Commission report
4 that was prompted by Governor Meyner. In fact,
5 he appointed the committee, and they made a
6 number of recommendations about the consolidation
7 of welfare services in the State of New Jersey
8 This became a law in 1963.

9 That accounts for law administrative
10 expenditures at the state level in New Jersey,
11 but you didn't have the kind of staff and
12 administrative planning in welfare that certainly
13 was indicated in a state of the complexity of
14 New Jersey.

15 MR. MEYNER: But isn't there the other phase
16 of it, that we pay more per recipient than most
17 states, but we have fewer recipients because we
18 write into our law a provision that if you have a
19 mother and father or a grandson and they can
20 afford to take care of this assistance, you are
21 not eligible?

22 THE WITNESS: That is correct.

23 MR. MEYNER: To that degree we don't need as
24 much in administration.

25 THE WITNESS: At least the studies by



1 Senator Byrd when he made his national survey of
2 welfare show the amount of people on welfare should
3 not be on there. New Jersey came out of that
4 looking very, very good. As it was pointed out,
5 we have very high grants and we have rather good
6 administrative checks and tests.

7 To get back to your question as to whether or
8 not I personally feel you need an alternative
9 device, I haven't made up my own mind, I will be
10 very frank with you. One of my basic difficulties
11 around negative income taxes and so called
12 guaranteed wages, I would be in favor of the
13 family wage, which would be the utilization of a
14 mechanism to recognize children in families
15 irrespective of where the child happens to be
16 located in the class structure, much as they have
17 in the Scandinavian countries and most places in
18 Europe. But the problem of the other is I have a
19 gnawing fear that in a sense it expresses a kind of
20 contempt for the person who is going to receive
21 the negative income check or the other check.

22 I think that what we need to do is think of
23 ways of improving welfare and how we can help
24 welfare achieve what should be its fundamental
25 and basic objective, and that is getting people

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1 from a dependency status into a more productive
2 relationship.

3 By Mr. Jaffe:

4 Q What kind of ancillary services does the Welfare
5 Department have to aid in that, and is there an opportunity
6 for recommendations or thought to be diverted into
7 developing this type of ancillary services?

8 Q I think in New Jersey primarily because of the
9 organizational structure the state did not, and if you like,
10 there is available a survey that was completed of the
11 administrative organization of welfare in the State of
12 New Jersey by the Department of HEM at our request. We
13 asked them to come in and take a look at it. As they point
14 out, one area where New Jersey has been, shall we say, not
15 as aggressive as it might have been is in the area of
16 providing a kind of professional leadership to counties,
17 to other areas, and the development of special projects.
18 I think in the last three or four years we have done a good
19 deal more of that. I think we have done it somewhat better
20 chiefly because we have a better administrative structure,
21 and we have given, in the last two years, to the Division
22 of Welfare considerably more support, not as in my opinion
23 they need it, but given all the factors that both the
24 department and the state had to deal with, substantial
25 encouragement in this area.

1 If you would like that report, I will be happy to make
2 it available.

3 Q Thank you.

4 A I think the resume of the HEW report can be simply
5 stated. They recommended a reorganization that would get us
6 out of our basic commitment to specific programs and
7 organize around functional services to people. That is
8 their basic recommendation. Such an administrative structure
9 was adopted by the Board of Public Welfare and the State
10 Board of Control, and we are now in a transitional stage
11 moving toward it.

12 Q Would you do things like job counseling? Is that
13 the kind of ancillary services, too?

14 A The primary area where that should be done is at
15 the county welfare boards and in the development of special
16 projects, presumably with our stimulation and leadership,
17 within the structure. I might add in this area with the
18 Title V projects in New Jersey quite some substantial pro-
19 gress was made with the Title V projects.

20 As you know, those are projects made available under
21 the Economic Opportunity Program to the Department of HEW
22 to be made available to the states. As I say, in this area
23 I think we have made some progress.

24 Q Before we leave the welfare area, have you done
25 any comprehensive studies on the welfare situation in Newark?

1 Has your agency done anything along these lines as to how
2 effective the Newark program has been?

3 A We have material on the effectiveness of the
4 Title V Program, but as a specific study, if it is available,
5 I am not aware of the total program in Essex or the City of
6 Newark. But we do have good statistics on the Title V
7 Program in the City of Newark. There is a long history to
8 that, and I don't want to bore you with that. The City of
9 Newark operates the Title V Program approved by us and
10 funded by the federal government, which is in a sense a
11 kind of experimental ALCUP program. I can give you data
12 on that, but I don't think in terms of the effectiveness
13 of welfare in Essex County or Newark we have a specific
14 study.

15 MR. MEYER: Wouldn't it be a good idea to
16 get from the Commissioner the number of people on
17 local assistance who were subject to county
18 categorical assistance grants during that period?

19 MR. JAFFE: Yes, that would be very good.

20 THE WITNESS: I can readily make that
21 available to you.

22 MR. GIBBONS: Do you have it broken down by
23 cities?

24 THE WITNESS: Yes, we do for the major cities.

25 MR. GIBBONS: Including Englewood and

1 Plainfield?

2 THE WITNESS: I am not so sure about that.

3 MR. MEYNER: That is if they had an agreement.

4 THE WITNESS: If they had an agreement, we
5 could dig up the data. Let me check and I will
6 send you the data, and you can review it and
7 determine whether or not it is adequate. If you
8 want to get something else, we will try to get it.

9 MR. MEYNER: Would there be any way of getting
10 an approximation -- take the City of Newark during
11 the summer of 1967, and you could give us the
12 figures of number of people on welfare. Is there
13 any way of approximating the population or
14 percentage that was in a position to need welfare
15 but could not have welfare for a variety of
16 reasons?

17 THE WITNESS: I have to make the assumption
18 that all persons who are eligible under any
19 program, if they had made any effort to get it,
20 are receiving it because there is no barrier. The
21 only barrier would be (1) the individual didn't
22 know of his eligibility for a program and,
23 consequently, made no effort to get it, or he
24 turned to alternative sources, or the operation
25 of such fact at the operation level in the

1 municipality or county.

2 MR. MEYNER: Or he was old fashioned enough
3 to be independent.

4 THE WITNESS: I assumed that under my first
5 category. Motivational issues, Governor, elude
6 me.

7 By Mr. Jaffe:

8 Q I understand the Governor has formed an
9 interdepartmental committee to deal with some of the
10 problems as a result of the riots during the summer. I
11 understand you are a member of it. I wonder if you could
12 very briefly give us the structure, its general purposes
13 and its accomplishments, and how it might work into the
14 work of the Commission.

15 A Following the Newark disturbances, the Governor
16 set up what came to be known as the Interdepartmental Task
17 Force on Cities. It consisted of the heads of departments
18 that have a primary involvement in the cities or were
19 involved in the disturbances either at Newark or Plainfield
20 plus their subordinates. It becomes a rather large group.
21 The Department of Community Affairs, of course, had a
22 central role in the community. The Department of Labor and
23 Industry, Commissioner Hale, who was just here; the Department
24 of Education; Department of Defense; the Attorney General,
25 particularly, the State Police; and my own department, plus

1 the Governor's assistants.

2 The primary focus of the discussion at these meetings
3 was on how could you utilize state resources to be of
4 assistance to the cities? Each of the departments made a
5 variety of proposals. Some of them had natures that
6 touched one department and another, and out of it grew a
7 number of quite specific things. I understand an
8 announcement was made yesterday. I didn't have an opport-
9 unity to read about it, but I was questioned about it by
10 several reporters, so I assume an announcement was made in
11 effect summing up to some extent some of the positive things
12 that grew out of it. One was a notion of the state as a
13 kind of model employer. The department was Civil Service
14 that I did mention, and they were directly involved here,
15 relating specifications through jobs to the fact that the
16 state wants to be a model employer and: What could we do?

17 Among other things, I would just touch on what
18 happened in my own department because I can talk about it
19 best -- we are activating, with the Department of Education
20 and the Department of Community Affairs and Labor and
21 Industry, a program at Graystone Park where we will move
22 people in a kind of attendant-trainee or entrance level
23 trainee's position who have practically no skills at all
24 by way of reading and writing, in an effort to get them up
25 to the level where we can move them into entrance-level

1 positions. That school we hope will start the latter part
2 of the year.

3 There was a concentrated effort to employ people and
4 to ignore theseighth grade school requirements. For
5 instance, I think during the months of July and August we
6 hired upwards to of about one hundred persons from the City
7 of Newark who could just read and write. We also set up
8 in our department, and I don't think this is generally
9 known, but we are going to establish at the department
10 level scholarships for persons, fifty a year for career
11 development, for nurses, all of it concentrated towards
12 the disadvantaged.

13 Q Has there been any kind of a summary of what that
14 interdepartmental committee has done that could be available
15 to the Commission?

16 A Each of the departments that were involved made
17 summaries up to date recently. Whether this is going to
18 be consolidated as a summary of the total thing by the
19 Governor's office I don't know. I would assume you would
20 want to contact his office to get such a summary.

21 Q Just from your discussions at those meetings,
22 were there problems raised or recommendations in mind that
23 you think would be of help to the Commission and that you
24 think the Commission might want to look into that were
25 raised by the committee and not able to be finished?

1 A My impression is they are going to continue to
2 meet to discuss a number of things that are still open,
3 but certainly the range of problems that you are discussing
4 was discussed here because what are we talking about when
5 we are talking about the cities? We are talking about, it
6 seems in order of priority, housing because if you want to
7 do something about the housing problem, I don't know where
8 we are going to go.

9 You are talking about schools next from my point of view
10 in terms of my personal priority, and then, third, you
11 are talking about the employment situation. Anything else
12 is symptomatic of the interrelation of these three.

13 Q I think it is important we get these summaries,
14 and I will ask the Governor's office for them so that we
15 don't retread in that area.

16 I would like to briefly touch with you on the role of
17 the probation service and particularly the role played by
18 your people in the Newark riots, subsequent to it, talking
19 to some of the people, and also in the kind of information
20 that you have obtained from this source.

21 MR. MEYNER: His department is Parole.

22 THE WITNESS: Probation is county-administered.

23 By Mr. Jaffe:

24 Q I always get the two mixed up.

25 A It is not even supervised by us. I have some data

1 here if you would like it. I didn't bring the data on
2 welfare, but I did bring data on the particular subject
3 since I thought you might be interested.

4 There were fifty-seven parolees who were arrested in
5 connection with the Newark situation.

6 MR. MEYER: Fifty-seven who were out on
7 active parole?

8 THE WITNESS: They were conditionally released.
9 The total number of persons -- I took the names of
10 1,495 persons arrested in Newark, and I compared
11 for name, age, sex and race with our files in the
12 Department of Correction, Parole, Bureau of
13 Children's Services and the mental hospitals and
14 schools for the retarded. One hundred sixty-nine
15 names had been known to our department.

16 MR. MEYER: When you say fifty-seven were on
17 parole, could you give us some brief general
18 characterization of how dangerous they might have
19 been?

20 THE WITNESS: Well, since the bulk of them
21 was from the juvenile institutions, either
22 Jamesburg or Anandale, you are not talking about
23 sophisticated criminals.

24 MR. MEYER: The bulk of the sixteen hundred?

25 THE WITNESS: No. Only 169 names matched up.

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1 By Mr. Jaffe:

2 Q Does that 169 include the 57?

3 A Yes.

4 MR. MEYER: That had some criminal record?

5 THE WITNESS: Correction. Eight-nine were
6 known at one time or another to our Correctional
7 Division, but only fifty-seven were on parole. We
8 would have a record on them if they completed
9 parole or if they were out.

10 BISHOP DOUGHERTY: Is the word "criminal"
11 appropriate in that connection?

12 MR. MEYER: I don't think so. I would say,
13 "record."

14 BISHOP DOUGHERTY: Correctional institutions
15 was the word you used, and I was seeking
16 clarification whether or not that is all criminal.

17 MR. MEYER: Criminal is a conviction such as
18 an assault.

19 THE WITNESS: A considerable number of these
20 were adjudicated juvenile delinquents by the
21 Juvenile Court, but there were fifty-seven that
22 were parolees. There were only one hundred twenty-
23 seven unduplicated persons who were arrested. We
24 compare with 1,495. I don't know if that
25 represents the total number of arrests or not.

1 So approximately 8.5 percent of the total persons
2 arrested were known to us one way or the other
3 through our operating programs. That does not
4 include the municipal welfare or the Essex County
5 Welfare. We didn't check with their files.

6 MR. MEYER: That wouldn't include someone
7 having had a juvenile experience and a suspended
8 sentence here in Essex County?

9 THE WITNESS: No.

10 MR. MEYER: These were people who were
11 institutionalized somewhere along the line with
12 you?

13 THE WITNESS: They were institutionalized
14 or carried on the program of the Bureau of
15 Children's Services. Thirteen of them were at one
16 time or another on the Bureau of Children's
17 Services.

18 We interviewed each parolee arrested in the
19 Newark riots.

20 By Mr. Jaffe:

21 Q Could you tell us how you did them and generally
22 what happened?

23 A Each parolee arrested was interviewed by his parole
24 officer within a few days following his arrest. There were
25 two people who were missing. They just absconded, and we

1 couldn't interview them. It was impossible to determine
2 there was advanced knowledge of the riots by any discussion
3 with the parolees involved. The majority of them admitted
4 to poor judgment. They said they were in the wrong place
5 at the wrong time, but they denied that they were in any
6 way involved in any systematic effort either to create a
7 disturbance or to take advantage of an unfortunate situation.

8 Most of them claimed they were victims of circumstance
9 in that they found loot in the street but helped carry the
10 stuff for someone else.

11 If you want I can give you the disposition of the
12 fifty-seven to date. As of September 21, thirty-one were
13 released by the Magistrate's Court and we have no disposition.
14 Four were dismissed by the Grand Jury and continued on
15 parole. Two were released by the Magistrate's Court and
16 no disposition, and they are now missing. Eight are still
17 in legal custody, no disposition at this time.

18 But we don't feel we have an adequate ground for a
19 declaration of delinquency by the Bureau of Parole. Eight
20 were declared delinquents by the Bureau of Parole. They
21 were committed to an institution, to Annandale, one to the
22 State Home for Boys. One is being returned to Jamesburg
23 as a parole violator. One was given a sixty-day suspension
24 of sentence, released, now missing. One released by the
25 court, now missing. Two in custody awaiting disposition of

1 charges. That is the eight we declared delinquent. One
2 violation of curfew. He received a suspended sentence and
3 he is a sixteen year old. He was making a good adjustment
4 on parole so the Bureau of Parole did not declare him a
5 delinquent. The court gave him a suspended sentence.

6 Q The thirty-one released with no disposition by
7 the magistrate, will you await legal action before you
8 decide whether those will be declared?

9 A We don't have a basis on which to take an action
10 at this time pending what the courts do. There is nothing
11 in the record that would lead us, other than this specific
12 thing which is being tried in another area, to believe that
13 they should have been declared delinquent.

14 Another was a juvenile delinquent who received a
15 suspended sentence to the Reformatory for Women. We
16 continued her on parole in view of the satisfactory parole
17 to date. The individual was making good parole. The court
18 apparently took the view that a suspended sentence was
19 indicated, and I would assume from that our Bureau of Parole
20 took the position that in view of what had been a good
21 adjustment to date we should try to continue the individual
22 on parole.

23 The other was the juvenile delinquent. The petition
24 was sustained in the Juvenile Court but he was continued
25 on parole in view of the satisfactory parole record to date.

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1 Q Are those statistics in a form which you could
2 leave them with the Commission as a commission exhibit?

3 A Yes.

4 MR. JAFFE: They will be received.

5 (EXHIBIT NO. C-9 WAS RECEIVED IN EVIDENCE.)

6 THE WITNESS: I also have a summarization
7 from the Board of Public Welfare on the activity
8 of our Division of Welfare during the disturbance.

9 By Mr. Jaffe:

10 Q Could you paraphrase that for us?

11 A Immediately following the first major eruption on
12 Thursday night, July 13, Mr. Engleman, our Director of the
13 Division of Welfare, got in touch with Mr. Lazzaro, the
14 Essex County Welfare Board Director, on Friday and verified
15 all offices were being closed by noon and suggested that
16 Mr. Lazzaro alert key staff members to be on call over the
17 weekend.

18 On Sunday night Mr. Engleman received a telephone call
19 from a member of the Governor's emergency task force on
20 duty in Newark, and as a result the next morning he and
21 three members of the division staff went to Newark to
22 participate in planning for dealing with the post-riot
23 situation. Plans were developed for the establishment of
24 an emergency center in the heart of the affected area to
25 be operated by the City Welfare and to deal with anticipated

1 applications for public assistance from persons not
2 previously known to welfare agencies, but who would repre-
3 sent themselves as having been deprived of job, money, home,
4 et cetera.

5 A simplified application form upon a simplified basis
6 for issuing cash assistance on a weekly basis was developed
7 and would help provide fifty volunteers from various
8 agencies, this plan became operative at the end of the week.
9 Mr. Engleman advised that although prior preparations were
10 made to handle a large volume of applications, at the close
11 of three weeks there had only been one hundred sixty-two
12 cases that applied for services and only seventy-eight were
13 found eligible for monetary aid, a total expenditure of
14 \$3,614, or an average of \$41 a case. These expenditures
15 were made from a fund of \$20,000 contributed by the
16 Prudential Life Insurance Company.

17 (EXHIBIT NO. C-10 WAS RECEIVED IN EVIDENCE.)

18 By Mr. Jaffe:

19 Q From your interviews are there any general
20 conclusions that could be drawn, any lessons to be learned
21 from it?

22 A I don't know. Following the disturbances I spent
23 some time myself personally for my own education talking to
24 parole people in Newark. As some of you know, as Governor
25 Meyner knows, I was warden of the prison at one time, and I

1 have a number of contacts as a result of that experience
2 with people who are in the City of Newark whom I knew when
3 I was warden of the prison where, Governor Meyner also
4 knows, we had a disturbance or two, and I talked with
5 people on both sides of the fence. I would suspect if
6 anything there were probably more people with, shall we
7 say, a deviant orientation who were involved. They were
8 much more skillful in dealing with the police. They were
9 never picked up.

10 My own general impression would be that the fifty-seven
11 who were picked up were the kind of individuals who were not
12 very bright or very systematic, very perceptive of how you
13 handle situations. In the words of an old convict of the
14 prison who was involved in a situation that I talked to,
15 they were, as he put it, a bunch of stumblebums. They were
16 the kind of guys who just, you know, didn't know; they
17 didn't know how to deal with situations. Their competency
18 is very limited.

19 MR. GIBBONS: How many parolees did you have
20 in Newark in July?

21 THE WITNESS: I can get that figure. I think
22 it was in excess of eleven hundred.

23 MR. GIBBONS: You are talking about fifty-
24 seven out of eleven hundred were actually arrested?

25 THE WITNESS: Yes.

1 MR. MEYNER: Commissioner McCorkle's competence
2 I think is in sociology and penology, and I would
3 like to get his general impressions, and if he
4 wants it off the record, we will take it off the
5 record, of the basic problem of race in this
6 particular picture as you witnessed it, we will
7 say, in the State Prison with this Black Muslim
8 movement, the high incidence of this group being
9 in our corrective institutions. I think some of
10 those generalizations off the record or on the
11 record would be helpful. Would you prefer it off
12 the record?

13 THE WITNESS: No. I have no problem here.

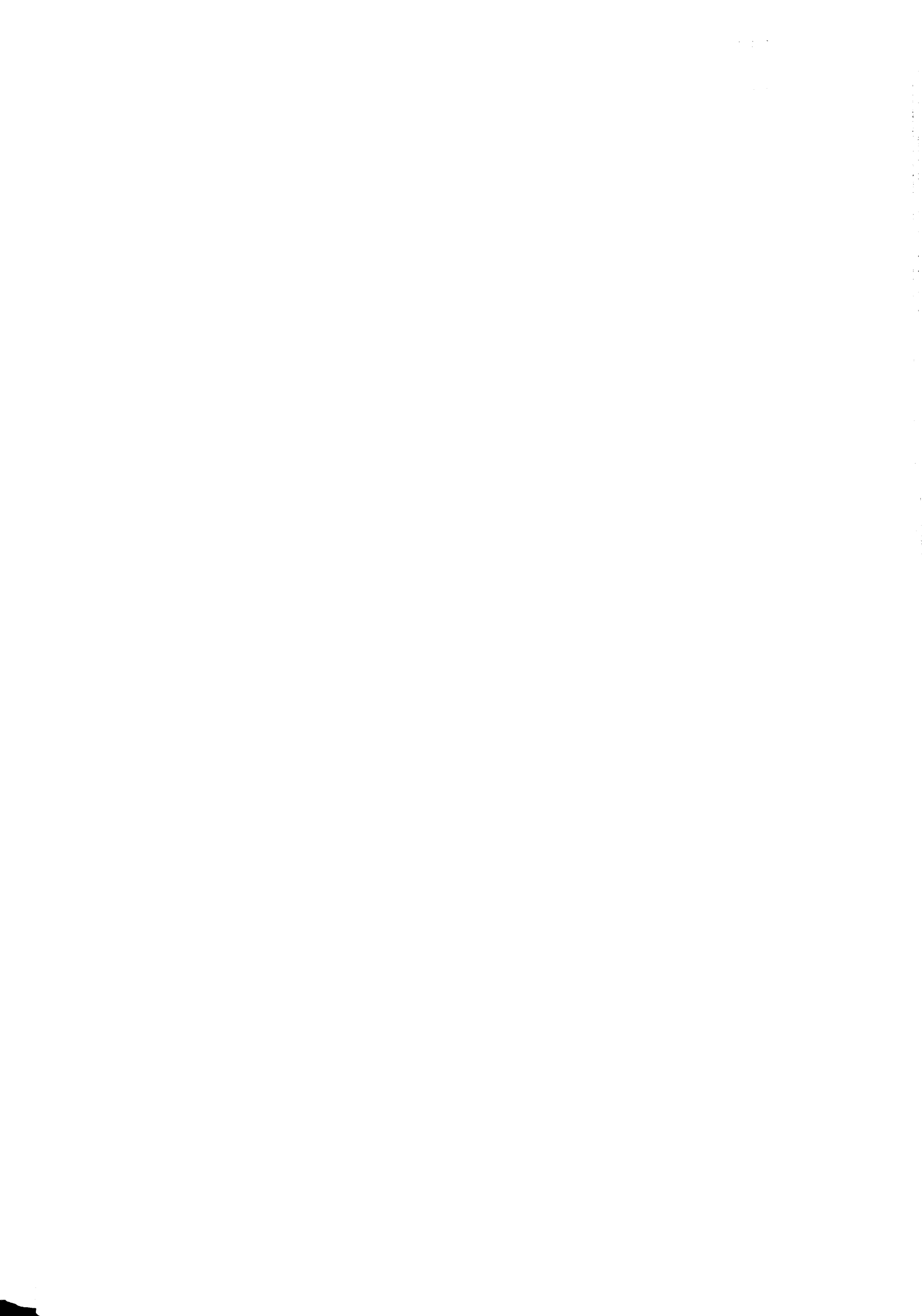
14 I think there are some very interesting
15 similarities between the urban disorders and the
16 correctional disorders of 1952, 1953 and 1954.
17 Certainly the disturbances at the New Jersey State
18 Prison during 1952 primarily were a product of a
19 variety of things. Among them was the failure to
20 do much about the New Jersey State Prison for the
21 entire period, the failure to try to realistically
22 come to wits with the labor problem in the prison.
23 So you had a lot of idleness, people just drifting
24 around. The evolution of a whole series of
25

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1 accommodations that were evolved out of a need to
2 deal with a palor structure in the inmate
3 community was pressing. These usually took the
4 forms of payoffs around food or special privileges.
5 to key people, but never got down to the bottom.

6 So that as I recall when I went to the prison,
7 the estimate was that if you were serving hot dogs,
8 between the time you assigned the hot dog job of
9 the ice box until they got on the line where the
10 little guy was you lost 144. That was your loss
11 to get up to give it to the man. You can imagine
12 when you translate this into dealing with a char-
13 acter with a liking for steaks as a payoff what
14 the little guy was getting. He was getting oatmeal
15 and some gristle. That is about it. You had a
16 great deal of restlessness starting to evolve, and
17 you had a lot of inadequate, make-shift waste
18 without anybody getting down to the nitty-gritty
19 issues that were involved.

20 I think this is the serious thing for our
21 society as regards to these urban disturbances.
22 When the response came, it came from the state to
23 some extent, with the most extreme elements in
24 the institutional population. So that the state
25 found itself in the awkward position of trying to



1 effect a re-equilibrium in the prison with people
2 who were driven by intense hostilities of an
3 undifferentiated character, I might add, that made
4 the possibility of any serious negotiations with
5 them a myth. As a result, the total group in the
6 New Jersey State Prison felt more and more detached
7 and alienated, and they felt increasingly if they
8 were going to have any security at all, they had
9 to sign up with the worst elements in the prison.

10 I recall one occasion -- Governor Driscoll
11 is not here now -- of going to him and saying,
12 "We may have another riot, but we have to move on
13 this. We have to take these groups and we have to
14 do something about it. Otherwise, there is no
15 reason for the little guy on the bottom to have
16 any confidence in state leadership."

17 By Mr. Jaffe:

18 Q What was the kind of thing you suggested doing for
19 those groups?

20 A I moved them out of the prison and I tried to
21 move in with a positive program.

22 MR. MEYNER: You had to run the prison in-
23 stead of letting them run it.

24 THE WITNESS: That is correct. That was the
25 basic problem.

1 By Mr. Jaffe:

2 Q How do you translate approach to the present urban
3 problem?

4 A I don't know about the approach. I am not going to
5 get into that, but I am going to say this: That the present
6 urban problem, particularly as it relates to the so called
7 ghetto, is essentially a struggle between the extremists
8 and the liberals and the bulk of the people are wondering,
9 I suspect, what is going on. I must say in terms of varieties
10 of official actions that I have no intention of detailing --
11 these are conclusions I have reached from inadequate evidence
12 perhaps and I can understand their bewilderment.

13 BISHOP TAYLOR: It is generally alleged that
14 young negroes are arrested as delinquents for far
15 lesser offenses than whites. Would you like to
16 comment on that point?

17 THE WITNESS: Well, there are a number of
18 studies that would tend to be supportive of the
19 general point of view that there is differential
20 in law enforcement between lower socio-economic
21 groups than upper socio-economic groups. Since
22 the bulk of the non-whites in the urban community
23 are in the lowest socio-economic group, you can
24 infer from that there might be a more vigorous
25 application to party rule. If you want statistical

1 support, the best study I know of is prepared by
 2 a man by the name of Goldman who made a study of
 3 police actions in the greater Pittsburgh area.

4 MR. LAUCHTER: Specifically relating to the
 5 Bishop's question, have you or your staff run into
 6 many kids, let's say, from the ghetto areas and
 7 what are these kids doing here?

8 THE WITNESS: Let me back up to when I was
 9 dealing with and came specifically in contact with
 10 people. The number of innocent persons I met in
 11 our correctional institutions is zero. That has
 12 been my experience. If you are asking me to say
 13 why Joe Jones is in and Pete Smith is out, I
 14 suspect that is true, but I suspect it is something
 15 not just limited to one group but it affects a
 16 variety of situations. Some people are better
 17 able to handle most of life's problems and other
 18 people, including correctional problems.

19 MR. MEYNER: One of our tasks is to prescribe
 20 some course of conduct for the future. What is
 21 your feeling with reference to the Black Muslims,
 22 which I am sure you have encountered in your penal
 23 institutions?

24 THE WITNESS: Yes.

25 MR. MEYNER: Off or on the record.

THE WITNESS: Oh. I don't mind.

The Black Muslims started to evolve in the New Jersey State Prison first in about 1958. They became a problem that reached rather serious proportions in 1963, the summer of 1963. There was a supreme court ruling on their petition which was turned down by the Board of Managers, requesting that they have special services. I suspect that primarily one of the things that was created was they tended to polarize attitudes so that when you had the Black Muslims, then you have a white Nazi group that evolved, and we had a very tense situation because the prison community, unlike the community outside, recognizes that certain things have to be held in a kind of balance. This was almost as much a matter of concern to all the inmates in the institution as it was to the officials, this polarizing of attitudes.

In 1963 in the summer it actually took the form in Rahway, for instance, of a few thousand men who went on sick call. We had that kind of situation. This was a new switch on prison disturbances, I might add. This took the form of, you know, "We are not really doing anything but wanting to get cured for our illnesses. We are

1 not disobeying anything. We just want to go on
2 sick call.' This unquestionably was spearheaded
3 by Black Muslim groups who were engaged at that
4 time primarily in a power struggle within the
5 inmate community.

6 I might add also that in terms of being
7 inmates the conversion of an individual to the
8 point that he identifies himself and is identified
9 by others as a Black Muslim doesn't mean he
10 becomes a troublemaker. Our experience in this
11 respect, I think chiefly because the administrative
12 arrangements in New Jersey in general prevent
13 selecting individuals for their beliefs and so on,
14 and perhaps from their point of view providing
15 them deferential treatment on that basis.

16 So that in their briefs the Black Muslims
17 never stated we discriminated. In fact, they said
18 just the reverse. We did not discriminate and
19 they had never suffered because they were Black
20 Muslims, except they could not congregate in a
21 large group and they could not have an outside
22 minister. That was the only issue they ever joined
23 with us on. In New York and in the Washington
24 case it was somewhat different.
25



1 But there was a struggle going on, and if you
2 can believe the credibility of the people on the
3 ground floor, they were spearheading to some extent
4 this.

5 MR. MEYNER: My point is when they come out,
6 does this group become a menace to the community
7 to any degree?

8 THE WITNESS: I would think in some instances
9 certainly you could get documentary support that
10 they have.

11 MR. MEYNER: The militancy you mean?

12 THE WITNESS: Yes. There was one such case
13 I believe, in Union County where he actually got
14 the passport to Mecca. I think he did kill four
15 people.

16 MR. LOFTON: With respect to the discussions
17 that some of the people of the staff, the parole
18 officers, have in talking to the delinquents, was
19 there any discussion had with those youngsters
20 that were arrested with respect to whether or not
21 it was their understanding or information that the
22 Muslims participated in any meaningful degree in
23 the recent disturbances in Newark?

24 THE WITNESS: If that information was acquired
25 by my parole people, I am not aware of it.



1 By Mr. Jaffe:

2 Q One last question. How would you go about enabling
3 the liberals in the negro community to win?

4 A I think there has to be a redefinition of what
5 you mean by indigenous leadership. I think there has to
6 be greater recognition of the traditional roles and the
7 utilization of the traditional roles to bridge what is
8 apparently an ever widening gap between some areas and the
9 larger society. I think there has to be a recognition by
10 everybody that this is a long, difficult haul and there is
11 no easy panacea, there is no quick way, but there are
12 traditional supports that exist.

13 It is true that certain communities like Newark,
14 because of the tremendous in-migrant influence, particularly
15 from between 1950 and 1960, the negro community in particular
16 had a tremendous number of people to be absorbed. Some of
17 the old-line supports were not there the way there was a
18 total number of people and the variety of other things in
19 getting them integrated. I would say a reliance and
20 utilization of these supports and then, finally, the
21 society has to be prepared to face up to the financial
22 implications, particularly to deal with the housing and
23 the school problem. When you are talking about that, you
24 are talking about a lot of money.

25 MR. WACHENFELD: I would like to ask one

1 question which is simple, and you can answer it
2 either on or off the record. In layman's language
3 what do you think from your broad experience and
4 knowledge caused the riot in Newark and how do you
5 prevent another one? That is the purpose of this
6 commission.

7 THE WITNESS: I think I touched in part on
8 what my response would be. The redefinition of
9 whatever remedial programs you are going to get,
10 so you go back to some of the traditional
11 balances of support. I think this is very
12 important. When Rushton made the observation on
13 the CBS interview, I believe it was, to the effect
14 that the negro community and its responsible
15 leadership had been asking, and this can be
16 documented in New Jersey and I can pour out stuff
17 that was taken during a whole series of conferences
18 we had starting in 1961 in New Jersey -- the fact,
19 as he put it, they wanted a negro police captain
20 in Harlem. They had struggled for twenty years
21 and couldn't get him. A few guys get on the street
22 corner and start yelling and screaming, and the
23 next thing you know there is a negro police captain.

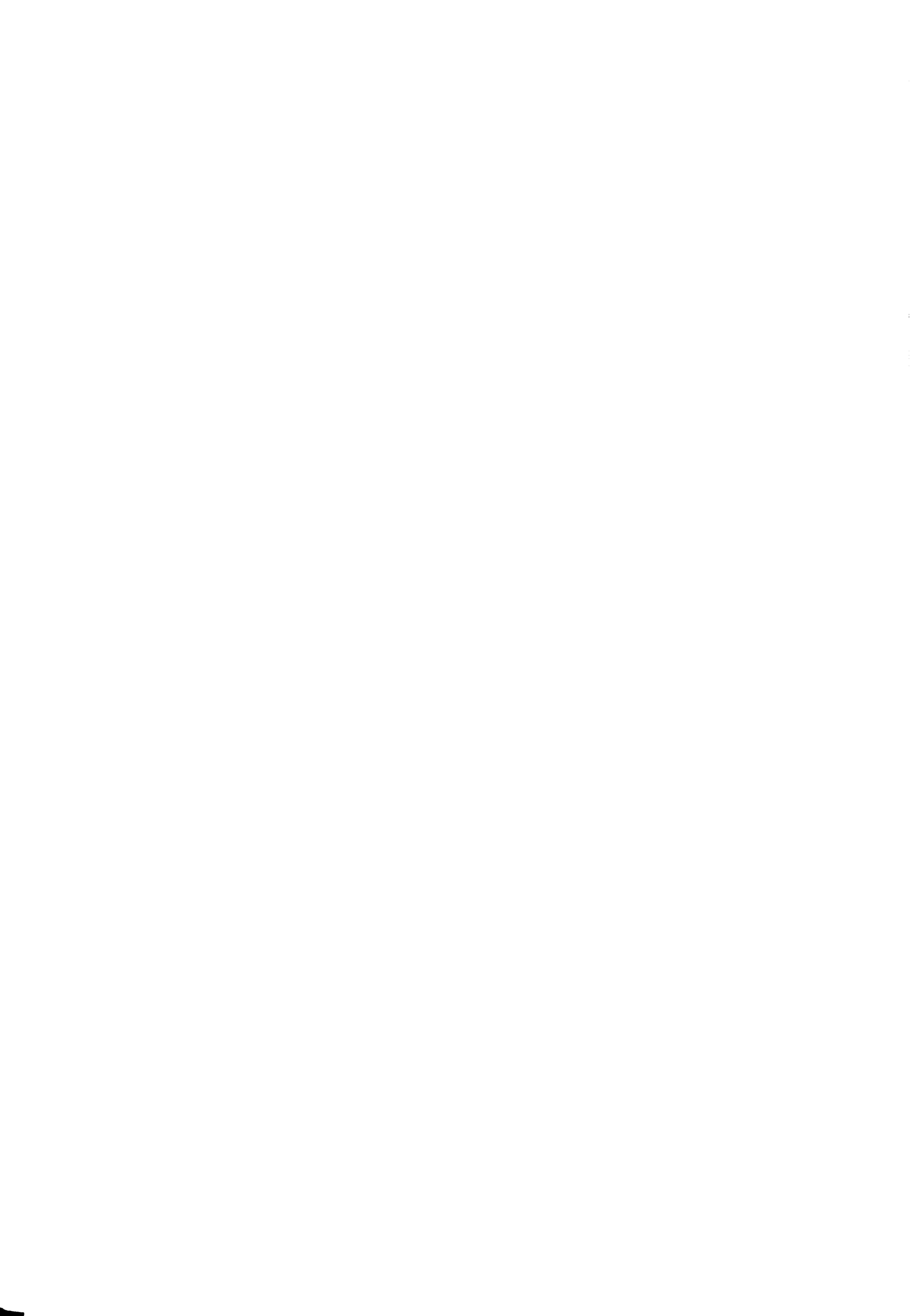
24 I think our society is very ambivalent. I
25 am not talking about the negro community; I am



1 talking about the white society is extremely
2 ambivalent about how they want to proceed. You
3 get tangled around two particular areas that are
4 not likely to do much but keep us where we are.
5 The one is we talk about the good old days of the
6 past and things are changing; we don't know how to
7 handle the change, and we get distressed and get
8 a rearview mirror view. I think a coupled with
9 that is an attitude that compares the present to
10 some ideal and gets all tangled-footed around that.

11 I don't think we are going to get to an ideal
12 society next week or until I am long gone.
13 Consequently, the development of reasonable
14 objectives where the people have good will, and
15 my own feeling is, and I think there is a lot to
16 support that -- they exist who can work on
17 specific things and get those accomplished, but
18 they tend to go by the board. We get tangled up
19 with somebody who assures us that he is going to
20 solve this problem with this program or that
21 program, or you buy a solution here and you buy a
22 solution there.

23 I think it is a matter of lining up your
24 targets. I think if we don't line up our targets
25 and if we don't give an impression of concerted



1 social action around specific targets, you may
2 very well have disturbances again because we are
3 not in these communities and we really don't know
4 what is going on. Let me give you a specific
5 example.

6 I went to our parole district following the
7 riot because I was interested in getting their
8 impressions. In our department we are in every
9 community in New Jersey and if you go out and
10 get one of your own people, you often get information
11 that is not generally available. I got eight men,
12 the top staff. They had been in parole a
13 considerable number of years. They were about
14 fifty percent negro and fifty percent white. All
15 of them had been in our department over fifteen
16 years. Only one of them lived in the City of
17 Newark. But what they knew about the Third Ward
18 was pretty limited. This simply wasn't true a
19 number of years ago. I had people that not only
20 worked for me, but they were living in most of the
21 areas. They could take things and weigh them
22 against specific experiences. When I tried to
23 come up to grips with my parole people this
24 particular time, it was elusive. They weren't
25 living in the area. They were seeing people at

1 1160 Raymond Boulevard and what was going on up
2 the hill, yes, they would get up there from time
3 to time, but it is a good bit different.

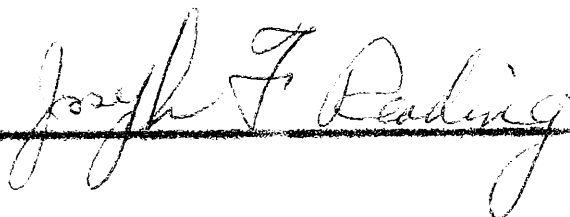
4 How are you going to reverse some of these
5 trends in our cities? That is the Commission's
6 job.

7 MR. GIBBONS: It is twelve-thirty and we have
8 had a hard and fast rule. Thank you for coming.

9 - - -

10 C E R T I F I C A T E

11 I, JOSEPH F. READING, a Certified Shorthand Reporter
12 and Notary Public in and for the State of New Jersey, do
13 hereby certify that the foregoing is an accurate transcript
14 of my stenographic notes to the best of my ability.

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18 September 28, 1967.
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CHAIRMAN LILLEY: All right, Mr. Jaffe.

C O L O N E L D A V I D B. K E L L Y, Sworn.

DIRECT EXAMINATION

BY MR. JAFFE:

Q Colonel, my recollection last time is that we had just about gotten to the point where the State Police had taken over the command post at the Roseville Armory in Newark on the morning of July 14.

A Right.

Q My recollection was that the State Police Troop had been activated some time earlier that morning and you proceeded to the Newark Armory after a stop with the mayor to set up the command post and the actual processing of the men in and the assignments that would be given.

Is that your recollection as to where we left off?

A Right.

Q I think the last question I had for you was the physical layout in the Roseville Armory, where you were quartered and what the responsibilities were.

Could you just briefly go through that? Then we could take it from there.

A The physical layout of the armory?

Q As to how you were quartered, you, the State Police, the Newark Police Department and the National Guard, where

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each of you were and the way in which it was set up.

A Right. The ground floor of the armory is an auditorium-type thing and all of the State Police vehicles, the gasoline, the ammunition, the supply and such other allied equipment was stored on the ground floor. The area was assigned by Troop A, B and C and the offices in the rear of this auditorium-type thing was assigned by Troop, A, B, and C.

The National Guard had a counterpart room for their brigades. There was a room set aside for the commander of the National Guard and there was one room, the Essex Room, that was set aside for the Governor. There was a larger room downstairs and eventually that was set aside for the press and Community Affairs people.

Q Where were the Newark Police Department people located?

A The Newark Police or the only Newark Police that were with us at that time was the Deputy Inspector and he was at our command post and the radio operator, he was at our command post, and at the command post the State Police Division command post, that was in the center of the troop command post, A, B and C.

Q Was the Deputy Inspector assigned to that position throughout your time?

A Right. He was the liaison officer and there was

TO THE DIRECTOR OF THE NATIONAL SECURITY AGENCY

FROM THE DIRECTOR OF THE NATIONAL SECURITY AGENCY

Reference is made to the report of the Special Agent in Charge, [redacted], dated [redacted], and to the report of the Special Agent in Charge, [redacted], dated [redacted].

The above information was obtained from [redacted] and is being furnished to you for your information.

The information is being furnished to you for your information and is not to be disseminated outside your office.

Very truly yours,
[redacted]

1 always a deputy inspector there. We have his name.

2 Q What was his name, do you recall, Colonel?

3 A There were two at the time. We have his name in
4 all of the logs but I have forgotten it. I just don't recall
5 it. They had a radio man and the radios were Newark, State
6 Police, National Guard and their dispatcher or radio man,
7 whatever they call him, communications man, was right alongside
8 of ours.

9 Q At this point, Colonel, had the National Guard
0 been activated yet?

1 A Yes. Their command was activated.

2 Q I am talking about the troops.

3 A Right. They were on the move.

4 Q Was the National Guard activated at the same time
5 that the State Police was?

6 A Practically. After the Governor -- well, I called
7 the Governor and General Cantwell was called by the Governor
8 and it was five minutes or so.

9 MR. LEUCHTER: Can you give us what day we
10 are on now?

11 Q I think it was the morning of July 14, is that
12 right?

13 A Yes, Friday morning.

14 Q The Governor's calling of the National Guard was
15 a result of your request to the Governor for National Guard

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assistance?

A Well, this is true. It was practically a simultaneous call by the Governor alerting both the State Police and the National Guard, activating both.

Q As I understand the understanding between yourself and the Governor it is that the State Police has the primary responsibility for containing a riot once the local authorities have called the governor for assistance?

A Right.

Q And it is your determination or your request of the Governor that activates the National Guard, is that right?

A Right.

Q Now just to clear up the record, that is not formalized by law?

A No.

Q This is a result of an understanding between you and the Governor?

A This is the policy of the Governor.

Q That has been set up by the Governor?

A Right.

Q I see. Now what prompted you to ask the Governor to activate the National Guard at that time?

A Our reports from our observers prompted this immediate call of the National Guard.

Q Was it your opinion that based upon the reports

I am writing to you to tell you that I am well and hope you are the same. I have been thinking of you a great deal lately and wondering how you are getting on. I hope you are happy and healthy.

I have been very busy lately with my work, but I always find time to write to my friends. I hope you are enjoying your life and that everything is going well for you.

I have not heard from you for some time now, and I am sure you are still busy. I hope you are still in good health and that you are enjoying your work.

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you were getting from your observers that the State Police were not capable of containing the riots in Newark at that time?

A Right.

Q This was a judgment you made just based on your observers' reports?

A On the recommendation of the observers, that's true.

Q Do you have an opinion, Colonel, just before we leave this area, as to whether or not you were called in too early or too late? Do you think you were called in at the right time?

A Well, we had to go eventually but we felt we should have been called sooner.

Q I realize this is an opinion based upon retrospect but in view of your analysis of the riots what would you have considered a more propitious time for you to have been called in?

A Well, we felt that we should have been called possibly about 9 o'clock on the evening of July 13th.

Q That would be Thursday evening?

A Right.

Q If you had been called at 9 o'clock on the evening of July 13th would you have asked the Governor simultaneously to activate the National Guard?

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A Not at that time, no.

Q Why would you not have done that?

Let me rephrase the question.

Is it your opinion now that if you had been called at 9 the situation may not have deteriorated to the extent where the National Guard would have been needed immediately?

A Well, that's a rough one.

Q Well, it is an opinion.

A Well, I don't know. Let me advance my statement in furtherance of my opinion. The timing of these things is most important. Sometimes you can aggravate a situation by moving in too fast and this show of force may have aggravated the situation or may not, I don't know.

In this case it is very easy now to quarterback, to be a Monday morning quarterback, but it did get out of hand, maybe it could be contained and maybe it would have been more severe. Maybe the activity on the part of both sides would have been more severe. I don't know. You asked me my opinion.

Q Yes. In other words, what I am saying is that if you had been called about 9 you might have attempted to use just State Police for a limited period of time prior to calling the National Guard?

A Right.

Q And that would have given you an hour or two to see whether or not the State Police could have contained it?

1. The first part of the document

describes the general situation

and the main objectives of the study

The second part of the document

describes the methodology used in the study

The third part of the document

describes the results of the study

The fourth part of the document

describes the conclusions of the study

The fifth part of the document

describes the limitations of the study

The sixth part of the document

describes the implications of the study

The seventh part of the document

describes the future research

The eighth part of the document

describes the references

The ninth part of the document

describes the appendices

The tenth part of the document

describes the index

The eleventh part of the document

describes the glossary

The twelfth part of the document

describes the bibliography

I gather that's your opinion?

A Yes. I think with the concerted effort of the Newark Police and State Police and a little bit of organization, I think possibly -- again, this is my opinion -- it may have been contained or may have been suppressed sooner. I don't know.

Again, it is very simple to say this won't happen or this won't happen. If I can again go further, in Detroit we found that because they were not organized it spread in different directions. Maybe they were called too soon, maybe they were not called soon enough. We don't know. I think the organization is the most important factor.

Q When you say organization you mean what?

A The police organization.

Q Between the police echelon plus the State Police and/or National Guard?

A Right.

Q Just to get back now to the time sequence, it is the morning of July 14 and you have activated your group.

Could you tell us approximately what time that morning you committed the State Police to the streets of Newark?

A I think I got you up to around four o'clock when I arrived in Newark and the Governor arrived in Newark eventually. The patrols started to come in approximately 4:30. These were individual cars. As they came in they were

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assigned areas.

Q Now did you take your men from just Troop B which handles northern New Jersey, or did you take your men from Troop A, B and C?

A We took the men from B, C and A, in that order, because of the geographics.

Q Have you worked out a prior plan as to the number of men from each troop that would be called to a specific disturbance?

A Right. Each troop at that time, 100 men, were assigned from each troop.

Q So on your original call-up on the morning of July 14 you called up 300 men?

A Right.

Q One hundred from each troop?

A Right.

Q Could you describe for us, Colonel, your basic plan of operation on the morning of July 14, what you wanted to do and how you were going to go about doing it?

Maybe before you answer that question, I understand you brought a map with you?

A Right.

Q Would that help you in answering this?

A Right. I think if we could put that up I could show you what it looked like.

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PHYSICAL CHEMISTRY

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Q All right. Let's see if we can get that up.

MR. JAFFE: May we have this map marked C-11?

(Map marked Exhibit C-11 in evidence.)

MR. JAFFE: Could we have it identified as a map of the City of Newark, New Jersey.

Q Colonel, has this map been prepared by the State Police under your direction?

A Right.

Q Does it generally depict the area of State Police operations during the civil disturbance in July of 1967?

A Right.

Q Would you explain the map, please, Colonel? Then later on you can relate your testimony to the map.

A All right. We had the maps prepared prior to going into Newark and when we moved into the city we asked the Police Department -- well, I asked the Mayor first and we got a negative from the Mayor because he really didn't know where the whole situation was. We asked the Police Department and we eventually found out that the immediate problem area was Springfield Avenue.

Now Springfield Avenue is this area in here. I am not too familiar with Newark. I am a little bit more familiar with it now but at that time I was not too familiar with Newark,

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only by map. I will give you a chart when we get finished here showing the troops, the assignments, the patrols and the sector that they were assigned to.

Q Colonel, could we mark that in now as an exhibit?

A Yes.

MR. JAFFE: Mark this C-12.

(Chart marked Exhibit C-12 in evidence.)

MR. JAFFE: Could we identify C-12 as a breakdown by patrol sectors of where State Policemen were assigned from various troops and that this was prepared by the State Police.

A This is the hospital, this is the armory, this is the Newark Police Department and this is the stadium. The stadium is where the National Guard assembled originally and they bivouaced in the stadium.

I met with the Mayor here --

Q When you say here would you point out where that is?

A That's the Newark P. D.

Q The Newark Police Department?

A Yes.

Q Is that on Broad Street in Newark or right off Broad Street in Newark?

A Yes. There's where the star is. I left them and went to the Roseville Armory and this is where we established

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the C. P.

Q Is that depicted by the circle?

A Yes.

Q Would you describe that for the record? It is depicted by a circle with a square?

A A block encircled, yes. The Newark P.D. is the star, the hospital is the cross and the stadium is an arrow. This is our headquarters here. As we got reports by radio as to the seriousness of the situation, it was generally decided that the critical area was here, here and here at that time, 1, 2, 3.

Q Just again for the purposes of the record, Colonel, though it may seem obvious, would you just describe verbally how your map is broken up in terms of sectors and so forth.

Also it might be a good time to describe the symbols that you have on it. That's really for the purpose of the record so when you read the transcript it makes it more intelligible.

A From the reports and the intelligence that we received while we were at the Roseville Armory, it was decided that the critical area was the boundary line, I guess this is the Newark boundary line up here to the north and this street here is Washington Street and it was decided that the center of this critical area was Bergen Street and the

north-south streets, Springfield Avenue I believe, South Orange and Clinton Avenue and this one is Orange Street.

So as these reports of the critical areas came in, what we did was assign men to the areas, general patrols first, because of the looting and the pillaging.

I have a report that will depict the assignments and we will show you this report later.

What we did is, so that we had control and that there was some integrity within the units themselves, we never split units.

So what we did was the original assignment and the breakdown we had seven sectors that we considered critical and as time went on, we developed these other critical areas and we wound up with 12 sectors.

Now these were not considered critical on the night of the 13th and 14th and 15th.

Q Now just for the purpose of the record, you are now pointing to the north --

A I am pointing to the area that is now in yellow.

Q In yellow on your map?

A Yes, 8, 9, 10, 11 and 12.

Q And it is to the north of Orange Street?

A Yes.

MR. GIBBONS: That would be northeast.

Q So that would be to the northeast of Orange Street?

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A Yes. Now if you will notice here, there are blocks, yellow-lettered blocks and they are the high rise projects, 1, 2, 3 and 4.

Q Could you read into the record what high rise projects are depicted on the map?

A One is Christopher Columbus, 2, William Hayes, 3, W. Scudder and 4, S. Wright.

Q Are they within a particular sector in your map?

A Yes. They are in the area or sector 6.

Q Could you tell me what the other symbols on that map are? What are the orange circles?

A They are sniper reports and the sniper reports as came in by radio and as by telephone reports.

Q We will get to that.

Now is that a red circle?

A Yes.

Q What does that stand for?

A That was reported by the local police, the guard, the State Police and unknown.

Q So the circles are sniping incidents?

A Yes.

Q And the different colors depict the organization that was reporting in the various incidents?

A Right.

Q The placement on the map depicts the areas in

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which they were reported?

A Right.

Q Would you proceed.

A Now again remembering we are on the morning of the 14th and as the troops come in, they are assigned by troop to sectors.

Now if you want to know something about a sector, for example, Troop C had Sectors 5, 6 and 7, so we are talking about a responsibility and we saw something happened in Sector 6, it was assigned to Troop C. That's their responsibility. One, two, three and four were B Troops and 8, 9, 10, 11 and 12 were eventually A Troops.

Q Were those sectors made up that morning?

A B Sectors were made up in the morning. The yellow sectors were made up later as the area grew and we had more men and more National Guard and we developed.

Q What was your basic plan in sending people out to the sectors as they came in?

A Well, the basic plan was first to contain the area.

Q Would you describe for us what you mean by containing the area?

A Yes. What we tried to do or what we really first had to do was stop the looting. This was the first thing we had to do and we had to do this with the patrols and the men

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as they came in and reported and they were assigned out in individual cars to a particular area to assist Newark Police and as our people grew in numbers, then it became the patrol system.

As the National Guard grew in numbers, as they reported, they were assigned the posts and the outposts were these streets and the National Guard had the responsibility of all of these streets and crossings. We had 157 National Guard outposts.

Q Before we get to the National Guard outposts, when you sent your cars out to contain the looting, how many State Policemen would be in each car?

A A minimum of three.

Q Three State Patrolmen?

A Yes.

Q Their first assignment on that morning was to ride through particular areas where you had looting reports?

A Right.

Q And stop the looting?

A Right.

Q By arrest?

A Right.

Q At that point what were your orders to your State Policemen regarding the use of firearms? Were there any specific orders or were there general orders that are appli-

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cable to this point?

A They were authorized to fire if fired upon and they would return fire.

Q Were your State Policemen authorized to fire upon a suspected looter who would not obey a command to halt?

A As I said to you now, the order was to fire if fired on. If the looter hadn't a gun I don't suppose that they were fired on.

Let me tell you about the looters, since we are talking about that. Most of the looters were women and kids. It just didn't make sense and no one was fired on, talking about the State Police specifically. The orders were fire if fired on and if they were fired on they returned the fire.

Q Do you know whether or not on the morning of July 14, if you know, State Police did engage in any firing in trying to contain the looting that morning?

A Fire and trying to contain the looting?

Q Yes, that morning.

A You will have to make it a combination of fire and trying to contain the looting and sniper fire.

Q I want to leave the sniper fire out at this point.

A All right. You can leave the looting out too. We fired at no looters.

Q At all?

A I have no reports of firing at looters.

THE HISTORY OF THE UNITED STATES

CHAPTER I

The first part of the history of the United States is the history of the discovery and settlement of the continent.

The discovery of the continent was made by Christopher Columbus in 1492.

The first settlement was made by the Spaniards in 1493.

The first English settlement was made by the Pilgrims in 1620.

The first American revolution was the American Revolution of 1776.

The first American war was the American Revolutionary War of 1775-1783.

The first American constitution was the Constitution of 1787.

The first American president was George Washington in 1789.

The first American civil war was the American Civil War of 1861-1865.

The first American world war was the American participation in World War I of 1917-1918.

The first American world war was the American participation in World War II of 1941-1945.

The first American space program was the Apollo program of 1968-1972.

The first American environmental movement was the environmental movement of the 1960s and 1970s.

The first American economic crisis was the economic crisis of 1929-1933.

The first American social movement was the civil rights movement of the 1950s and 1960s.

The first American cultural movement was the counterculture movement of the 1960s and 1970s.

The first American technological revolution was the information technology revolution of the 1970s and 1980s.

The first American global movement was the globalization movement of the 1990s and 2000s.

The first American environmental crisis was the environmental crisis of the 1970s and 1980s.

The first American economic crisis was the economic crisis of 2008-2009.

The first American political crisis was the political crisis of 2016-2020.

Q During the whole course of the State Police operation in Newark during the riot?

A We shot no looters. We arrested many looters but we shot none.

Q When you would arrest a looter what would you do, turn him right over to the local police? What would be the procedure involved there?

A Now again by time, originally we contained them and the local police got them.

Q How would you contain them? Would you contain them on the street?

A Just hold them, that's all.

Q Your three men would leave the patrol car and contain them on the street?

A Yes, and then four or five or six or seven, whatever number it may be. There is always a patrol car backing a patrol car. There would be at least two patrol cars. This would mean six men. There wasn't one alone. This again was in the early stages of this and as we progressed, the system that we had developed a long time back when the National Guard came, we used trucks and the patrols never left their assigned area.

When the looter was arrested or anyone was arrested, a disorderly person, he was in the truck and when the truck was loaded, down he went and he was arraigned. We did not leave

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JOHN EDWARD DUFFY, XI

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patrol areas. Once you were assigned to a patrol you stayed there.

MR. LOFTON: Let me see if I understand this then, Colonel.

Are you saying that if the State Police arrested a person that was thought to be looting, that that person would be turned over to a local policeman?

THE WITNESS: No, I didn't say that. Well, let me tell you how we made the arrest procedure so that you will have a complete picture.

We had developed this procedure four or five years ago and our procedure for arrest is this, and we will show you the type and why we developed this.

We have an arrest ticket that we use. This will probably be made a part of the system when I get to it but I probably can explain it to you besides that.

We have tickets with a number on it and it is about so big. That was the identification ticket. Our arresting officer or trooper will arrest you and we have arrest teams with Polaroid cameras or with whatever kind of camera, primarily Polaroid cameras. I mean the arrest team.

The first part of the paper is devoted to a discussion of the general theory of the subject. It is shown that the theory is based on the principle of least action, which is a fundamental principle of physics. The principle of least action states that the path taken by a system between two states is the one for which the action is stationary. This principle is used to derive the equations of motion for a system.

In the second part of the paper, the theory is applied to the case of a particle moving in a potential field. It is shown that the equations of motion can be derived from the principle of least action. The resulting equations are the familiar Newtonian equations of motion.

The third part of the paper is devoted to a discussion of the quantum theory of the subject. It is shown that the quantum theory is based on the principle of least action, which is a fundamental principle of physics. The principle of least action states that the path taken by a system between two states is the one for which the action is stationary. This principle is used to derive the equations of motion for a system.

In the fourth part of the paper, the theory is applied to the case of a particle moving in a potential field. It is shown that the equations of motion can be derived from the principle of least action. The resulting equations are the familiar Schrödinger equations of motion.

The fifth part of the paper is devoted to a discussion of the general theory of the subject. It is shown that the theory is based on the principle of least action, which is a fundamental principle of physics. The principle of least action states that the path taken by a system between two states is the one for which the action is stationary. This principle is used to derive the equations of motion for a system.

In the sixth part of the paper, the theory is applied to the case of a particle moving in a potential field. It is shown that the equations of motion can be derived from the principle of least action. The resulting equations are the familiar Dirac equations of motion.

The seventh part of the paper is devoted to a discussion of the general theory of the subject. It is shown that the theory is based on the principle of least action, which is a fundamental principle of physics. The principle of least action states that the path taken by a system between two states is the one for which the action is stationary. This principle is used to derive the equations of motion for a system.

In the eighth part of the paper, the theory is applied to the case of a particle moving in a potential field. It is shown that the equations of motion can be derived from the principle of least action. The resulting equations are the familiar Klein-Gordon equations of motion.

The ninth part of the paper is devoted to a discussion of the general theory of the subject. It is shown that the theory is based on the principle of least action, which is a fundamental principle of physics. The principle of least action states that the path taken by a system between two states is the one for which the action is stationary. This principle is used to derive the equations of motion for a system.

In the tenth part of the paper, the theory is applied to the case of a particle moving in a potential field. It is shown that the equations of motion can be derived from the principle of least action. The resulting equations are the familiar Proca equations of motion.

I will take your picture with the arresting officer with this taking with the loot, if you had been looting. If you hadn't been looting then whatever the complaint is against you we now place you in a truck, good bye, you go down to be arraigned and we identify you by number and by name and the officer, the loot, the complaint and the time and everything is there. We know who you are and down at the police headquarters you are now fingerprinted and arraigned by our identification people down at police headquarters. This may take four or five hours before we get to you to sign a complaint as such but we do not leave the patrol area.

Q You would not turn the person over to the local police for identification purposes?

A We could turn them over but we are the complainant. It doesn't make any difference who takes him down to the precinct or to the jail, wherever he is going to be, because we have already identified the man, the loot and the complainant by photograph.

Now as you know, if you are going to arrest 1500 people, the identity is gone. There isn't any identity. This is why we use cameras.

MR. LOFTON: So in every one of the arrests

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effected by the State Policemen for looting or for disorderly conduct or what-have-you --

THE WITNESS: I wouldn't say every one. There were so many at one time, conceivably there were some that were not photographed because of the numbers. But the goodly number in fact of the 71 or 75 indictments, 71 were State Police indictments because of this procedure.

MR. LEUCHTER: Who was in charge of those trucks, Colonel?

THE WITNESS: The National Guard drivers. That was the only reason for the trucks, because we learned a long time ago, once you establish a patrol that patrol must be there all the time doing something. It doesn't leave the patrol or doesn't leave that area. That is their assigned area. The arrest teams are in the trucks for follow-up.

Now there may be one arrest team that would be covering maybe two sectors and he would get a call to go to such-and-such a place, Sector 4, arrest team number such-and-such and that's his job, like I had men.

MR. LOFTON: Colonel, if I might ask another question, you indicated that the circles of

different color on the map depicted places where reports of sniper fire had come in?

THE WITNESS: Reported.

MR. LOFTON: Were there responses to each one of these reports of sniper fire?

THE WITNESS: Was there return fire, you mean? Is that what you are talking about?

MR. LOFTON: For example, if in fact the State Police received a report of sniper fire in the area depicted in Block 6 would the State Police respond to that area by going there?

THE WITNESS: They would be in the area. They would have to go to the house or wherever it was reported.

For example, here every troop has sent in a report of their sniper incidents, the date, the location and the duration, and whether they returned fire or not.

So if you are talking about a place and it was reported by State Police, we have this as a matter of record, A, B and C.

Q Can we just hold that up for a minute? That was something I was going to get to a little bit further on down. I want those sniping incidents in the record. I would like to put it in at a later time.

Faint, illegible text, possibly bleed-through from the reverse side of the page. The text is too light to transcribe accurately.

A All right.

Q Now directing your attention again just to the morning of the 14th, what we are talking about, based on your recollection of the events, was the primary phase of the rioting at that point looting?

A Right. In the early morning, yes.

Q This was the first morning you were in?

A Right.

Q That was your first job, was to send patrols out to contain the looting?

A Right.

Q Did you contain the looting that morning?

A When you say contain, what do you mean?

Q Did you effectively stop it?

A By the afternoon, probably it was stopped. There wasn't much more to take.

Q That would be the afternoon of July 14?

A Yes.

Q That's till on the Friday?

A Yes. I am generalizing now.

Q Yes. Please do. I realize this is just a generalization. I think we would like to have a feel for the various phases in the riot and when they terminated and when other phases began and what the interaction of it was.

A Right. That primarily was the main problem at that

The first part of the document discusses the importance of maintaining accurate records. It emphasizes that proper record-keeping is essential for the efficient operation of any organization. This section also touches upon the legal implications of record retention and the role of technology in modern record management.

In the second section, we explore various methods used to collect and analyze data. This includes a detailed look at statistical techniques and how they are applied in different fields. The text highlights the challenges of data collection and the importance of ensuring the reliability and validity of the information gathered.

The third part of the document focuses on the practical application of these concepts. It provides examples of how data analysis can be used to solve real-world problems. This section also discusses the ethical considerations surrounding data collection and the need for transparency in the process.

Finally, the document concludes by summarizing the key points discussed. It reiterates the importance of data in decision-making and the need for a systematic approach to data management. The author encourages readers to continue exploring these topics and to apply the knowledge gained to their own work.

The following table provides a summary of the data collected during the study. It shows the distribution of responses across different categories and highlights the most significant findings. This data is used to support the conclusions drawn in the text.

Table 1: Summary of Data Collection Results

The data presented in the table above clearly shows a strong correlation between the variables studied. This finding is consistent with previous research in the field and has important implications for future studies. The results suggest that the factors identified in the study are indeed significant in determining the outcomes measured.

time, the looting, and ofcourse, there were fires. The Newark Fire Department was answering fires. I think if we show you the film that we have -- again, this is only taken by an amateur, one of our men and he can explain to you what it is about.

Q What I am leading to is this, Colonel. In your opinion, Colonel, was the looting phase over as a result of police action -- when I say police action, I am talking about National Guard, local and State Police -- or was it over because by Friday afternoon there was nothing left to loot basically?

A No, sir. There was plenty left to loot. It was not over. In fact, it was about 9 o'clock in the morning that the Governor, myself, General Cantwell and Colonel Sharp of the National Guard were in one car and there was another car and I think that was the Mayor and Director Spina, toured the area and the looting was still going on.

Q That was 9 o'clock that morning?

A Yes, 9, 9:30. We have those times. In fact, I think at the one point, the thing that kind of amazed the Governor was the young woman and the young boy and each had a case of beer in a new 1967 Cadillac, 19 miles on the Cadillac, no license, no registration, nothing. We stopped this vehicle or it was stopped because of debris or something. Looting was still going on at that time.

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Q Is the reason that the riot was still going on is that physically there were just not enough men to place on the streets to prevent it? Was that the basic reason for the continuation of the looting in the morning and afternoon of the 14th?

A Right. There were not enough patrols, there were not enough people to control the area and I think I am making an observation now and I am not being critical but I think the system as applied in the Newark Police Department where they would make an arrest and take him down to the precinct meant time lost and patrols off of the area of assignment. This added to the confusion. We don't have that type of system. We stay and if you have 50 men you stay with the 50 men until somebody picks you up. I think this added to the confusion.

Q This is what troubles me a little bit.

Now how did you in this early stage coordinate the looting containment with the Newark Police Department?

A Well, starting out in the morning again, we had to take from our reports, our observers and the Newark Police the critical street and that was Springfield Avenue and what we did was patrol Springfield Avenue as the cars came up and the concentration of Springfield Avenue and I think it was Bergen Avenue, in this general area.

Q Do you know where the Newark Police were concen-

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

630 SOUTH DIVISION STREET

CHICAGO, ILLINOIS 60637

PHYSICS 321

LECTURE 1

MECHANICS

1. Kinematics

2. Dynamics

3. Energy

4. Momentum

5. Angular Momentum

6. Oscillations

7. Waves

8. Relativity

9. Quantum Mechanics

10. Statistical Mechanics

11. Thermodynamics

12. Electromagnetism

13. Optics

14. Modern Physics

15. Astrophysics

16. Cosmology

17. Particle Physics

18. Quantum Field Theory

trating at this point?

A No.

Q Did you inform the Newark Police where your patrols would be concentrated?

A Right.

Q Did the Newark Police inform you where their patrols would be?

A No.

Q Were reports of looting incidents coming in to your command headquarters?

A Yes.

Q How would they be coming in?

A By radio.

Q Radio fromwhom?

A From our cars.

Q Would Newark Police radio calls of looting incidents come into your command structure?

A Eventually when their radio system was tied in to our radio system, yes, but at this early stage it was not.

Q When does the National Guard actively enter the picture on this morning?

A The National Guard is into the picture -- again I can't tell you, I have it here but it is maybe around noon-time, something like that.

Q When you drew up the sectors was that done in liai-

Main body of the document containing several paragraphs of extremely faint, illegible text. The text appears to be organized into sections, possibly separated by horizontal lines or bullet points, but the content is completely unreadable due to the low contrast and blurriness of the scan.

son with the Newark Police?

A Right. As we moved into the Roseville Armory -- and I think I testified that the Mayor was there maybe 15 or 20 minutes later and he came there with -- I think it was a lieutenant then, Ferrante, and the Mayor's group. I know that it was the Mayor's entourage. They came up and we had the maps with us and we opened the maps and asked them where their patrols were, where the problem area was, and it was decided then that we would concentrate in the Springfield Avenue sector. It wasn't a sector then. It was just an area and we decided to concentrate on it. This is where they told us the problem area was and this is where it was reported that the problem area was for looting.

Q Now to get back to the National Guard, around 12, if my recollection is correct, you said the National Guard first came into the picture in force?

A Right.

Q Could you tell me what you did with the National Guard, how you assigned them and what their role was?

A Right. The National Guard then were assigned posts, dismounted posts, and they were also assigned mobile patrols teamed up with others.

Q Would you explain the difference.

A Yes. The mounted post would be that there would be three National Guardsmen at a street, all of the streets here,

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be clearly documented and verified. The second part outlines the procedures for handling discrepancies and ensuring that all accounts are balanced. It also mentions the need for regular audits and the role of the accounting department in providing financial reports to management.

The document further details the various methods used for data collection and analysis, including the use of statistical tools and software. It highlights the importance of data integrity and the need for secure storage and access protocols. The final section discusses the future outlook of the organization, including planned investments and strategic initiatives.

In conclusion, the document stresses the importance of transparency and accountability in all financial and operational activities. It calls for a commitment to excellence and a focus on long-term growth and sustainability.

and we blocked off this whole area. Again as I say, there were 157 blocks that we had.

Q When you say blocked off the whole area you are now referring to the blue area depicted on C-11?

A Right.

Q And you blocked that off with National Guardsmen?

A Right.

Q You put dismounted patrols at intersections along that blue perimeter?

A Right.

Q How often would you put them there, every block?

A Every block. There were 157 of them. There were 19 areas or streets that you could get into or get out of and that's the only way you could get in or get out. There were 19 exits or entrances that you could get in and out of.

Q Just to digress for a minute, Colonel, what is the red? I notice C-11 also has the red perimeter. What does that mean?

A Down here, red is the sealed perimeter, blue is the patrol sector and yellows are the additional patrol sectors. As I told you, this is the second day.

Q What is the difference between a sealed perimeter and a patrol sector?

A In here we sealed this off, as I told you. The National Guard sealed off the whole thing and within this

First paragraph of handwritten text, starting with a capital letter.

Second paragraph of handwritten text, continuing the narrative.

Third paragraph of handwritten text, showing a change in subject or detail.

Fourth paragraph of handwritten text, further developing the content.

Fifth paragraph of handwritten text, possibly a transition or a new point.

Sixth paragraph of handwritten text, maintaining the flow of the document.

Seventh paragraph of handwritten text, providing more context or details.

Eighth paragraph of handwritten text, showing the progression of the text.

Ninth paragraph of handwritten text, continuing the main body of the document.

Tenth paragraph of handwritten text, likely the final part of the page.

Eleventh paragraph of handwritten text, concluding the page's content.

were the patrols.

Q Now at each corner there were three guardsmen and what were the weapons assigned to them? What kind of weapons did they have, do you know? Did they just have rifles?

A M-1's, I think.

Q Each one would have a rifle?

A I think that was it. Maybe some had carbines. I don't know.

Q What was the general structure? Was there an officer or a senior enlisted man with each three-man patrol or what?

A I don't think so. This is not a patrol now. This is a dismounted post. The dismounted post would have -- and I do not know the National Guard breakdown with regard to non-coms. I know what it is but I don't know what the assignment would be. I would assume they broke it down into squads. If there would be a 10-man squad there would be a sergeant in charge of each squad and every three squads there would be a lieutenant.

Q Do you know whether or not the National Guardsmen at this time at the dismounted posts had live ammunition?

A Yes.

Q They did?

A Yes.

Q Do you know what their instructions were as regards

1. The first part of the document discusses the importance of maintaining accurate records.

2. It is essential to ensure that all data is entered correctly and consistently.

3. Regular audits should be conducted to verify the integrity of the information.

4. This process helps in identifying any discrepancies or errors.

5. Furthermore, it allows for better decision-making based on reliable data.

6. The second section covers the various methods used for data collection.

7. These methods include surveys, interviews, and observations.

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11. The third part of the document addresses the challenges faced during data analysis.

12. One major challenge is the volume of data generated, which can be overwhelming.

13. Another challenge is the quality of the data, which may be incomplete or biased.

14.

15. To overcome these challenges, it is necessary to use appropriate statistical tools.

16. Additionally, having a clear understanding of the research objectives is crucial.

17. The fourth section discusses the importance of data security and privacy.

18. Organizations must implement robust security measures to protect sensitive information.

19. This includes using encryption, access controls, and secure storage solutions.

20. Finally, the document concludes by emphasizing the value of data in driving business growth.

21. Data-driven insights can help identify new market opportunities and improve customer satisfaction.

22. In conclusion, effective data management is a key to success in the modern business environment.

firing at that point?

A The same thing, they could only fire if fired upon.

Q Were National Guardsmen at this time instructed to have live ammunition in the barrel of their guns or weapons or were they required to keep their cartridges at side belt, if you know?

A I don't know but being real practical about the whole thing, ammunition was authorized and issued to the National Guard at 9:30. When we went through this area the question came up, should the National Guard be issued ammunition? When you issue someone ammunition the authorization to fire that ammunition I would assume goes with the issuance of it. The control, of course, is by the supervision.

Q The reason I ask you, Colonel --

A This is my assumption. They were issued ammunition at 9:30.

Q I realize this is not your area and these are questions that are more properly directed to General Cantwell and National Guard people but if you knew I was interested in your answers.

A Right.

Q Now what were the National Guard patrols made out of? What were they like?

A When we had the mobile patrols, the National Guard,

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and the breakup would be a troop car, a jeep, a jeep and a troop car. We would have two troopers and a guardsman in the first car, three guardsmen and a jeep, three guardsmen in the jeep, two troopers and a Newark patrolman would be in the first or last car.

The reason for the Newark patrolman is streets, assignments, location, this type thing, tells us where to go.

Q What kind of weaponry did these patrols have?

A The patrols had combinations of weapons. The National Guardsmen had rifles, the State Policemen had rifles and shot guns. The reason for the jeeps is for the all around vision and the cars, of course, we don't have the open top thing. The rifles were needed for this right here, high rise.

Q At this point, were there any heavy weapons issued to the National Guard?

A Heavy weapons?

Q Yes. By heavy weapons I am talking about machine guns.

A At no point was the National Guard or did the National Guard have anything other than rifles.

Q Other than rifles?

A No. They may have had a machine gun mounted but there was no ammunition for them.

Q At this point did the National Guard use any other

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the information is both reliable and up-to-date.

The third part of the report focuses on the results of the analysis. It shows a clear trend of growth over the period studied. This is attributed to several key factors, including improved operational efficiency and increased market demand.

Finally, the document concludes with a series of recommendations for future actions. These are based on the findings of the analysis and aim to further optimize the current processes. The author suggests regular audits and the implementation of new technologies to stay ahead of the competition.

1 other vehicles other than trucks or jeeps, any weapons like
2 armored personnel carriers or anything of that sort?

3 A At this point, no, not that I know of. The units
4 that were committed to this area I do not believe were
5 authorized anything but trucks and jeeps.

6 Q Was it your responsibility, Colonel, to determine
7 how many patrols went and where they would go within those
8 sectors in liaison with the National Guard?

9 A Right. The density of the patrols was determined
10 on the size of the area and, of course, on the amount of fire
11 and such things as this.

12 Q Now about what time on July 14 would you say
13 your dismounted patrols were in place and your mobile patrols
14 were active?

15 A We show you the time tables, again for the record.
16 Our patrols were active around 2, 2:30 in the afternoon.

17 Q That's the mobile patrols?

18 A Right.

19 Q What about the dismounted patrols?

20 A The dismounted patrols by the National Guard took
21 place early in the evening, about 5 o'clock. Again I am
22 talking about this blue line here, not extending it.

23 Q So that by late in the afternoon and early evening
24 of July 14 you've got your patrols out?

25 A Right.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in the context of public administration and financial management.

2. The second part of the document outlines the various methods and tools used for data collection and analysis. It highlights the need for standardized procedures to ensure the reliability and validity of the information gathered. This includes the use of surveys, interviews, and statistical software to process and interpret the data.

3. The third part of the document focuses on the dissemination and communication of the findings. It stresses that the results of the research should be presented in a clear, concise, and accessible manner to the relevant stakeholders. This involves the use of reports, presentations, and other communication channels to share the information effectively.

4. The fourth part of the document discusses the implications and applications of the research. It explores how the findings can be used to inform policy-making, improve organizational performance, and address specific challenges or issues. It also identifies areas for further research and suggests ways to integrate the research into existing practices and frameworks.

5. The fifth part of the document provides a summary of the key points and conclusions. It reiterates the importance of the research and the need for continued efforts to enhance the quality and effectiveness of the data collection and analysis process. It also expresses gratitude to the participants and funding sources who made the research possible.

1 Q Would you say the area was effectively sealed
2 off?

3 A Yes, I would say pretty much so.

4 Q Would you give an opinion as to whether or not
5 by that time you were also in control of the internal areas
6 of the perimeter?

7 A Control as far as what?

8 Q Let's break it down. Say control as far as looting?

9 A Yes.

10 Q You had effectively stopped all looting?

11 A Well, I would say yes.

12 Q Generally stopped it?

13 A Generally, yes. Generally all looting was stopped.

14 Q What about mobs roaming the streets? Was that a
15 problem by the time of the afternoon?

16 A No, because the mission of the patrol was to
17 keep people from congregating. I am talking about 30, 40,
18 50 people. The mission of the patrol was to break them up
19 and keep them moving. That is the reason we had the mobile
20 patrols.

21 Q Is it a fair statement that by late in the after-
22 noon of the 14th the law enforcement authorities had
23 effectively contained the area vis-a-vis mob action?

24 A Right. Now one of the problems where I met
25 resistance, we met with the police director and the Mayor.

PHILOSOPHY

7. The first part of the paper is devoted to a discussion of the

philosophical issues involved in the analysis of the

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1 Now this street, Springfield Avenue, was so congested and
2 so littered that it was just mass confusion.

3 Q What time did you meet with them?

4 A This was in the morning.

5 Q Of the 14th?

6 A Yes, some time in the morning. After we came back
7 from this trip with the Governor, and it was decided that this
8 street would be closed, this street would be closed and this
9 one.

0 Q When you say this, you better give us street names.

1 A Springfield Avenue, Clinton Avenue and Orange
2 Street. They were closed. The reason was the patrols could
3 maneuver and we could contain and we could control things.
4 I met much resistance from the City Fathers about closing
5 these things.

6 Q For what reason?

7 A I don't know. They said that these streets were
8 the prime streets in the city and if they were closed the
9 people couldn't get through the town. I decided that they
10 would be closed.

11 CHAIRMAN LILLEY: Mr. Jaffe, I am getting
12 confused and maybe it is me, on whether that is
13 Orange or South Orange Avenue. It is important
14 to me.

15 MR. JAFFE: It is South Orange Avenue. I'm

THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, _____, Notary Public in and for said County and State, do hereby certify that _____ is the true and correct copy of the original of _____ as the same appears from the records on file in my office.

WITNESSE MY HAND AND SEAL OF OFFICE this _____ day of _____, 19____.

Notary Public in and for the State of Texas.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office at the City of _____, State of Texas, this _____ day of _____, 19____.

THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, _____, Notary Public in and for said County and State, do hereby certify that _____ is the true and correct copy of the original of _____ as the same appears from the records on file in my office.

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Notary Public in and for the State of Texas.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office at the City of _____, State of Texas, this _____ day of _____, 19____.

1 sorry. What happens is that the way the blue
2 crayon is, you just don't see the "South" but
3 it is South Orange Avenue.

4 CHAIRMAN LILLEY: When the Colonel started
5 talking about a through street, that is South
6 Orange Avenue?

7 THE WITNESS: Yes. Again streets didn't
8 bother me. It was just a question of looking at
9 the map and saying this street, this street and
10 that street. They were closed. The reason they
11 said that they were meeting or they claimed that
12 the traffic could not flow through the town.
13 Possibly this was so and I can understand it, but
14 it was decided that they would have to find
15 alternate routes to get the people out and around
16 this area.

17 Q So you did close the streets?

18 A Yes.

19 MR. LEUCHTER: There was hardly much
20 traffic flowing down those streets, wouldn't you
21 say?

22 THE WITNESS: Well, just about this time we
23 received reports from Public Service and other
24 bus companies -- other bus companies that do travel
25 up and down these streets -- that the buses were

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1 being stoned and that the bus drivers were being
2 beat up and the bus drivers didn't want to come
3 down or couldn't come down. This was a problem.
4 We were going to permit the buses through and
5 then it was decided that nothing would come
6 through.

7 Q So effectively then, by some time in the morning,
8 the major arteries you referred to were sealed off?

9 A We closed them off, maybe 12 o'clock, or 1 o'clock.

0 Q You would only let in certain kinds of vehicles,
1 emergency vehicles?

2 A That's all that would be permitted in there,
3 emergency vehicles and police vehicles, through there.

4 Q Were there any curfew restrictions at that time
5 yet?

6 A I think the curfew instruction was given and
7 issued by the Governor at -- well, I have a copy of his
8 proclamation -- yes, "on July 14 pursuant to the powers", et
9 cetera. I will give you a copy of the proclamation. The
10 curfew is -- I will excerpt it -- "There shall be no movement
11 of vehicular traffic between the hours of 10 p.m. and 6 a.m.
12 except for the movement of police, fire and National Guard
13 and other such vehicles as may be permitted by the Governor.

14 "This regulation shall not be effective on the Garden
15 State Parkway, New Jersey Turnpike or State Highways Number

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1 and 2." but having some control over the Parkway we closed the Parkway exit up in Newark too.

Q Was there any effort at this time to limit people from other areas of Newark going into the sealed perimeter? Would National Guardsmen stop people who wanted to go into that area?

A Yes.

Q What were their instructions?

A The instructions were you weren't permitted in there. Then there were some people, of course, that had businesses and some people that lived there. If you could properly identify yourself and we used a Newark police officer for help in identity. He would say he lives at 165 Main Street.

Q Then you would let him proceed?

A And if there is a main street, okay, and they were identified by license or something.

Q Colonel, at that point did you have any responsibility for the movement of foodstuffs, medical supplies?

A There was nothing moving. Nothing was moving there until Sunday morning.

Q Was there any attempt by you at that point or the National Guard, if you know, to provide food and/or medical supplies to the residents of that area?

A There wasn't any request from anyone for food or medical supplies. Now ambulances did move in and out.

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1 Q But there was no attempt by the National Guard
2 to set up food kitchens or anything of that nature or supply
3 and distribute food to the residents of the area at that
4 point?

5 A No. That is not the primary function of the
6 National Guard at this time either.

7 Q We said before that by five o'clock it was
8 basically contained within the Sectors 1, 2, 3, 4, 5, 6 and
9 7?

10 A Yes.

11 Q Now could you describe to me what kind of
12 activity occurred in the riot after late afternoon Friday?

13 A Well, I believe as it was starting to get dark
14 there were fires. Fires started to break out and the primary
15 problem at that time was the Fire Department getting to the
16 fires. Then with the fires came some shooting and some
17 sniping and reports of sniping.

18 Q Have you plotted on this map or any other map the
19 location of the fires?

20 A No, we have not plotted them but I do have a copy
21 of the Newark Fire Department gunfire directed at fire
22 stations and men and the times and dates and places. I have
23 that here. Now this is a City of Newark Fire Department
24 report that was submitted to us so it is really not our problem.

25 Q What was your responsibility to the Fire Department?

[Extremely faint and illegible text, likely bleed-through from the reverse side of the page. The text is mirrored and difficult to decipher.]

1 Were you aiding the Fire Department in responding to these
2 alarms?

3 A Originally we had no way of knowing that a fire
4 was taking place. There were many fire alarm boxes that were
5 pulled that we knew nothing of that the Fire Department would
6 respond to. We had no way/^{of knowing}if the Fire Company was going to
7 respond, not being in their communication system but as the
8 fire trucks would move into one of the sectors the patrols
9 naturally would go with them.

0 Q Would you get called for assistance?

1 A We didn't get called for assistance. We would
2 follow the fire truck into the areas or into the streets into
3 the sector that was assigned.

4 As time went on, the second day or so, yes, there would
5 be calls for us to assist them. What we did after the second
6 day, we assigned two National Guardsmen to every fire house
7 and they in turn rode with the firemen to the fire.

8 Q What was the state of activity in the riot late
9 Friday afternoon? Were things relatively calm before night-
10 fall?

11 A Yes.

12 Q Now could you describe for me what characteri-
13 zation the riot took on Friday evening?

14 A Again, with the fires, with the shooting, with
15 some reports of looting here and there as it grew darker

Faint, illegible text, possibly bleed-through from the reverse side of the page. The text is mirrored and difficult to decipher.

1 there would be reports of looting, breaking into stores and
2 again we had no way of knowing that the Newark Police
3 Department was responding to a call until we saw them
4 responding, as they came into these areas.

5 Again the Newark Police Department has a telephone
6 system and everyone knows the Newark Police Department's
7 number. They did not know the State Police number. There was
8 no way of the people of Newark knowing what the telephone
9 number of the State Police was.

0 Consequently, Newark received all of the calls. They
1 would respond to a call wherever it may be, on this street
2 or this street, and as they would go through the area and
3 into the area we would go and assist them. We really didn't
4 know what they were going for until they told us what it was,
5 until we got there.

6 MR. LOFTON: Colonel, there is something
7 I don't understand.

8 When were the radio communications set up side
9 by side, I think you said?

10 THE WITNESS: Yes, Just about that afternoon
11 we were all set but there were many things that
12 did not come over the radio that were taken care of
13 by a patrol. It would come in to their central
14 headquarters downtown.

15 MR. LOFTON: It would not be radioed to the

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1 transmitter at the command post?

2 THE WITNESS: No. There were many that never
3 came in. They were sent direct by their central
4 communications system to a patrol that evidently
5 they had plotted downtown someplace and they
6 would answer to that call.

7 They in turn, as we moved through, would
8 say "There is a report of looting at such-and-
9 such a place" and they would go to the place of the
0 complaint.

1 Sometimes there wasn't any looting. The
2 complaints sometimes were unfounded. Sometimes
3 They were founded. The majority of times they were
4 unfounded.

5 Q Colonel, I would like your opinion on how, if you
6 were to have a riot today or next week in the City of Newark,
7 you would obviate that problem.

8 A Can you repeat that?

9 Q The crux of the question is this: This is an
10 obvious probe into the State Police and the way the local
11 police, the way the relation ship has been set up in meeting
12 a civil disturbance.

13 I am just raising a specific problem and asking you for
14 an opinion as to how you would obviate that particular problem,
15 how you would avoid it, how you would get around it and how

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1 could you make it work better?

2 What can be done in this area?

3 MR. LEUCHTER: Inter-group communications.

4 A I think we have to talk about a specific problem.

5 Q Let's talk about the specific problem.

6 A A like problem?

7 Q No. Let's talk about the specific problem of the
8 fact that the State Police have the primary responsibility
9 now for containing a riot and they are in a particular area
0 like Newark but the phone number is not known by the major
1 Newark residents and if they need assistance they call the
2 local police and the local police are not in a position now and
3 don't communicate that to the State Police and so you've got
4 as you say one group following another group.

5 A They are in a position to communicate. This is
6 tied in.

7 Q But it wasn't done in Newark at this time?

8 A No. In some cases, yes. As we moved on in time
9 it was done but there were many, many complaints that the
0 Newark Police Department answered that we knew nothing of or
1 about.

2 For example, the city goes on, babies are born and guys
3 get drunk, all that kind of stuff no matter whether there is
4 a riot or not. This doesn't make any difference and they still
5 have the rest of the community to take care of. They had to

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1 answer complaints. They had to take care of the rest of the
2 town. They had to do many things that were normal police
3 functions.

4 They had to direct traffic, they had to divert traffic,
5 they had to do many things because if they didn't do this
6 there would be problems in the areas outside of it.

7 Q I am talking about the areas within the sector
8 and let's talk about phone calls and complaints that are
9 riot-orientated.

10 Now how can we have that communicated to you so there
11 is a unified approach to that particular problem?

12 A Well, it is unified because within the last month
13 or so we have been working together with all municipalities
14 and this is why we have this school that we are running and it
15 is pretty well tied in now communications-wise.

16 Q Could you describe that for us? How would it be
17 tied in right now? If there were a riot tomorrow in Newark
18 how would it work?

19 A The only way it can work with present communi-
20 cations systems is the way it worked towards the latter part
21 of this affair, wherein a Newark radio here, the State Police
22 and the National Guard and because of the lack of uniformity
23 of communications throughout the state this is the only way it
24 can be functional.

25 We must have their communications coming through their
system.

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1 There is no one uniform system of communication police-wise
2 throughout the state. This is a necessity, not only for riots
3 but for many things. There is a need for it.

4 Q It is really particularly a necessity in a riot
5 situation, isn't it?

6 A Well, yes. There is no question about it. These
7 things must be controlled.

8 Q What troubles me is this: You've got the basic
9 responsibility, you've got the responsibility of running this
0 perimeter and it seems to me you ought to know all the riot-
1 connected incidents, so you can make the decision who goes
2 where, when and how.

3 A Right.

4 Q I think the question I am asking you is this:
5 How do you achieve that in the realm of communications?

6 A Well, obviously it is through communications,
7 the centralization of communications. Either they have our
8 system or we have their system or we have a system.

9 Q Which we still don't have now in the state?

10 A No.

11 Q So we can run into the same problem if we were
12 to have a riot next summer in Newark, we could run into
13 exactly the same problem?

14 A Yes. Well, I don't think the complexities of the
15 problem would be the same.

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1 Q We might have more cooperation?

2 A Right.

3 Q But we don't have a mechanical way of doing it
4 right now?

5 A Right. Nothing has changed from last June or July
6 to this date communications-wise.

7 Q Now could you tell me this? I think I just inter-
8 rupted you at that point. You were characterizing the riot
9 Friday evening, how it changed and what it was like.

10 Could you just describe it for us?

11 A Again as I tried to tell you, there are many people
12 that never get the message. There are people that don't hear
13 radios, there are people that come home from work, there are
14 people that have been away, there are people that are sight-
15 seers, there are people that are troublemakers, there are all
16 kinds of people that try to get into the area. This is one of
17 the problems we had.

18 The other problem was or the other two problems, the
19 looting started, the fires started and the shooting started.
20 Again these things were spasmodic. I don't know how many fires
21 were reported that night.

22 Q We can get those from the Fire Department.

23 A We have this and I guess you got the same thing.

24 Q Yes, because I would be very interested in the
25 number of fires as they occurred and the relationship between

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1 particular time periods.

2 A Well, their greatest problem seemed to be on the
3 14th and 15th.

4 Q Was the evening of the 14th the time when the
5 sniping became most prevalent?

6 A It was the 15th that it became more prevalent.

7 Q That's the next day?

8 A Yes.

9 Q So the evening of the 14th then was generally
0 fire-orientated?

1 A Fire and a few sniper reports. I can give you
2 that too. A Troop had four fire and sniper reports. B Troop
3 had a goodly number but it was later in the evening.

4 Q Was the early evening of the 15th then spent
5 relatively calmly, say from 12 to 6?

6 Was that a relatively calm period?

7 A Yes, other than the fires, other than again people
8 out on the streets. We had to enforce the curfew. Some people
9 didn't get the message. There were very few people that were
10 arrested for a violation of the curfew.

11 Q Was there any looting at all during that night?

12 A Yes, we had reports of looting.

13 Q But nothing of any great merit?

14 A No.

15 You must remember now you are asking me as an

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1 individual and I am trying to recall all the reports and
2 of course the reports will reveal and depict all of the
3 incidents that possibly I am not aware of and I hope this
4 will be made a matter of record, that the reports that we
5 have will show and depict the incidents as they occurred.

6 Q We will make those a part of the record.

7 A We were quite busy and I am speaking for myself,
8 I was personally kind of busy getting around to all of the
9 places and trying to meet people and trying to arrange to see
10 if there was some means of communication within this area here,
11 people we could talk to.

12 I guess you, Mr. Lofton, were one of the workers that
13 night. The reports we had from the first night were that you
14 and Tim Still and a couple of other men were in the area at
15 that time and we were trying to communicate with someone but
16 there were not too many people who were willing to talk to us.

17 MR. JAFFE: Note on the record that when the

18 Colonel said "You" he meant Mr. Lofton.

19 Q Colonel, going now into Saturday of the 15th, could
20 you describe to us the characterization of the disturbance then?

21 How would you characterize it for us?

22 A Let me say this: During the night and during the
23 days of the 15th, we ran into our people and our patrols ran
24 into a kind of resistance, a kind of resentment. We ran into
25 brick-throwing. We ran into garbage, we ran into a lot of

The first part of the document is a letter from the Secretary of the State Department to the Secretary of the War Department. The letter is dated December 15, 1941, and is addressed to the Secretary of the War Department, Washington, D.C. The letter is signed by the Secretary of the State Department, Cordell Hull.

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1 debris, we ran into a lot of people throwing things from
2 rooftops.

3 One of the biggest problems we had was if someone broke
4 into a record store and they must have had 10,000 records
5 and they decided to scale the records down the streets, just
6 throwing them, and that's quite a potent weapon in case you
7 ever got a record whistled around you.

8 We found out where they were and on many occasions we
9 went up on the rooftops and we made the people clear the
10 rooves off, throw the stuff off the rooves. Most of the day
11 was spent on that.

12 Q This is on the date of the 15th?

13 A Right. We did it on the 16th too. We spent time
14 on the roof and if there was junk on the roof we would say
15 "Get up and get it off."

16 Q Was there further looting at this point or had
17 that been pretty well contained?

18 A That was pretty much contained. It was the usual
19 stuff, kids.

20 Q Was there any discussion on the morning of the 15th
21 between the Governor, yourself or between yourself and the
22 city authorities as to removing the State Police and the
23 National Guard from the area?

24 A No. There may have been by someone else but we
25 were not in on that, no.

The first thing I noticed when I stepped
 out of the car was the cold. It was a
 sharp, biting cold that seemed to seep
 into my bones. I shivered involuntarily
 as I looked around at the desolate
 landscape. The ground was covered in a
 thick layer of snow, and the trees were
 bare and skeletal. The sky was a
 uniform, overcast grey, and the only
 sound was the soft crunch of snow under
 my boots. I felt a sense of isolation
 that was almost overwhelming. There
 were no other people in sight, no
 buildings, no signs of civilization.
 Just an endless expanse of white and
 grey. I took a deep breath, trying to
 clear my mind. The cold was a
 distraction, a way to focus on the
 present moment. I had to stay alert,
 to be ready for anything. The silence
 was deafening, and I had to talk to
 myself to keep from losing my
 mind. I walked slowly, my boots
 sinking into the snow with each step.
 The air was thick with a heavy
 mist, and I could barely see more
 than a few feet ahead of me. I
 felt a sense of urgency, a need to
 move forward. I had to find a way
 out of here, to get back to safety.
 The cold was a constant reminder of
 my vulnerability. I was alone, and
 I had to rely on my own strength and
 wits to survive. I had to stay
 focused, to stay determined. I had
 to keep going, no matter how
 difficult it became. I had to find
 a way to endure. I had to find a
 way to survive.

1 Q Again based in retrospect, asking you for an
2 opinion, do you think that that was a propitious time to
3 remove the State Police and/or National Guard? Was the riot
4 sufficiently contained by the morning of the 15th that your
5 presence was no longer needed?

6 A They were contained because of the physical
7 presence of the people that were there, the numbers of people,
8 the National Guard and State Police. Our patrols were meeting
9 with severe verbal resistance and they were being taunted,
10 being called all kinds of names, "You wait till night Whitey"
11 and this type of stuff. The tempo wasn't ready for us to be
12 moved out of that town.

13 Q You don't think you had broken the back of the
14 riot at that point?

15 A No, sir. At this time, Friday night, Saturday,
16 Saturday night, as yet there was not a group or not anyone
17 talking to anyone. I think it was Saturday afternoon where
18 the ministers were gathered or was it Saturday or Sunday, a
19 group of people were gathered together to go in and talk and
20 there was no communication.

21 Q By Saturday the looting had been contained?

22 A Yes.

23 Q The mob, action had been contained?

24 A Yes, sir. They had been contained because there
25 had been a curfew and because there were people on the streets

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1 restricting them and stopping them from doing anything. Fires
2 were still going on.

3 Q There were fires going on Saturday?

4 A Yes, sir, that day and Saturday night. I believe
5 it was Saturday that this cop was killed and I believe it was
6 Saturday night that the fireman was killed, both in the
7 vicinity of the fire.

8 Q Was there any sniping on Saturday?

9 A Yes. The policeman was killed on Saturday and the
0 fireman was killed on Saturday night, later Saturday night.

1 Q Would you characterize the civil disturbance or
2 the riot forming on Saturday night. What character did it take?

3 A Generally the same as it was Thursday night,
4 fires, reports of looting, sniper fire.

5 Q Was there more sniper fire on Saturday than there
6 was on Friday?

7 A From the reports that we have in certain areas it
8 changed.

9 Q That's what I am driving at.

10 When, in your opinion, did the characterization of the
11 riot change? When did the looting and the mob action phase
12 change into the sniping phase, if such a change occurred?

13 A Well, the first night, the sniping started. The
14 14th was the first night. The 15th it changed from one area
15 to another area but the sniping was there. It changed from a

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1 different sector. It came from a different direction. We
2 continued to have fires, we continued to have sniping and we
3 continued to have looting. We had reports that there was
4 looting down in this area and this is why we had to extend to
5 the yellow area.

6 Q You are talking about the yellow area on C-11?

7 A Yes.

8 Q When did you extend to that area?

9 A I think it was Saturday or late Saturday afternoon
10 that we extended the patrol areas.

1 Q The question that I am asking you, Colonel, is
2 this: Is there a phase of the riot that is sniping and a
3 phase of looting. The looting phase is basically over on
4 Friday night.

5 A It is basically over but now it is starting to
6 break out in the yellow area.

7 Q Then that is contained?

8 A It is contained here and on Saturday it started
9 to break out in these areas.

10 Q All right. Now on Saturday, in the areas marked
11 1, 2, 3, 4, 5, 6, 7, is there an extensive sniping phase on
12 Saturday?

13 A During the evenings, yes.

14 Q There is?

15 A Yes, but it changed from down in this area up to

Faint, mirrored text, likely bleed-through from the reverse side of the page. The text is mostly illegible due to low contrast and blurring.

1 this area. It changed from 6-7 area up to this area on Satur-
2 day night. It changed on us, different places. Now primarily
3 a lot of it came from the high rise originally.

4 Q Would you describe for us, Colonel, how you
5 reacted to the sniping phase of the rioting, what your
6 instructions were to the State Policemen and what they did?

7 A My instructions didn't change. They had orders to
8 fire if fired on and this is what they did.

9 Now one of the things is that the patrol composition
10 that we had, and we had shotguns and we had rifles, we needed
11 rifles to fire back to the high rise apartments. They are
12 these buildings right here, 13 and 14 stories high.

13 The pattern that had been developed or that we felt had
14 developed was that during the day or during the night all of
15 the windows in the stairwell would be opened and the firer or
16 or firers, X number, would fire from maybe the 12th story,
17 then the 8th story, then the 6th story and keep moving up and
18 down. This pattern was developed by the casings that we found.

19 The reaction was that the riflemen would return fire and
20 the men with the shotguns would go in and search the buildings.

21 Q When you talk about returning fire how would you
22 return fire, from what positions would you return fire and was
23 it mass firing or was it individually returned fire?

24 A Let's talk about a patrol that was fired on.

25 Q Talk about a specific patrol and how it was handled.

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1 A The specific patrol had a specific area. Now this
2 patrol, the composition, as I told you, were four vehicles,
3 two troopers and a guard, three guard, three guard, two
4 troopers and a guard. This is the composition of all
5 patrols generally, as best we could. There were some men
6 that had to cover.

7 The riflemen covered and the men with the shotguns
8 moved into the houses, wherever it may be, high rise, 12th
9 floor, 6th floor, 7th floor. Generally the elevators were
10 stopped so we had to climb. You would hit the level that you
11 felt that the fire was coming from and nothing. We have yet
12 to receive one report from anyone, from any building, any
13 house, any street anywhere, saying that there was a sniper.

4 Q But you would find casings though?

5 A Yes.

6 Q You would find the casings on the particular floor
7 level?

8 A Yes, in some cases.

9 Q Did your people who went into the buildings with
10 the shotguns capture or apprehend any snipers?

1 A The first two days we had nothing. There was none
2 reported. But how do you identify a sniper?

3 Q Did you catch anybody with a rifle that you could
4 identify as a sniper?

5 A No, nothing.

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530 SOUTH EAST ASIAN AVENUE
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10 10 AM
FROM: [illegible]
TO: [illegible]
SUBJECT: [illegible]

[illegible text]

1 MR. GIBBONS: Did you enter apartments?

2 THE WITNESS: Yes, right or wrong we entered
3 them.

4 MR. LOFTON: Did you find any weapons in the
5 apartments?

6 THE WITNESS: No.

7 Q If you saw firing from a window on the 12th floor
8 and your men went in with shotguns what would you do? How
9 would you get in the apartment? What were their instructions?

0 A Most of the time you would knock on the door or
1 pound on the door and people would open the door as if nothing
2 was going on. You would just walk in the place and the people
3 would be smoking or drinking beer.

4 "What's the matter? You got a little problem here?"

5 You know, it was this type of attitude.

6 Q Did you find casings in apartments?

7 A No, not in any of the apartments. We never did.

8 Q You never found any casings at all?

9 A No, we never did. I don't know what happened.

0 MR. LEUCHTER: Did that lead you to conclude
1 that all the firing was from the stairwells?

2 THE WITNESS: No, it did not but there were
3 many stairwells that we did find casings at.
4 They may have been automatics where there was no
5 injection or some type of thing like this. This is

1. The first part of the document is a list of names.

2. The second part is a list of dates.

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4. The third part is a list of locations.

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7. The fourth part is a list of events.

8. The fifth part is a list of people.

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21. The seventeenth part is a list of commissions.

22. The eighteenth part is a list of committees.

23. The nineteenth part is a list of boards.

24. The twentieth part is a list of councils.

25. The twenty-first part is a list of commissions.

1 one of the conclusions and one of the patterns.

2 Now we have a tape and we used tapes and
3 one of the helicopters that we used picked a
4 sniper up in a window and directed a car to the
5 area and even with this direction, even with
6 this window in this building on this floor, we
7 didn't find him.

8 Q Colonel, did your men ever meet resistance by
9 apartment dwellers?

10 A Sometimes.

11 Q They would still go in?

12 A I would assume so.

13 Q Colonel, what was the reaction of the riflemen
14 in the street? How did they handle it? You had the shotgun
15 people going in to try and flush the snipers out.

16 What were the rifle people on the street doing? What
17 was their reaction to the sniper fire?

18 A Well, I guess you do understand, all of you, and
19 I don't think it is a very pleasant experience to be subjected
20 to this type of thing. For the first day it was obvious that
21 there was excitement. This was obvious by the radio transmission
22 and after the second day the fire was controlled and you could
23 hear them "Okay, we'll take it", this type of communication
24 back and forth, "We'll handle it" and sometimes there are many
25 incidents that are not even reported here because they were

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101: INTRODUCTION TO PHILOSOPHY

LECTURE 1: THE PHENOMENON OF CONSCIOUSNESS

PROFESSOR JOHN D. GIBSON

DATE: OCTOBER 15, 2023

1

THE PHENOMENON OF CONSCIOUSNESS

1.1 THE PROBLEM OF CONSCIOUSNESS

1.2 THE HARD PROBLEM

1.3 THE EASY PROBLEM

1.4 THE MEASUREMENT PROBLEM

1.5 THE MEASUREMENT PROBLEM (CONT.)

1.6 THE MEASUREMENT PROBLEM (CONT.)

1.7 THE MEASUREMENT PROBLEM (CONT.)

1.8 THE MEASUREMENT PROBLEM (CONT.)

1.9 THE MEASUREMENT PROBLEM (CONT.)

1.10 THE MEASUREMENT PROBLEM (CONT.)

1.11 THE MEASUREMENT PROBLEM (CONT.)

1.12 THE MEASUREMENT PROBLEM (CONT.)

1.13 THE MEASUREMENT PROBLEM (CONT.)

1.14 THE MEASUREMENT PROBLEM (CONT.)

1.15 THE MEASUREMENT PROBLEM (CONT.)

1.16 THE MEASUREMENT PROBLEM (CONT.)

1.17 THE MEASUREMENT PROBLEM (CONT.)

1 handled on the spot, in and out, and the only way that they
2 would be depicted is from the reports that you have here.
3 This would be the individual patrol reports after they came
4 in from the patrols but they would not even be over the air.
5 They would handle that themselves. They became acclimated to
6 the fact that they could handle it themselves without a lot
7 of to-do and as the more experienced people -- that is, the
8 more experience they got the better they did handle it and
9 were able to take care of the situation.

0 There was not this type of mass retaliatory fire. It
1 may have been one or two conditions but I doubt very much
2 that this even happened. It was controlled, supervised and
3 directed.

4 Q Were there instructions to the State Police or to
5 the National Guard to engage in mass firing in response to
6 sniper firing?

7 A No. Remember one thing, that the control and super-
8 vision of anything is directed by an individual and there was
9 an individual in charge of every one of these patrols and the
10 responsibility for and of that patrol was either the sergeant
11 or the lieutenant and the supervision and direction and
12 discipline that this individual we feel has controlled that
13 fire.

14 Q What I am driving at is that there were no general
15 over-all instructions to engage in mass firing as a response

1 to sniper firing?

2 A No. Let's say this: There may have been another
3 area, there may have been National Guardsmen that were on
4 dismounted posts or patrols or dismounted posts in addition
5 to the patrols who may have fired. I am not saying this
6 because this I don't know. The retaliatory fire for that
7 patrol would be under the direction of that patrol commander.

8 MR. GIBBONS: For clarification, do you have
9 a report from each patrol?

0 THE WITNESS: Right.

1 MR. GIBBONS: Daily or a summary at the end?

2 THE WITNESS: When they came in from patrol.

3 MR. GIBBONS: Were there instructions with
4 respect to those reports to record all incidents
5 of firing?

6 THE WITNESS: Right. The report is pretty
7 much formatted.

8 MR. GIBBONS: So that all incidents of State
9 Police firing should be recorded in the patrol
10 reports?

11 THE WITNESS: Right.

12 MR. GIBBONS: Do you have a patrol report that
13 covers the location and incident of the shooting
14 of the police officer?

15 THE WITNESS: I would assume we do. We have 13

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1 volumes of reports but I would assume that
2 that would be one of them, yes. That was Police
3 Officer Toto, wasn't it?

4 MR. GIBBONS: Yes.

5 THE WITNESS: I am assuming that we would,
6 yes.

7 Now we have a tape on that too. That is the
8 Newark tape that we picked up. The first notifi-
9 cation of this is a message from a Newark patrol
0 car saying "A cop has been shot" and this is
1 recorded.

2 MR. GIBBONS: Is all police radio transmission
3 recorded?

4 THE WITNESS: No. Fortunately, we were
5 testing some dictaphone equipment and we had it
6 installed in our Morristown headquarters. This was
7 within receiving distance of the car transmission.

8 In addition, we did have some of our own
9 equipment that recorded receptions but no trans-
10 missions. We have that. This is from the walky-
11 talky. We anticipated the excitement and we
12 anticipated that there would be kind of tumultuous
13 situations and we had trained four communicators
14 and their sole job was to communicate, to talk,
15 and they were in the relay tower and station and

1 their job was to calm people down. When a
2 transmission came about sniper fire the communi-
3 cator took over and said "Okay, I'll take it. I'll
4 take it."

5 His job was to keep his voice without
6 inflection and to keep the tempo where people
7 were not excited. This was solely his job.

8 The main job that he had was to know the
9 situation map and to know what patrols and what
0 sectors were affected and he had to know this.
1 He had to be trained in this operational phase
2 and the communications phase and this was his job.

3 This is how this thing was controlled
4 communication-wise to our system and as such he
5 would control then Newark patrol, he would control
6 National Guard patrols, National Guard posts and
7 State Police. We had reports that National Guard
8 was fired on or fired upon and we would have the
9 job of sending a patrol to the reported area.

10 Q Colonel, in meeting the sniping did you have men
11 stationed on rooves at all? Would you use that technique of
12 stationing men with high-powered rifles on rooves?

13 A We have sniper teams and have had them. We have
14 sniperscopes, we have men trained who are pretty handy with
15 rifles. We had them but they were never in a position that they

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1 could be used.

2 Q Why? Could you explain that?

3 A Because they were never in a position where they
4 could fire back or they were situated near a situation that would
5 demand return fire.

6 Now primarily, you can list all the tactics that you
7 want to but primarily sniper fire is a defensive thing.
8 Well, I should say it is an offensive thing and if you are
9 going to sit in a position where you have to wait till someone
0 is going to come to you, and no one is going to come to you.
1 We are not firing on someone walking on the streets. Their
2 job was to fire back at someone that had fired and they never
3 got into a position or situation where they had to fire back.

4 Now we had them and we do not use them on rooves. We
5 use them in buildings on the top floor, top level. We did it
6 once at the request of Newark. It was against my better
7 judgment. I didn't go for it. It was demanded or kind of
8 requested and we did put people one night, I think that was
9 Saturday night, on the high rise and that was the only time.
0 This is not my system, my technique and I said there would be
1 no more because anybody who was on the roof, thereafter became
2 a target because we knew we had no one on the rooves so we
3 suspected people who were on the rooves from there on in.

4 Q If you had an area, say on C-11, Springfield Avenue,
5 where you have effective sniper fire, give me an opinion as to

UNITED STATES DEPARTMENT OF AGRICULTURE

WATER RESOURCES DIVISION

WATER RESOURCES DIVISION, WASHINGTON, D. C.

REPORT NUMBER 1

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1 whether or not you can control it by rooftop.

2 A Well, let's say this: Let's get on a rooftop and
3 I am on the roof and the man is on the 14th floor. I can't
4 see him. If I can be possibly on the 14th floor I can look
5 up but I can sit on the window on the 14th floor and somebody
6 could be up above me and I can't see him.

7 Q How effective is ground fire in sniper control?

8 A Well, if you have a pretty good rifle it is
9 pretty effective. Let me tell you something. The man that
0 fired that round or two is not going to stay in that window
1 too long. He is going to get out of there real quick like
2 once he fires that round and people are going to ask why were
3 there not more people or more policemen shot?

4 Let me give you an observation. I explained to you about
5 firing from windows or possibly from rooftops. This is possible
6 too. Conceivably there was some firing from rooftops, sniper
7 firing.

8 Now remember one thing, that the angle of fire, 14 stories
9 or 10 stories, that's 100 feet, at a moving vehicle -- and
0 this is what we had, moving patrols -- you had to be pretty
1 handy and this is why we had fewer people hit, because of
2 the angle and the moving of the vehicles, we assume.

3 Now for the record, we do have 18 vehicles that had
4 holes in them. Seven had holes at ground level. So we have
5 to assume that people or someone came out of a building after

Let \mathbb{P}^0 be the probability measure on \mathcal{F}_T defined by $\mathbb{P}^0(A) = \mathbb{P}(A | S_0 = 1)$.

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Let \mathbb{P}^{23} be the probability measure on \mathcal{F}_T defined by $\mathbb{P}^{23}(A) = \mathbb{P}(A | S_{23} = 1)$.

1 the patrols went by and fired at this level because the angle
2 of fire was this way and not this way.

3 Q If you return ground fire on a mass basis --

4 A Do you mean if I am on the ground returning fire?

5 Q Yes, returning fire up at the window.

6 How do you avoid the problem of people other than the
7 sniper either in that particular apartment or the adjacent
8 apartment?

9 How do you evaluate the risk to the people in the
10 adjacent apartment as to the utility of returning the fire
11 from the ground, your professional opinion, Colonel?

12 A How do you evaluate the risk of hurting anyone?
13 This is a critical situation and you hope that no one gets
14 hurt and no one wants to see anyone get hurt, be they firing
15 at you or be they not firing at you, no one wants to see any-
16 body get hurt.

17 But in times like this, someone has to make a decision
18 as to what should be done.

19 Suppose fire was not returned. How long would this man
20 continue to fire at them? Now the decision has to be made
21 at this time and that's this: Let's stop it. This was the
22 mission, to stop the fire.

23 How do you stop the fire? By returning the fire. Of
24 course, it is entirely possible that innocent people may have
25 gotten hurt. It is entirely possible. This is the criticism of

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and processing, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is reliable and protected.

5. The fifth part of the document discusses the importance of data governance and the role of a data governance committee. It outlines the key principles of data governance, including data ownership, access control, and data lifecycle management.

6. The sixth part of the document provides a detailed overview of the data management process, from data identification to data archiving. It includes a flowchart illustrating the sequential steps involved in this process.

7. The seventh part of the document discusses the role of data in decision-making and performance improvement. It explains how data-driven insights can help organizations identify trends, anticipate risks, and optimize their operations.

8. The eighth part of the document provides a summary of the key findings and recommendations. It emphasizes the need for a holistic approach to data management that integrates technology, processes, and people.

9. The ninth part of the document includes a list of references and a glossary of key terms. The references cite various industry reports and academic papers that support the findings and recommendations of the document.

10. The tenth part of the document is a concluding statement that reiterates the importance of data management and the commitment to continuous improvement in this area.

1 situations like this and people have to understand it. There
2 are many innocent people that are subjected to it.

3 Let's take a mob or a crowd or a riot or a situation
4 where 20 people attack one individual and this one individual
5 fires, to create a hypothetical situation. When he fires he
6 hits some man who has 20 children. The only thing we read
7 about is the man with 20 children was killed but no one ever
8 realized that he is part of a mob or a part of a group or
9 part of a bunch of people that were going to do damage some-
0 where.

1 Q As a result of your experiences in Newark, Colonel,
2 have you instituted techniques to meet the sniper problem?

3 The second question is, what kind of techniques do
4 you think are needed or can be developed?

5 A Well, there are some techniques that can be
6 developed. I think one of the best techniques that could be
7 developed could be developed by the population itself, by not
8 tolerating snipers in the buildings or reporting a sniper in
9 the building. Just remember that the people that tolerate this
10 type of thing evidently condone it or if they don't condone it
11 they are afraid of their life to do something about it and we
12 found that this was a condition many times, that people were
13 terrorized, they were actually afraid. They are afraid to tell
14 and they are afraid not to tell.

15 We feel that the best conditioning, again it is a social-

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1 ethical problem, where people should understand that there is
2 a responsibility to report it or say something for self-
3 protection or for the protection of others in that building.

4 Q Well, from the standpoint of police techniques
5 though, are there any that you think are worth exploring that
6 could be used in this area?

7 A Yes, there are techniques and these are developed.
8 Whether they can be applicable to all situations or not, we
9 don't know. The individual sniper team, we prefer not to use
0 rifles and we prefer not to hurt anyone but presently the only
1 system of defense is by this counter measure of shooting back.
2 You can talk about gases and there are many limitations and many
3 problems with the use of gas.

4 Q You mean gas as a sniping technique?

5 A Yes, it could be but remember, with the use of
6 gas there are many problems in that there are children,
7 there are people with conditions, there are asthmatic con-
8 ditions and there are old people and many things can be affected
9 and possibly many people could receive more serious damage than
10 through other means.

11 MR. LOFTON: Colonel, in these teams that
12 responded or that were in the patrol as you have
13 described them, did they have on their vehicles
14 mounted any flood light equipment or anything of
15 that nature?

1. The first part of the document is a letter from the author to the editor of the journal. The letter discusses the author's interest in the topic and the reasons for writing the paper. It also mentions the author's previous work in the field and expresses a hope that the paper will contribute to the understanding of the subject.

2. The second part of the document is the main body of the paper. It begins with an introduction that outlines the research question and the objectives of the study. The introduction also provides a brief overview of the literature on the topic and identifies the gaps in the current knowledge. The main body of the paper is divided into several sections, each of which addresses a specific aspect of the research question. The sections are: (a) Methodology, (b) Results, (c) Discussion, and (d) Conclusion. The methodology section describes the data sources and the analytical techniques used in the study. The results section presents the findings of the study and compares them with the results of previous research. The discussion section interprets the results and discusses their implications for the field. The conclusion section summarizes the main findings and suggests directions for future research.

3. The third part of the document is the references section. It lists the works cited in the paper, including books, journal articles, and other sources. The references are arranged in alphabetical order of the author's name.

4. The fourth part of the document is the appendix. It contains supplementary material that is not included in the main body of the paper but that is relevant to the study. The appendix includes a list of abbreviations, a glossary of terms, and a list of figures and tables. The appendix is organized into sections that correspond to the sections of the main body of the paper.

5. The fifth part of the document is the index. It provides a list of the key terms and concepts used in the paper, along with the page numbers where they are discussed. The index is organized in alphabetical order of the terms.

1 THE WITNESS: On ours, no. We didn't have
2 any.

3 MR. LOFTON: On any of the vehicles that were
4 in the contingent that would respond to a
5 report of sniper fire?

6 THE WITNESS: In this critical situation we
7 did not have floodlights. We had some flood-
8 lights but not enough that we could bring in and
9 put in a particular area.

10 MR. LOFTON: Do you think that that would
11 be an effective assistance to you?

12 For example, it would seem to me it would
13 be much easier to shoot at something you can see
14 rather than something you can't see. If you have
15 the floodlights you can put it on the building
16 and at least see if there is anybody in the target.

17 MR. MEYNER: The floodlight might be a good
18 target too.

19 THE WITNESS: If you ever bring a floodlight
20 to me, the first thing that is going to happen is
21 goodbye floodlight. For every measure there is
22 a counter measure. The answers are not ready just
23 now.

24 I don't know how else you fight a war other
25 than if you want to fight me with your hands okay,

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1 and then I pick up a stick and it grows from
2 there and this is the way it grows. You can't
3 expect someone to move in with a stick against
4 someone that has a rifle, this type of thing.

5 The severity or degree of severity is
6 dependent upon the aggressiveness on the part of
7 both people.

8 If there has to be shooting, God forbid
9 that there should be, the only way is discipline,
0 control, supervision and training on the part of
1 the people that have to use this, on the part of
2 all individuals.

3 CHAIRMAN LILLEY: Mr. Jaffe tells me that
4 this is a good time for a break.

5 I wouldlike to ask first though, in your
6 line of questioning now, is it all right to have the
7 movie at the end of the break or would you rather
8 continue with this?

9 MR. JAFFE: Yes, we are just about through
0 with the activities through Saturday and I think
1 it would be fine.

2 Q Don't you think so, Colonel? Wouldn't it be a good
3 time right after the break?

4 A Whatever you say.

5 CHAIRMAN LILLEY: We will break until 5:15.

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1 MR. JAFFE: Could we mark the film as a
2 Commission exhibit for identification and then we
3 can work that.

4 (Film marked Exhibit C-13 for identification.)

5 MR. JAFFE: We will describe it as a film
6 made by the State Police during the rioting in
7 Newark and Plainfield in July.

8 Would you identify yourself for the record?

9 SGT. KOBUS: I am Sergeant Joseph Kobus of
10 the New Jersey State Police. The film was taken
11 by Detective First Class James Burns, Trooper C,
12 Identification Bureau, and Trooper Anson Baker,
13 of the Public Information Section at Division
14 Headquarters.

15 MR. MEYNER: Was this edited out of an
16 extensive amount of film?

17 SGT. KOBUS: Yes, sir. What was repetitious we
18 cut out. We condensed it down to approximately
19 38 minutes.

20 MR. MEYNER: Out of what, about 60 minutes,
21 would you say?

22 SGT. KOBUS: Yes, sir, approximately 60
23 minutes or so.

24 THE WITNESS: Again you will find that this
25 shows our physical layout at the armory and it is

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1 not too exciting but at least it will give you
2 an idea of the situation.

3 Again it is done by amateurs but it will
4 give you a general idea of what the situation was.

5 (The film was shown.)

6 THE WITNESS: I don't think there is anything
7 exciting about that but I think you have a pretty
8 good idea of what Plainfield looks like and the
9 housing and we just want the film to go on record
0 as saying there was a riot in Newark.

1 It will give you an idea of the operation
2 that we had. You were asking questions about the
3 command post setup and that was the command post
4 setup, A, B and C within the armory in Newark.

5 You saw the composition of the patrols,
6 the four-man patrols. You saw the littering of
7 the street on the first day on Springfield Avenue.

8 There is why we demanded that these streets
9 be closed and you noticed the difference the second
10 day when there wasn't any congestion.

11 If you have any questions I will be glad to
12 answer them.

13 MR. LOFTON: Colonel, I noticed in one of
14 the films or one of the clips of the film it was
15 indicated and showed some damage done to private

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1 house which was not a high rise.

2 THE WITNESS: There were many of them.

3 MR. LOFTON: I believe the officer said
4 that there had been a report of sniper fire coming
5 from that house?

6 THE WITNESS: Right.

7 MR. LOFTON: With respect to the report of the incident
8 of the sniper fire that came from that house, was
9 that house in fact entered by the people who fired
0 on the house?

1 THE WITNESS: I would assume. I would have
2 to look up reports on that. I would assume that.

3 MR. LEUCHTER: Are you talking about Plain-
4 field now?

5 MR. LOFTON: I am talking about one part of the
6 film where it was indicated that this was a house
7 that had been shot into as a result of a report of
8 sniper fire coming from there and I was interested
9 because it would seem to be easier to apprehend
10 a sniper who would be in a private house obviously
11 than a person who is running around in a high rise
12 apartment. He could duck in any apartment.

13 THE WITNESS: If my recollection is correct,
14 there were two or three houses where individuals
15 were taken out of. I would assume that they would

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1 assume that there was a sniper or a rifle was
2 taken. I am not prepared to say this is the
3 house or this was not the house.

4 Again we can support whatever we have by
5 individual reports.

6 MR. LEUCHTER: Are you finished with your
7 line of questioning now?

8 MR. JAFFE: No. I was planning on doing this
9 right now, if it was all right with the Com-
0 mission members. I had three or four more questions
1 in the area of sniping that we covered very
2 extensively before the recess and then I was going
3 to suggest to Mr. Killey that the Commission
4 members, if they wanted to pursue that area, might,
5 and then I would move into -- still continue in
6 Newark but move on to the next day.

7 Let me just finish these three or four
8 questions and then if anybody wants to pursue
9 that area in more detail than I have I think
0 that would be a good point to do it.

1
2 BY MR. JAFFE:

3 Q Colonel, before we proceed any further do you have
4 what we referred to before as a series of reports of sniping
5 incidents as depicted on C-11? Do you recall that, Colonel?

1. The first part of the document is a letter from the author to the editor.

2. The second part is a letter from the editor to the author.

3. The third part is a letter from the author to the editor.

4. The fourth part is a letter from the editor to the author.

5. The fifth part is a letter from the author to the editor.

6. The sixth part is a letter from the editor to the author.

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12. The twelfth part is a letter from the editor to the author.

13. The thirteenth part is a letter from the author to the editor.

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15. The fifteenth part is a letter from the author to the editor.

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18. The eighteenth part is a letter from the editor to the author.

19. The nineteenth part is a letter from the author to the editor.

20. The twentieth part is a letter from the editor to the author.

21. The twenty-first part is a letter from the author to the editor.

22. The twenty-second part is a letter from the editor to the author.

23. The twenty-third part is a letter from the author to the editor.

24. The twenty-fourth part is a letter from the editor to the author.

1 A Right.

2 Q As I understand your previous testimony, the map
3 includes the reports? In other words, it is a graphic
4 illustration of what is included in those reports?

5 A Right, but the map is not a full report. Let me
6 say this. That is a graphic illustration of the recorded
7 sniper fire by guard, local police, State Police and unknown,
8 somebody else. Here our reports, I have by troop. Some of
9 these are not on there because they were taken care of by the
0 patrol themselves.

1 Q I see. Now what did you plot on C-11?

2 A These are reports that came to us by radio from
3 Newark, local police and National Guard, this type of thing
4 that is on here. Newark may have a lot more. I don't know.

5 Q Now in your reports what sniping incidents do you
6 have from Troop A, Troop B, Troop C and with other?

7 You mentioned before the Fire Department?

8 A I have the Newark Police, we have a copy of their
9 reports that they gave us.

10 Q And also a copy of the Fire Department report?

11 A Yes.

12 Q Could we introduce those reports in evidence?
13 Would you give us those?

14 A Can you mark them and can I give you copies?

15 Q Yes. Let's mark all those reports C-14 for identi-

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1 fication.

2 (Reports marked C-14 for identification.)

3 MR. JAFFE: For the record, let's identify
4 C-14 as reported sniping incidents, Troop A,
5 Troop B, Troop C, State Police, a copy of reported
6 sniping incidents furnished to the State Police
7 by the Newark Police Department and a copy of
8 sniping incidents reported to the Newark Fire
9 Department, to the State Police.

10 Q Is that an accurate description of C-14?

11 A Yes.

12 Q Now what about the National Guard? Do you have
13 a report of their sniping incidents?

14 A I do not have a report of the National Guard
15 incidents. I have a report as depicted up there.

16 Q Yes, as depicted up there.

17 As I recall your testimony it seems to me from what you
18 testified that as the time progressed in the riot, the sniping
19 incidents increased. Is that a fair characterization?

20 A Yes.

21 Q Do you have an opinion as to why this occurred?

22 A No. I just don't know. I couldn't fathom because
23 as I say, it started generally with a fire somewhere and as the
24 firemen reported or responded, on two occasions the firehouse
25 was under fire and on Saturday night, whatever date that is,

The first part of the document discusses the
 various aspects of the project and the
 progress made to date. It is noted that
 the initial phase of the project was
 completed successfully and the results
 are promising. The second part of the
 document describes the current status of
 the project and the challenges that
 remain. It is expected that the
 project will be completed by the end
 of the year. The final part of the
 document provides a summary of the
 findings and recommendations for
 future work.

1 the 15th or whenever it is, Saturday night, the night that
2 Toto was killed, I happened to be in the area and I believe
3 that is in Area 6.

4 Q Area 6 on the map, C-11?

5 A Right. I don't know the name of the apartment but
6 I know where the shot came from but I don't know the name of
7 it. I think Mr. Lofton said Scudder.

8 MR. LOFTON: The high rise in the picture
9 was Scudder Homes.

10 A That's the one that the shot came from or allegedly
11 came from. I was maybe a couple of blocks away and we heard
12 this over the radio and when I got there there was a fire
13 directly across the street. There's an open area between Scudder,
14 and then there's a street and there was a fire in one of those
15 buildings and the firemen were fighting the fire in this
16 building. This was approximately five o'clock in the evening.

17 So sniper fire was not confined to strictly nighttime.

18 Q But it did reach its peak on Saturday, I think
19 you testified?

20 A Yes, Saturday night. This is Saturday evening. Now
21 the firemen fighting this fire reported some sniper fire and
22 this is when they demanded police protection of some sort.
23 They wanted policemen around them or National Guard. The fire-
24 men wanted this and rightfully so. This was at 5 o'clock.

25 Later that night, I would say about 9 o'clock, a fireman

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in all dealings.

2. The second part of the document outlines the specific procedures and protocols that must be followed to ensure compliance with all applicable laws and regulations. It details the steps for reporting any potential issues or violations.

3. The third part of the document provides a comprehensive overview of the current state of the organization's operations and financial health. It includes a detailed analysis of the various factors that contribute to the overall success or challenges of the business.

4. The fourth part of the document discusses the long-term goals and vision for the organization, as well as the strategies and initiatives that will be implemented to achieve these objectives. It highlights the commitment to innovation and growth.

5. The fifth part of the document addresses the human resources and organizational culture, emphasizing the importance of investing in the development and well-being of the workforce. It outlines the plans for recruitment, training, and retention.

6. The sixth part of the document discusses the environmental and social responsibilities of the organization, highlighting the commitment to sustainable and ethical practices. It details the initiatives and programs in place to minimize the organization's carbon footprint and promote social equity.

7. The seventh part of the document provides a summary of the key findings and recommendations from the various sections, offering a clear and concise overview of the overall message and action items.

8. The eighth part of the document includes a final section on the future outlook and the organization's confidence in its ability to overcome any challenges and continue to thrive in a competitive market.

1 was killed fighting a fire in a different location. The
2 location I guess is pretty well documented. It was then that
3 we met with Jack Caufield.

4 Q He is the fire director?

5 A Yes. He wanted National Guardsmen right aaway
6 and he came with all of his battalion chiefs, the ones in
7 charge of the firehouse, and we gave them two National Guards-
8 men and they went with them. Before, we had National Guards-
9 men patrols, patrolling the fire company. Newark itself had
0 that responsibility. We did give them National Guardsmen to
1 stay at the firehouse.

12 Q So your primary mission by late Saturday was
13 really fighting fires and sniper control?

14 A Right.

15 Q That's really what it was?

16 A Yes.

17 Q You may not know the answer to this but I wonder
18 if you might enlighten us.

19 Do you know whether or not the same pattern existed in
20 the Detroit riot, the looting phase, then the containment of
21 that and then the sniper phase?

22 A No, I really don't know but from talking with the
23 State Police and the National Guard -- I did not talk to the
24 Detroit City Police at all -- they had the same phasings.
25 These phases has been the same throughout the country. There

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1 is an incident, then the riot, then the looting and sniping
2 and then it tapers off and eventually phases out. I think
3 that the containment in Detroit was not the same as the
4 containment was here.

5 Q In terms of area, in terms of type of contain-
6 ment, you would say?

7 A Right. By comparison, the area that we controlled
8 here I think was about 14 miles, the total area. Detroit
9 had 10 miles. Again this grew by degrees and this was Sunday
10 when we were down in this yellow area.

11 Q Do you think there are any lessons to be learned
12 in terms of the phase of this, as to the type of reaction
13 by law enforcement that maybe could stop this prior to the
14 sniping phase, if this is a phase type of activity?

15 A Stop it prior to the sniping phase?

16 Q Yes. Is there any kind of a technique that you
17 can recommend?

18 A Now we are going into the sociological field again.

19 Q I realize this is a tough opinion question.

20 A There are people dedicated to a purpose and there
21 are people assigned a mission and there are people who have
22 made up their minds that they are going to shoot someone or
23 they are going to shoot at someone, there isn't much you can
24 do about it because we can't anticipate who is going to shoot
25 or when they are going to shoot. There is no way of determining

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the smooth operation of any business and for the protection of its interests. The text also mentions the need for regular audits and the importance of having a clear system of internal controls.

In the second part, the author discusses the various methods used to collect and analyze data. This section covers both qualitative and quantitative research techniques, highlighting the strengths and limitations of each approach. The author also touches upon the importance of data integrity and the need for careful handling of information.

The third part of the document focuses on the application of statistical methods to data analysis. It provides a brief overview of descriptive statistics, including measures of central tendency and dispersion. The text also introduces the concept of inferential statistics, which allows researchers to make generalizations about a population based on a sample.

Finally, the document concludes with a discussion on the ethical considerations of research. It stresses the importance of honesty, transparency, and the responsible use of data. The author encourages researchers to adhere to established ethical guidelines and to be mindful of the potential impact of their work on society.

The document also includes a section on the history of research methodology, tracing the evolution of various scientific and social science approaches. It discusses how the integration of different disciplines has led to more comprehensive and nuanced understandings of complex phenomena. The text also mentions the role of technology in modern research, particularly in data collection and analysis.

Overall, the document provides a comprehensive overview of the research process, from the initial formulation of a question to the final interpretation of results. It serves as a valuable resource for anyone interested in understanding how research is conducted and how it contributes to our knowledge of the world.

The author also discusses the challenges of conducting research in a rapidly changing and often uncertain environment. It highlights the need for flexibility and adaptability in research design and the importance of staying up-to-date with the latest developments in the field. The text also mentions the value of interdisciplinary collaboration in addressing complex research questions.

In addition, the document touches upon the importance of communication in research. It emphasizes that researchers must be able to clearly and effectively communicate their findings to a variety of audiences, including other researchers, policymakers, and the general public. The text also discusses the role of peer review in ensuring the quality and integrity of research.

The document concludes by reiterating the significance of research in advancing human knowledge and improving the quality of life. It encourages a spirit of curiosity and a commitment to the pursuit of truth through rigorous and ethical inquiry.

The author expresses hope that the information provided in this document will be helpful and inspiring to all who are engaged in the research process.

Thank you for your attention.

The author is grateful to the many individuals and organizations that have supported their research and provided valuable feedback.

For more information, please contact the author at the address listed below.

The author's contact information is provided at the end of the document.

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1 it. Maybe somebody else does but I don't.

2 Q Was there any evidence revealed by your investi-
3 gation of any organization among the snipers?

4 A Let me say this to you: All of you have been in
5 some degree or have some knowledge of organizational fighting
6 and I can only give you an example.

7 When there is crossfire this is organization. It takes
8 two people and --

9 Q Could you describe for us what you mean by cross
0 fire?

1 A Yes. This is cross fire (indicating), one
2 firing in one direction and one firing from the other
3 direction and this is organization.

4 Q When you are describing cross fire you mean two
5 snipers who would station themselves on opposite sides of a
6 street and cross fire?

7 A Right.

8 Q Now did that type of firing exist in Newark?

9 A Yes.

0 Q It did?

1 A Not continually but we experienced it.

2 Q Would you deduce from that type of firing the fact
3 that there must have been some type of organization or some
4 type of organization among a group of snipers?

5 A I would have to assume this, yes. I would have to

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual data entry and the use of specialized software tools. The goal is to ensure that the data is both accurate and easy to interpret.

The third part of the document focuses on the results of the analysis. It shows that there is a clear trend in the data, which is consistent with the initial hypothesis. This finding is significant as it provides strong evidence for the proposed model.

Finally, the document concludes with a summary of the key findings and a list of recommendations for future research. It suggests that further studies should be conducted to explore the underlying causes of the observed trends and to test the model under different conditions.

1 assume also that there was some dedication among and amid the
2 group that were firing.

3 Q Colonel, let me ask you one more question in this
4 area. Let's talk about all sniper fire. In your opinion,
5 was it specifically directed at persons or would you say that
6 its primary purpose was harassment, confusion, spreading of
7 terror?

8 A Like the assumption in the teachings that we have
9 in the State Police and the Army, when you aim a rifle or a
10 gun at someone the intent is to shoot someone. I would assume
1 this applies to any people who fire a weapon.

2 Q Were there incidents of firing at people other
3 than law enforcement officials, if you know?

4 A I don't know.

5 Q Would you say generally it was directed at law
6 enforcement officials?

7 A Or National Guard.

8 Q Well, I include them.

9 A I would have to assume that, yes, or firemen.

0 MR. LEUCHTER: Colonel, did you say earlier
1 that not a single sniper was arrested? Did I hear you
2 say that?

3 THE WITNESS: I didn't say that. I said not
4 a single sniper was reported by anyone in all of
5 the sniper fire and all of the reported sniper fire,

1. The first part of the document is a letter from the author to the editor, dated 10/10/1950.

The letter discusses the author's interest in the subject of the journal and the importance of the work being presented. It mentions the author's previous work and the current project.

The author expresses their hope that the work will be found of interest to the readers of the journal and that it will contribute to the field of study.

The author concludes the letter by thanking the editor for their consideration and expressing their confidence in the journal's editorial board.

The second part of the document is a list of references, including books, articles, and other sources used in the work.

The final part of the document is a short biography of the author, detailing their education, professional experience, and other relevant information.

1 when we would enter a house there was not one
2 report, nor was there a telephone report, nor was
3 there anyone who came out on the street to say
4 "There is a sniper or someone just shot from this
5 house."

6 We have yet to have one oral verification
7 of a sniper being in a house.

8 MR. LEUCHTER: Then may I ask you this?

9 What was the total number arrests out of the
10 Newark violence?

11 THE WITNESS: I think 1,259.

12 MR. LEUCHTER: Of that number how many were
13 charged with being snipers?

14 THE WITNESS: As you know, there is no such
15 a charge. It is assault with a deadly weapon.
16 I don't know. I would have to break it down.

17 MR. LEUCHTER: I was trying to determine
18 whether there were charges made of sniping or
19 whether all these arrested were looters or breaking
20 curfew.

21 THE WITNESS: I have the breakdown for you,
22 the breakdown of State Police arrests by crime.

23 Now one of the things to remember is that on
24 the lesser offenses, when they were turned over
25 the Newark police process them or assisted in

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1 processing them because we would spend the
2 rest of our life in Newark just handling disorderly
3 persons and we would be there forever.

4 Now of the arrests that were made, we made
5 104 arrests but this is what we have: Carrying
6 weapons or carrying concealed deadly weapons,
7 16 arrests, breaking and entering, 24 arrests.

8 We have a complete breakdown of arrests.

9 MR. LEUCHTER: I could well ask this of
0 somebody else here who has knowledge but to the
1 best of your knowledge, is anyone specifically
2 charged with shooting at law enforcement officials
3 during the Newark riots?

4 THE WITNESS: This I cannot tell you. I can
5 tell you that there has been assault with weapon.
6 People have been charged with assault with weapon.
7 Whether it was directed at a police officer or
8 someone else, I don't know.

9 MR. LEUCHTER: Was any sniper killed by return
0 fire? Is there any information on that?

1 THE WITNESS: I don't know. I would have to
2 look this up for you too.

3 MR. LEUCHTER: Well then, putting one of Mr.
4 Jaffe's questions another way, what did you learn
5 in this experience of combating sniping? What

1. The first step is to identify the problem or objective.
2. Next, we need to gather relevant data and information.
3. Then, we should analyze the data to understand the underlying patterns.
4. After that, we can develop a hypothesis or a proposed solution.
5. It is important to test the hypothesis through experiments or simulations.
6. Finally, we should evaluate the results and draw conclusions based on the findings.
7. The process is iterative, meaning that we may need to revisit previous steps as we gain more insight.
8. Collaboration and communication are essential throughout the entire process.
9. Documenting each step helps in tracking progress and sharing knowledge with others.
10. In conclusion, a systematic approach is key to solving complex problems effectively.

1 did you learn about combating sniping?

2 THE WITNESS: Nothing that I didn't know.

3 MR. LEUCHTER: That it is difficult?

4 THE WITNESS: Yes. I have been through this
5 before but not in this type of exposure, this type
6 of warfare, where there are innocent people and
7 children mixed up and amassed with a sniper. This
8 is a pretty delicate situation.

9 Sensible people and people with any degree
0 of common sense I would assume would not permit
1 one of these people in their apartment because
2 they know that there is going to be some retali-
3 ation and this we feel was the answer to it, ~~and~~
4 retaliatory fire as soon as possible.

5 MR. LEUCHTER: Except that you don't know
6 and you can't tell us that the retaliatory fire
7 killed any sniper, can you?

8 THE WITNESS: Let me say this: We hope it
9 didn't but we hope we stopped it. Now to kill some-
0 one I don't think is the answer. We are hoping not
1 to kill someone or at least I was hoping that we
2 wouldn't kill someone.

3 MR. LEUCHTER: In other words, the purpose of
4 retaliatory fire is merely to dissuade whoever
5 is firing from continuing their firing?

1. The first part of the document is a list of names and titles, including 'The Hon. Mr. Justice G. D. C. ...' and 'The Hon. Mr. Justice ...'. This list appears to be a roster of officials or members of a court or committee.

2. The second part of the document contains several paragraphs of text, which appear to be a formal report or a set of proceedings. The text is dense and contains many words that are difficult to decipher due to the quality of the scan, but it seems to follow a structured format typical of legal or official documents.

3. The third part of the document consists of a series of numbered items, possibly a list of questions or points for discussion. These items are arranged in a clear, sequential order.

4. The final part of the document appears to be a concluding section, possibly containing a signature, a date, or a formal statement. The text is less legible in this section but seems to wrap up the document's content.

1 THE WITNESS: We hopeso.

2 CHAIRMAN LILLEY: You describe a counter force
3 you had, as troopers that were handy with a rifle
4 and you pointed out it was impossible to have
5 them where the sniper was.

6 How were those troopers located around the
7 area?

8 THE WITNESS: We had two of them in the
9 Martland Center because there was sniper fire in
0 that center and we had two of them there but they
1 never got a shot. There was no reason for them to
2 shoot because they could never see where the shot
3 came from and so they sat there for three nights
4 and they sat up in the windows and they were never
5 in a position to shoot because they never did see
6 where the shot came from.

7 Now the people on the ground could see because
8 we had moving people and you could see a flash or
9 you can hear a sound or something but our people
0 with the sniper scopes never did have occasion or
1 reason to shoot.

2 MR. LOFTON: Colonel, if I might, with
3 respect to the exchange between a report of an
4 alleged sniper and the return fire of the law
5 enforcement contingent, what was the average

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1 duration of the exchange between the person who
2 would be considered to be a sniper and the
3 enforcement officials?

4 THE WITNESS: Now the times that I have,
5 when it says duration I am assuming that it would
6 take this length of time to stop it, and whether
7 the exchange was continual or not I can't say.

8 I will give you a for instance. Troop A
9 reports -- and this is Incident Number 21 on
0 7-14 on the corner of Springfield and Bergen. The
1 duration was 16 minutes, returned fire? Yes.

2 Now whether the 16 minutes that it took them
3 this long to clear this building out or not, I
4 don't know. On the 15th, Clinton and Bergen, a
5 duration of 30 minutes and returned fire, yes.

6 On the 14th, Springfield and Broome, there
7 was a duration of 60 minutes but there was no
8 return fire.

9 On the 15th, what had happened is they were
10 fired and fired and by the time they moved into
11 the building and cleared it out, there was no need
12 to fire back because they moved into the building
13 but it took them approximately an hour to settle
14 the situation.

5 So when you say was it continuous or con-

1 tinual, I can only give you by incidents and by
2 time how long it took to suppress or arrest a
3 particular individual. I have some here for 120
4 minutes, which means two hours and this is on
5 Springfield Avenue.

6 I am assuming that they are going through
7 a house for this period of time and after this
8 situation is cleared up it took them two hours
9 to straighten the situation out. This doesn't mean
0 that there was firing all the time.

1 MR. LOFTON: I was trying to get at whether
2 or not, for example, if you didn't have one of
3 the tactical men with the telescopic lens or
4 whatever is used on the high-powered rifle, whether
5 or not there was enough time in the exchange
6 between the alleged sniper and the conventional
7 kinds of fire that would be returned for the person
8 who may be the tactical State Trooper that has
9 this shooting ability to get to the scene to see
0 what he could do with it?

1 THE WITNESS: To answer your question, all
2 of the people that have rifles have been trained
3 in the use of rifles so he is as good or not as good
4 but he is as capable of using that rifle as is the
5 sniper man. If the sniper man has a better rifle

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1 and a better scope he is naturally better
2 equipped but the man that is using that rifle is
3 qualified to use it. Every time that we had a
4 sniper incident, to say we would have to call a
5 sniper team the guy would be gone. This would be
6 impractical.

7 MR. LOFTON: I was interested in the time
8 period.

9 THE WITNESS: Unless we had everyone with
0 a sniperscope and I don't think the state is
1 going to buy that many and I don't think there is
2 a need for that many, to be honest with you.

3 MR. LEUCHTER: I don't know if this is a
4 fair question or not but could you rate the
5 retaliatory fire as effective or ineffective?

6 THE WITNESS: Well, I would have to answer
7 that that I wish I had a chance to talk to some
8 of the people who were firing and I think they
9 could probably answer it. I think it was
0 effective, yes.

1 MR. LEUCHTER: You don't think the firing
2 stopped because they ran out of ammunition?

3 THE WITNESS: No. Remember terror should be
4 met with sufficient force to deter the terror and
5 this may be the horrible true facts of life.

Now remember that some of the people

1 were more afraid of the people from within than
2 they were from without but I think we restored
3 confidence and showed them this was a determining
4 factor.

5 MR. LEUCHTER: If there were a Federal Gun
6 Control Law operative in all the states, not just
7 the State of New Jersey, do you feel that this
8 would either, 1, make guns less easier to get and
9 therefore perhaps not lead to this or, 2, would
0 it be easier to check them out?

1 Do you have any thoughts in this field since
2 it is something that is being brought up in the
3 news constantly?

4 THE WITNESS: If we are going to get to the
5 gun bill without federal legislation the whole
6 thing is useless. I think it is a very worthwhile
7 program. I think that there is no question about
8 it, anyone that wants a gun can get a gun, like
9 anyone who wants a car can get a car.

0 If he wants to steal a car he can steal a
1 car. That's no big problem. I agree that we could
2 probably keep the weapons out of the hands of people
3 that shouldn't have weapons, demented persons,
4 sick person, alcoholic people, this type of thing.

5 If we made it harder for guns to be acces-

1. The first part of the document is a general introduction to the project. It outlines the objectives and scope of the study, and provides a brief overview of the methodology used. The introduction is followed by a list of the main findings of the study.

2. The second part of the document is a detailed description of the methodology used in the study. This includes a discussion of the data sources, the sampling method, and the statistical techniques used to analyze the data. The methodology section is followed by a description of the results of the study.

3. The third part of the document is a discussion of the results of the study. This section discusses the main findings of the study and compares them to the results of other studies in the field. It also discusses the implications of the findings for practice and policy. The discussion is followed by a conclusion and a list of references.

4. The fourth part of the document is a list of references. This list includes all the sources cited in the document, including books, journal articles, and web pages. The references are listed in alphabetical order of the author's name.

1 sible we could do that but what do we do with
2 the guns that people have now? There are millions
3 and millions of guns that are just transferred from
4 hand to hand without going through the legal
5 processes. There are many people that inherit
6 guns just by sheer death of people. Guns can be
7 acquired quite simply by breaking into a place
8 and stealing them. I think controls over the
9 sale or over the manufacture of guns, over pawn
0 shops, over people that wholesale guns, yes, I
1 think that this should be controlled, definitely.

12 MR. MEYNER: The law in and of itself isn't
13 enough. You have got to have plenty of implementation
14 and plenty of administration, either at the state
15 or local levels, isn't that correct?

16 THE WITNESS: Yes, sir. We have the admin-
17 istration of the gun bill and this is quite a job.
18 We have it under control but the fingerprinting,
19 the processing, the investigation and just remember
20 one thing, once you get a permit to purchase a rifle
21 or a shotgun you may purchase a thousand of them.

22 So I say there are many ramifications. If you
23 say is it a good thing, I say Yes, it is a good
24 thing, it is a step in the right direction but if
25 you are an individual without a record and you want

1 to get an ID card which authorizes you to pur-
2 chase a weapon, you can walk down the street now
3 and purchase a thousand of them one at a time.

4 MR. MEYNER: Don't you in your implementation
5 rely on local police again and if they are care-
6 less then someone who shouldn't have it might
7 very well be licensed?

8 THE WITNESS: Yes. We have to depend on the
9 local police departments, no question about it.

10 MR. LOFTON: Colonel, were there ever
11 instances, to your knowledge, where the State
12 Police, say, hypothetically, Premise A, say on a
13 communication from the local police that people
14 may have been congregating on the inside of the
15 premises and the State Police would go to those
16 premises as a result of a communication from
17 the local police?

18 THE WITNESS: There could have been but I
19 doubt very much. Generally it was the local police
20 that went and we in the patrol area went and
21 assisted.

22 BY MR. JAFFE:

23 Q I think that before we digressed into this last
24 area we were up to Saturday evening and the characterization
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1 of the riot on Saturday evening.

2 Could you tell us what happened early Sunday morning?
3 Is Saturday evening the time in which you set up the yellow
4 perimeter on C-11?

5 A That was set up on Saturday, some time Saturday,
6 and we extended it some time Saturday.

7 Q What happened late Saturday evening and early
8 Sunday morning?

9 A Again fires and there were more sniping fires
10 and fires to buildings and we would get reports of looting and
11 we would keep patrols constantly moving on reports, just
12 running down reports.

13 The things we got were rumors, they were moving in
14 ammunition from Connecticut and there are ten carloads of
15 ammunition coming in from Pennsylvania and there are busloads
16 of colored people coming in from Washington and New York is
17 moving over and this kept patrols constantly on the alert,
18 stopping, restricting, containing.

19 Q Generally how would the rumors start? How would
20 you receive them?

21 A It would start just like this and all of a sudden
22 it is not 10, it's 100.

23 Q Was there a lot of stopping of cars coming in?

24 A Yes, all of them.

25 Q Did you find people coming in with ammunition or

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 250

LECTURE 1

1. Introduction

2. Kinematics

3. Dynamics

4. Energy

5. Momentum

6. Rotational Motion

7. Oscillations

8. Waves

9. Relativity

10. Quantum Mechanics

11. Atomic Physics

12. Nuclear Physics

13. Particle Physics

14. Cosmology

15. Astrophysics

16. Modern Physics

17. Special Relativity

18. General Relativity

19. Quantum Theory

20. Quantum Mechanics

21. Quantum Field Theory

1 guns?

2 A We found some and I have that in the reports.

3 Q We will have that in the reports?

4 A Yes.

5 Q Would you say it was extensive?

6 A No.

7 Q Was most of that on Saturday night and early
8 Sunday morning or a lot of that?

9 A Yes, we found that on Saturday and Sunday. You
0 remember there were a lot of people who normally come to Newark
1 from New York. This is a traffic pattern flow. New York or
2 Brooklyn is not that far from Newark that these people don't
3 travel back and forth.

4 Q Was your blockade still effective?

5 A We didn't allow anyone on there. There was a cur-
6 few at 11 o'clock and nothing moved. If you lived there you
7 could go in.

8 Q But otherwise it was still blocked?

9 A Yes.

0 Q Now taking you up to Sunday morning what was the
1 situation then?

2 A Sunday morning I remember that we went out and I
3 toured the area and I was with Stanley Van Ness, I think.

4 Q The Governor's counsel?

5 A Yes. We toured the area and the prime reason was

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1 to find out if we could open up or if there were any grocery
2 stores or stores that we could open up.

3 We found one store and the manager was there and he was
4 afraid to open up and that was in the area right here where
5 I mentioned.

6 Q Was this as a result of complaints from people
7 in the area of a lack of food?

8 A I never got any complaints but it was obvious
9 that people needed food. Some people couldn't walk any
0 distance -- I am talking about the high rise area now. I
1 am not talking about any other.

2 Q This was the area where the food problem was most
3 acute?

4 A Yes.

5 Q There hadn't been any deliveries Saturday and there
6 hadn't been any on Friday?

7 A No. In the first place, the delivery trucks
8 wouldn't go in. The stores were closed and they wouldn't open
9 them. One of the situations that was a real serious thing was in
0 Scudder or Hayes, I don't know which, where the water electric
1 system went off and when they sent the Public Service trucks
2 in the men were fired on and they couldn't fix the system,
3 so naturally they backed off.

4 Q What plans were made on Sunday for food distri-
5 bution?

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1 A Plans were made by Community Affairs. I just
2 assume this. I don't know. I think from my association with
3 Paul Yvilsaker, that he made the connections to get the food.
4 I don't know where it came from but I do know that the
5 National Guard trucks were used to get the food and bring it
6 in and we escorted them in.

7 Q Did the National Guard set up field kitchens or
8 anything of that sort to feed people?

9 A No. They distributed food. The only thing was
0 that the Community Affairs people, wherever they procured the
1 food, the National Guard picked it up and delivered it as you
2 saw there.

3 Q And this began on Sunday?

4 A Sunday morning.

5 Q What was the situation on Sunday in terms of the
6 riot situation? Had you contained it?

7 A It seemed that it tapered off. There was a
8 different feeling. I felt differently. When I walked into
9 this A&P, I felt nobody was going to shoot me or throw a can
0 at me, the people that were there anyway seemed to say we had
1 enough of this and seemed to want to get back to normalcy
2 again.

3 Q Was there any discussion on Sunday morning as to
4 withdrawing the State Police and withdrawing the National
5 Guard?

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1 A Discussion with whom?

2 Q The Governor's office, among yourselves.

3 A The only two people who were discussing it at that
4 time were the Governor and myself and that's when the decision
5 was made to pull out.

6 Q When was that decision made?

7 A I think at noontime we announced it.

8 Q Is that when the decision was made?

9 A We have this documented. I apologize for my
10 timing because I ran out of time and days ^{on} / ~~this~~ point but we
11 met with some people and I think this would be the Governor's
12 prerogative to say who we met with and this was a discussion
13 at four or five o'clock in the morning, whatever it was. It
14 was early in the morning.

15 MR. LOFTON: If I may say this, I think that
16 was about four or five o'clock in the morning on
17 Monday morning because the troops were moved out on
18 Monday.

19 THE WITNESS: All right.

20 MR. LOFTON: I was there at that session and
21 it was early in the morning out at the armory on
22 Monday morning.

23 THE WITNESS: Then I'm a day ahead.

24 Q The State Police and National Guard were still in
25 Newark then on Sunday?

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1 A Yes.

2 Q Just to clear up that part of the record.

3 A Was Monday the 17th?

4 Q How would you characterize the riot on Sunday and
5 Sunday night?

6 A Sunday it seemed to taper off. There seemed to be
7 less activity and there seemed to be less aggressiveness on
8 the part of the people in the area. There seemed to be more
9 respect and our people reported -- and this is how they
10 reported by degrees. When they first went in there they were
11 taunted, they were called names, "Wait till tonight.", you
12 know.

13 The second night was not too bad. The third night wasn't
14 and then by Monday it was "How are you making out? Hello",
15 you know. It had tapered off.

16 Q You mean in terms of the hostility towards the
17 State Troopers?

18 A Right. I am not talking about any of the social
19 problems. I am not talking about that. I am talking about the
20 State Police relationship to the area that we were in.

21 Q Colonel, were there at that time any specific
22 allegations of misconduct leveled against the State Police?

23 A Yes. That morning, Sunday morning, there were
24 allegations that the State Police shot up windows or shot at
25 windows.

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 301: THE PHENOMENON OF CONSCIOUSNESS

LECTURE 10

THE PHENOMENON OF CONSCIOUSNESS

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PHILOSOPHY

Q Could you tell me how those allegations came to your attention?

A Groups of people or representatives of groups came to the armory.

Q Were these groups of people in the ghetto areas and citizens groups of people in the ghetto areas?

A I would assume. I don't know where they came from. They said they represented -- I know that the Governor and myself met with one group and I don't know what group it was and Mr. Lofton was with another group and I think there was Group Number 3. This was the allegation.

Q Could you tell me what the substance of those allegations was?

A First, that the State Police shot the windows out of the people who had "Soul" written on the windows. I don't know what else.

Q Was that the general complaint on the State Police activity?

A Yes.

Q Were there any specific incidents brought to your attention besides the general ones?

A Yes. Someone said that we tore up some guy's place by the name of Harris.

MR. LOFTON: Earl Harris.

Q Could you tell me what you did as a result of this

1. The first part of the document is a list of names.

2. The second part is a list of dates.

3. The third part is a list of locations.

4. The fourth part is a list of events.

5. The fifth part is a list of people.

6. The sixth part is a list of organizations.

7. The seventh part is a list of activities.

8. The eighth part is a list of results.

9. The ninth part is a list of conclusions.

10. The tenth part is a list of recommendations.

11. The eleventh part is a list of suggestions.

12. The twelfth part is a list of notes.

13. The thirteenth part is a list of references.

14. The fourteenth part is a list of appendices.

15. The fifteenth part is a list of footnotes.

16. The sixteenth part is a list of endnotes.

17. The seventeenth part is a list of indexes.

18. The eighteenth part is a list of glossaries.

19. The nineteenth part is a list of bibliographies.

20. The twentieth part is a list of references.

21. The twenty-first part is a list of references.

allegation?

A We investigated them. We set up an investigative team.

Q Could you describe for us how you investigated them?

A Well, first the investigating officer was appointed. The people that were aggrieved were notified that we had an investigative group and to report their grievance to this group who would investigate it. The National Guard had appointed the IG, who was responsible for investigating these allegations. As they were reported we investigated them.

Q Was there a specific individual that you assigned to be in charge of this?

A Yes.

Q Could you tell us his name, please, if you recall?

A Major Victor Galassi had the responsibility of complaints.

Q Of handling your complaints?

A Not mine. I had no complaints.

Q I don't mean yours.

A Yes, he was.

Q Was the Major assigned by you on that Sunday?

A Yes.

Q What role does he play in your department?

A He is our investigations officer.

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1 Q That is his general role, to investigate com-
2 plaints against State Police?

3 A Generally we don't have complaints against the
4 State Police.

5 Q Is it sort of like an Inspector General in the
6 Army?

7 A No. He is in charge of our criminal investigations
8 and in addition to his job he does this.

9 Q He has this ancillary responsibility?

0 A Yes. The National Guard appointed their Division
1 IG, Inspector General, and I think his name is McLean and he
2 was there to accept complaints.

3 Q Was a record made of the allegations?

4 A Right.

5 Q Could you describe for us -- and I realize you did
6 not conduct it but just generally could you describe for us
7 the way in which the Major conducted these investigations?

8 A He sent people out and he interviewed the com-
9 plainants and interviewed such people who did have complaints and
0 I guess we are still interviewing people.

1 Q Colonel, have any of those investigations been
2 completed by the Major?

3 A I would say some of them, yes.

4 Q Do you know whether or not any of the investigations
5 conducted by the State Police have borne out the allegations

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT ON THE PROGRESS OF WORK

1950-1951

BY [Name]

1. INTRODUCTION

The following report summarizes the work done during the year.

2. EXPERIMENTAL WORK

The first part of the work was devoted to the study of the

properties of the system under investigation.

It was found that the system exhibits

the following characteristics:

(a)

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1 that were made? Do you know of any specific instances in
2 which allegations that State Police broke up windows or
3 acted in any other improper manner were substantiated by
4 your investigative teams?

5 A No. Let me say this to you: The allegations that
6 were made, one right now is being investigated by the FBI and
7 this is a Civil Rights thing and the allegation is in the
8 area of excessive shooting where a boy had been shot. This
9 has been extensively investigated by the FBI in addition to
0 ourselves and the final report will be made and the FBI has
11 pretty well found that this is one allegation that has not
12 been supported and there are many others that have not been
3 supported.

4 If you are asking me some that have not been, I don't
5 know. I can tell you there are many, many, that have not been.

6 Q Has there been any disciplinary action taken by you
7 against State Troopers for improper conduct?

8 A As of this date I have had no reason to.

9 Q Were the results of any of these investigations
0 to indicate a use to you by the State Police of improper force,
1 breaking of windows and the kind of conduct we are talking
2 about, would you take disciplinary action?

3 A Certainly. This is my responsibility and I have
4 this responsibility administratively and legally that I must
5 take this action. We do not condone this type of thing. It is

1. The first part of the document is a letter from the author to the editor of the journal.

2. The second part is a letter from the editor to the author.

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24. The twenty-fourth part is a letter from the editor to the author.

25. The twenty-fifth part is a letter from the author to the editor.

1 not our policy. We investigate all complaints no matter in
2 what area and we investigate individuals and allegations and
3 men are disciplined if there is any wrongdoing.

4 MR. JAFFE: I think we could stop right here.

5 BISHOP TAYLOR: I have one question that is
6 not related to this.

7 Colonel, do you have any evidence or reason
8 to conclude that the riot was related to any out-
9 side organization or movement?

0 THE WITNESS: I would have to say Yes.
1 There were a couple of people that were around
2 prior to the riots that are not around now,
3 Colonel Husan, who is not around. He was only in
4 there two or three weeks prior to the riot, he
5 was missing during the riot and I don't know where
6 he is now.

7 Is he an outsider? I don't know. How many
8 others are there?

9 CHAIRMAN LILLEY: You said a couple of
0 people, Colonel. Can you mention another name?

1 THE WITNESS: Offhand, I can't think of any
2 but I throw that out as an example. Is he an
3 outsider? Did he start the riot or was he part of
4 the riot? I don't know. But if you are asking me
5 were there outsiders there, he was one that was

The first part of the document discusses the general principles of the law of contract, which are essential for understanding the legal framework governing agreements between parties.

Under contract law, a contract is a legally binding agreement between two or more parties. The elements of a contract include offer, acceptance, intention to create legal relations, and consideration.

The second part of the document explores the concept of breach of contract, which occurs when one party fails to fulfill their obligations under the contract. Remedies for breach include damages and specific performance.

Damages are awarded to the injured party to compensate for the loss suffered as a result of the breach. The measure of damages is the difference between the contract price and the market price at the time of breach.

Specific performance is an equitable remedy that compels the defaulting party to fulfill their obligations under the contract. It is typically granted in cases involving unique goods or land.

The third part of the document discusses the concept of frustration, which occurs when an unforeseen event renders the contract impossible or illegal to perform. In such cases, the contract is automatically terminated.

Finally, the document concludes by emphasizing the importance of clear and precise contract terms to avoid disputes and ensure the enforceability of the agreement.

The following table provides a summary of the key concepts discussed in this document:

Concept	Description
Contract	A legally binding agreement between two or more parties.
Breach	The failure of a party to fulfill their obligations under the contract.
Damages	Compensation awarded to the injured party for the loss suffered.
Specific Performance	An equitable remedy compelling the defaulting party to fulfill their obligations.
Frustration	An unforeseen event rendering the contract impossible or illegal to perform.

In conclusion, a thorough understanding of contract law is essential for any professional or individual engaged in business transactions. Clear communication and precise contract terms are crucial for ensuring the enforceability of agreements.

The following table provides a summary of the key concepts discussed in this document:

Concept	Description
Contract	A legally binding agreement between two or more parties.
Breach	The failure of a party to fulfill their obligations under the contract.
Damages	Compensation awarded to the injured party for the loss suffered.
Specific Performance	An equitable remedy compelling the defaulting party to fulfill their obligations.
Frustration	An unforeseen event rendering the contract impossible or illegal to perform.

1 there prior to the riot. He was one that was
2 pretty vocal prior to the riot. He may have been
3 there for the riot but we haven't seen him.

4 MR. LEUCHTER: I just wanted to make the
5 observation that through most of the Colonel's
6 testimony it has been a narrative one of what
7 took place during this period from his standpoint
8 and Mr. Jaffe was properly leading him through this
9 and he has asked if he could leave at a quarter
0 of seven and I just wondered whether we can get
1 another chance some time later to talk to Colonel
2 Kelly.

3 I have a few questions and I would like to
4 chew this thing over with you and get into some
5 exchange which would be more than merely the
6 narrative type of statement.

7 CHAIRMAN LILLEY: Mr. Jaffe has not completed
8 his questioning and the Colonel is
9 willing to come back as often as we need to have
0 him.

1 MR. JAFFE: We haven't done Plainfield, we
2 haven't done Englewood and some general obser-
3 vations that might be very relevant too.

4 CHAIRMAN LILLEY: By that time you will
5 probably have more questions.

1 MR. LEUCHTER: One of the reasons for being
2 here is to get opinions from you, not necessarily
3 all factual analyses of what happened but really
4 some man-to-man opinions about a lot of matters
5 and I feel like we haven't gotten to know you,
6 even though you may be exhausted from us but I
7 don't feel that we have gotten that far into it.

8 THE WITNESS: As far as the factual back-
9 ground I think that you have the knowledge you
10 would need.

11 MR. LEUCHTER: Yes. I didn't want to keep
12 you here tonight but I just wanted to suggest
13 that I would like to spend more time talking
14 with you.

15 CHAIRMAN LILLEY: If there is no further
16 business, gentlemen, we will adjourn this
17 meeting.

18 * * *

1 CHAIRMAN LILLEY: Commissioner, I would like
2 to thank you for being here. I know you haven't made your
3 speech today. It is not easy to undertake this before a
4 major speech, but we will see to it that you are out of here
5 in time to get to Atlantic City, but we do appreciate your
6 coming.

7 Commissioner, we swear our witnesses.

8 Whereupon,

9 CARL L. HARBURGER

10 called as a witness, first duly sworn, testified as follows:

11 EXAMINATION

12 By Mr. Jaffee:

13 Q Commissioner, could you tell us your full title,
14 please?

15 A Commissioner of Education, State of New Jersey.

16 Q And I wonder if you could just briefly sketch for
17 us the responsibility of the department that you have, sir.

18 Q Well, I am really just finding out what the
19 responsibility of my department is, having been on board for
20 something like two months. I can talk best about it in
21 terms of what the organization looks like perhaps. I have
22 assistant commissioners -- one for administration, Dr. Joe
23 Clayton, who is also the deputy; one for curriculum
24 instruction, which covers the whole field of curriculum
25 instruction; business and finance; controversies and

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1 disputes, which is basically my legal arm for decisions I
2 have to make; and the area of vocational education.

3 Then, of course, under that I have many intermediate
4 supervisor level and directors level people who deal with
5 the regular problems of the state.

6 I have considerable law which determines a great deal
7 of my actions, and I am just really becoming acquainted
8 with what the statutes are and what the power of the
9 commissioner is.

10 JUDGE WACHENFELD: By the time you become
11 acquainted with them they will change them.

12 THE WITNESS: Hopefully I will have something
13 to do with changing some of them also, sir.

14 I have a State Board of Education who are the
15 policy board, and we meet monthly with them. I
16 bring to them matters for policy decision. Very
17 briefly that is the organization of the board, and
18 to speak more specifically about the duties, I
19 think I would have to respond more to questions
20 than generally lay out the responsibilities of the
21 commissioner.

22 By Mr. Jaffe:

Q It is my understanding that the department is a
relatively new department too.

A It is relatively new in the sense that as of July

1 there was the split-off of the higher education department,
2 and we now have the Chancellor of Higher Education, if that
3 is what you meant.

4 Q What I am interested in is a little bit of an
5 exposition as to the differences between your department
6 and your primary thrust as opposed to the chancellor and
7 the primary thrust of that organization.

8 A For many years, of course, and I do not know
9 historical background as I should perhaps, the department
10 consisted of an assistant commissioner who had the
11 responsibility for higher education in the state, and as of
12 July this was put off so that the total state colleges,
13 state universities, all are under the Chancellor of Higher
14 Education. So my basic responsibilities are only the
15 elementary and secondary education in the state for public
16 schools. This goes from kindergarten on up, and actually
17 we are now seeing in terms of pre-school in terms of the
18 twelfth grade. So community colleges and the state colleges
19 and universities are all the responsibility of the
20 Chancellor of Higher Education.

1 Q What the Commission is primarily interested in is
2 the problems in New Jersey of education for the disadvantag-
3 ed, and I wonder if you could address yourself to that
4 problem at this point as it relates to New Jersey.

5 A One of the difficulties with state departments

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2. 性别

3. 年龄

4. 职业

5. 学历

6. 籍贯

7. 婚姻状况

8. 健康状况

9. 兴趣爱好

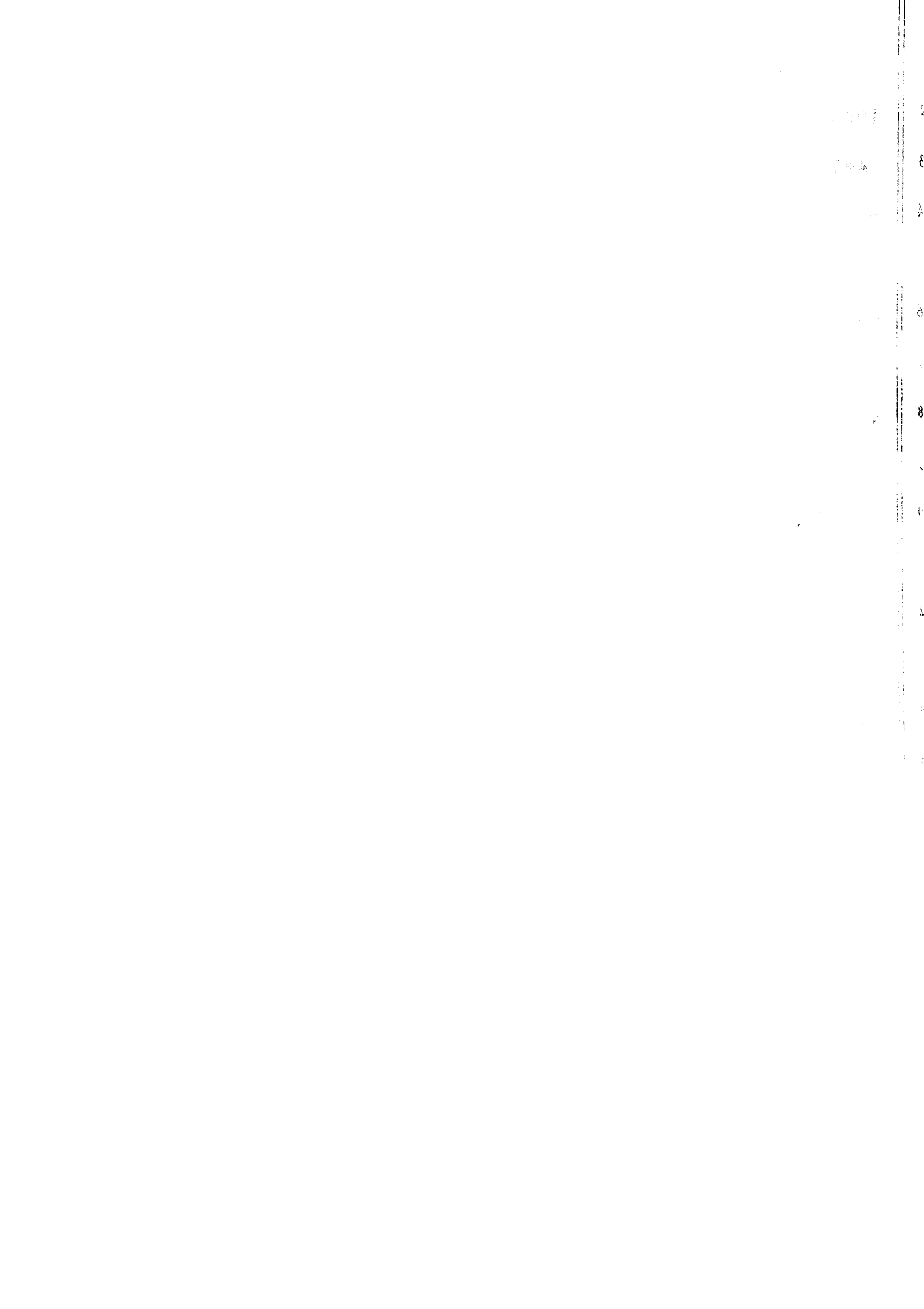
10. 其他

1 generally throughout the country, from my point of view at
2 least, is that they have tended to spend most of their time
3 dealing with the problems of suburban and rural areas in the
4 country. There are good reasons for this. The smaller
5 school districts do not have the staffs to provide
6 supervision and other kinds of aids to the school system,
7 so the state department has assumed a great deal of that
8 responsibility. Also the cities have, because of their
9 size and because they have had total staffs to handle the
10 curricula problems tended to be a little bit aloof from the
11 state department.

12 My concern in coming here as basically an urban
13 educator is the state department did not have a real thrust
14 into the cities; we did not have the kind of base data that
15 were necessary, and generally we are not operating very
16 effectively in the cities. Our helping teachers, for
17 example, we have some 80 helping teachers who are in effect
18 consultants in the field, who have primarily operated in
19 the rural areas of the state.

0 Q When you say helping teachers, these are people
1 that worked for the state?

2 A They are state department employees and there are
3 some 80 of them, and they are located in the county offices
4 and then work with school systems, with administrators and
5 teachers in demonstration lessons, new methodologies, and



1 primarily have been providing that service in the rural and
2 suburban areas rather than the cities themselves.

3 Q Do they do that on a cooperative basis?

4 A Yes, it is a very cooperative arrangement. If we
5 see where there are particular problems as a county
6 superintendent, then we outreach to them and say, "We would
7 like to provide service in this area to help you," or they
8 come to us and ask for help in math and science or now math,
9 or whatever is necessary.

10 So when I came here I felt it was essential that we
11 come to know the cities, and so I had asked Mr. Mac Innes,
12 who has joined my staff as a special assistant, to begin to
13 gather the base data on the cities so we know who the
14 youngsters are, what they look like, what the achievement
15 scores are, what the racial balance situation is in the
16 cities and the schools, what the teachers look like, how
17 many do we have, what salary rates there are, what the
18 administration of the schools is, and we have spent a
19 considerable portion of the few months I have been on the
20 job in visiting with the school superintendents and with
21 school boards and with parents in these major cities in
22 New Jersey.

3 Q Might I interrupt again? On the statistics that
4 Mr. Mac Innes has been gathering, are those also represented
5 at the achievement levels in the schools?



1 A We are just now getting these kind of data in. We
2 have asked the school systems to provide these data, and we
3 are just now getting them. We have Elizabeth and Camden as
4 the two with achievement data. They look like the school
5 systems throughout the country in big cities.

6 Q We wonder if it would be too much of an imposition
7 upon your department if we could have access to those
8 statistics and so forth.

9 A Surely.

10 Q Would you suggest that a staff person contact Mr.
11 Mac Innes? Would that be the most feasible method of doing
12 this?

13 A We can handle it just as a result of this meeting,
14 and Mr. Mac Innes is here and we do have a problem of
15 validity on some of the test data. We have not checked out
16 some of them, and I have question about some of the test
17 scores we have received. But we will be happy to provide
18 these base data for the committee.

19 Q We appreciate that, and also we would appreciate
20 your viewpoint as to whether you think particular data are
21 valid or not, not only in the achievement area but just your
22 general statistics on classroom population, teachers and
23 school data.

24 A Other data we can provide on the equalized people
25 valuation per city and formula aid and equalized tax rates

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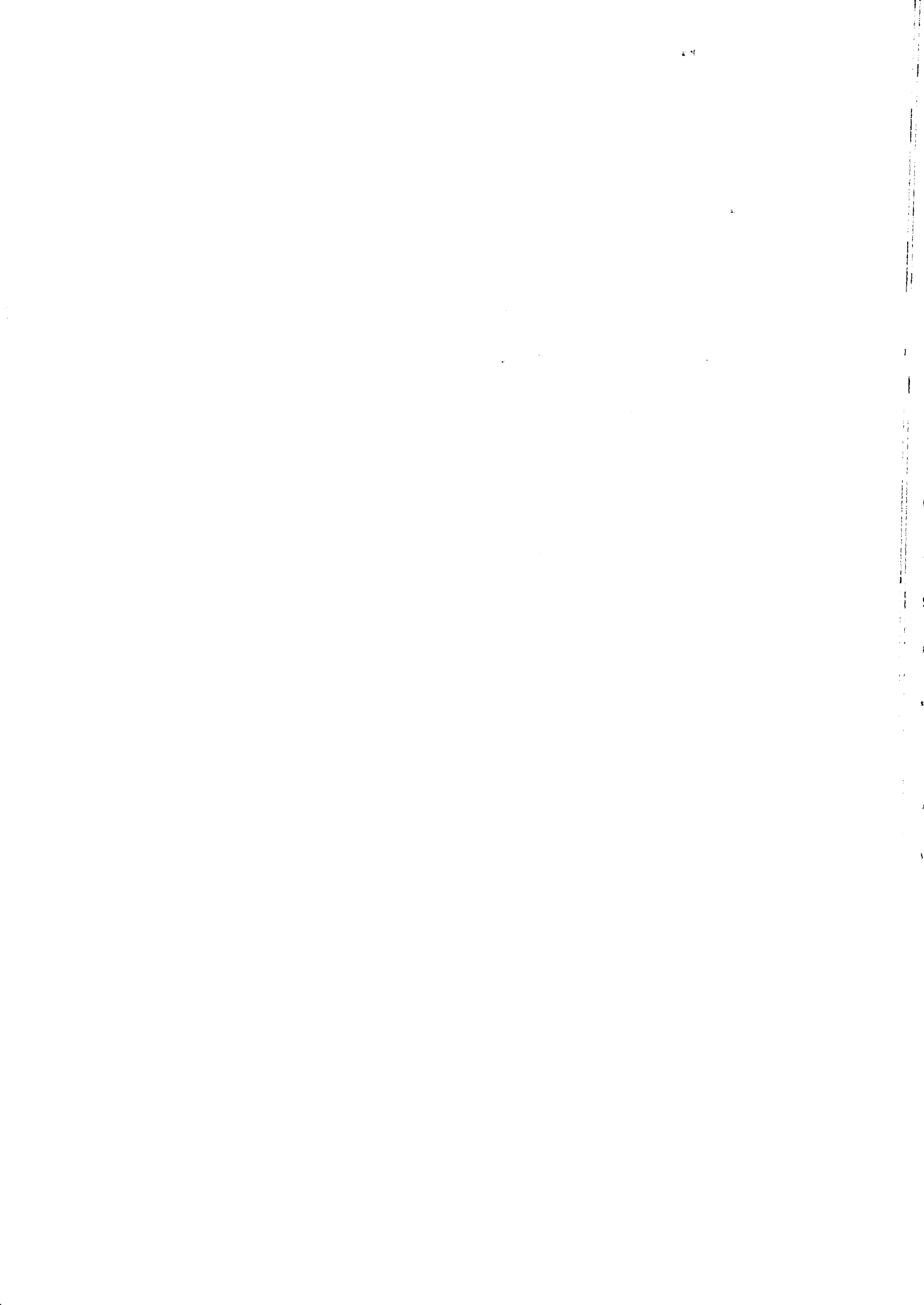
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1 and so on, so these kind of data we can also make available
2 on the major cities.

3 BISHOP DOUGHERTY: Was this data not been
4 available earlier?

5 THE WITNESS: The data are here, but they
6 were in the cities or we had a fragment of it in
7 the state department. No attempt was made to
8 really bring these kind of data together on the
9 cities in the past, and this is what in effect
10 we have been doing, visiting the cities, asking
11 them to send us specific information that simply
12 was not available in the state department. We
13 had pieces of all of it, but it is now a collision
14 and a bringing of it together. That has been a
15 major thrust of the department in the last few
16 months, to find out what the conditions of the
17 cities are. This includes housing facilities for
18 young people.

19 Let me state very frankly, gentlemen, that
20 I have seen school facilities in this country. I
21 have seen the separate but equal facilities in the
22 South, and I have seen Appalachia and I have seen
23 most big cities. I have never seen facilities
24 that are as bad as I have seen in Newark. The
25 Peshine Avenue and Camden Street Schools, these



1 are totally inadequate facilities for children.
2 Newark did not build a single school and has had
3 very little rehabilitation of the schools from the
4 thirties to the fifties.

5 JUDGE WACHENFELD: Will you tell us in what
6 way they are inadequate?

7 THE WITNESS: First of all, because they are
8 terribly overcrowded. Mr. Titus is facing a
9 problem of some 10,000 elementary school children
10 where there literally are not seats for these
11 children, where you are putting 40 and 45 children
12 in a class. He is making all kinds of arrangements
13 for busing of these children to other kinds of
14 facilities, church facilities that are vacant,
15 YWCA facilities, even some store fronts. They are
16 inadequate in terms of simply what I consider
17 safety of children. The Camden Street school, for
18 example, a three-story building, was built in 1890,
19 and in order for children to get out they have to
20 go through three and four classrooms in order to
21 get to an exit. They do have fire detection
22 systems, and we are concerned very much about
23 this at the state level, but there literally are
24 no facilities for youngsters. They simply don't
25 have seats, so they are having to work out all kinds



1 of programs trying to extend the day. They have
2 transportables. They are not adequate to the job.
3 They have been building schools in the last five or
4 so years, but they simply cannot catch up in terms
5 of the building needs.

6 Mr. Titus estimates just to house children
7 today they need in the neighborhood of \$200,000,000
8 just for facilities.

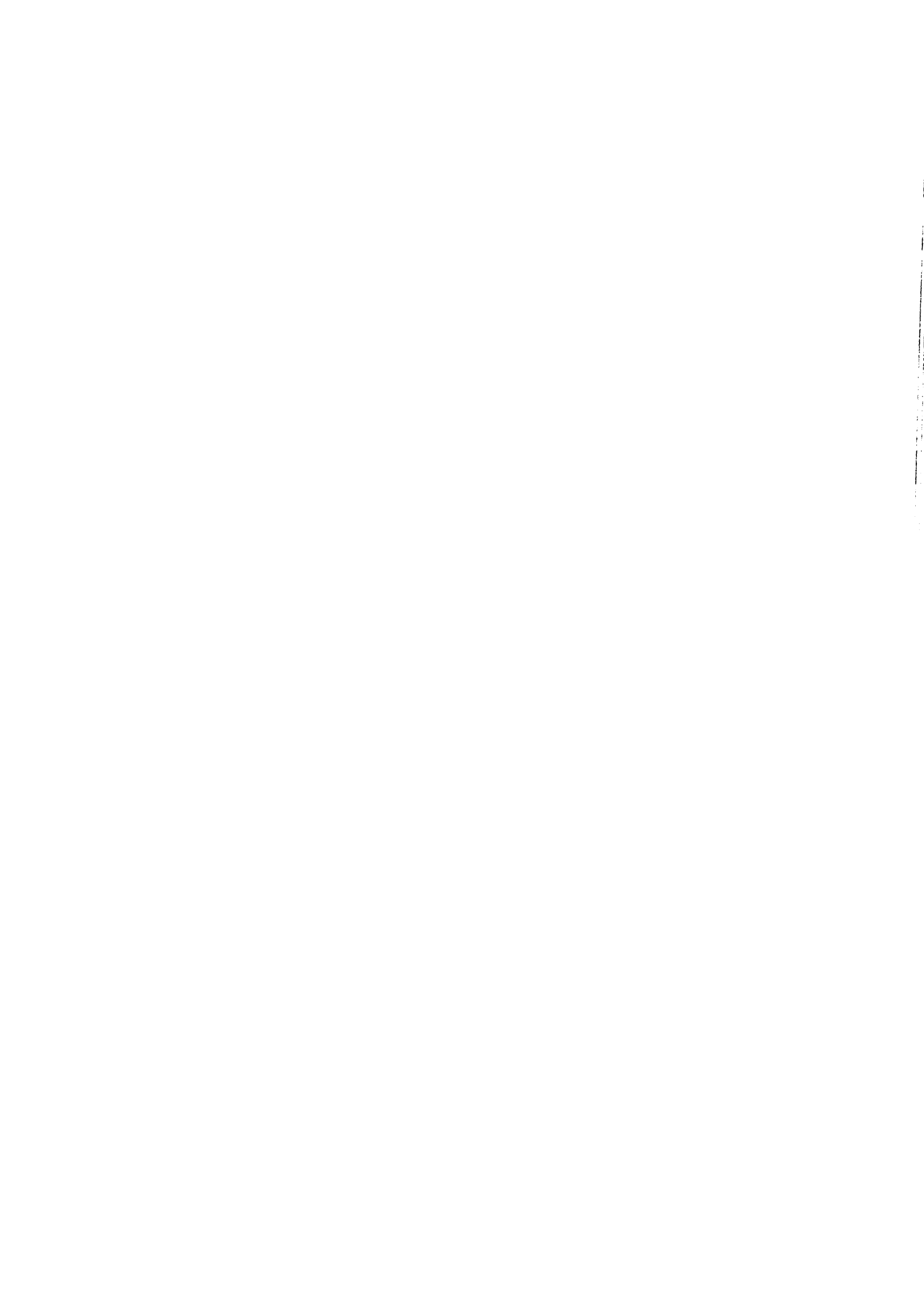
9 So it is a very grim picture in Newark. Other
10 cities are almost as bad. I happen to know Newark
11 better at this point, and from the point of view
12 of facilities Newark is in extreme difficulty.

13 CHAIRMAN LILLEY: You mentioned \$200,000,000
14 was estimated as being needed. How much does Mr.
15 Titus have?

16 THE WITNESS: He has practically nothing. He
17 has used up his total bonding capacity. He is
18 borrowing some on the municipal capacity. How
19 much of that will be available in terms of other
20 needs that the mayor has, there is a question of
21 how much might be available. The municipality
22 couldn't quote their bond issue.

23 CHAIRMAN LILLEY: That was because of the
24 riot situation?

25 THE WITNESS: Yes.



1 Mr. Chairman, is it permissible for Mr.
2 Joe James to enter into this? Should he be sworn?
3 He does have data that might be pertinent to the
4 discussion.

5 MR. JAFFE: I don't see any problem, and I
6 think we can swear him.

7 CHAIRMAN LILLEY: Would you rather do it on a
8 consulting basis?

9 THE WITNESS: Fine.

10 Fifty one million dollars was just to
11 meet the number of shortages of classrooms and
12 \$200,000,000 was just to take care of obsolete
13 facilities. Of the 75 schools, 52 of them were
14 built 50 years ago or more, and I believe it is in
15 the thirties that some were built. So he literally
16 has a decaying school plant that poses just almost
17 insurmountable problems for him. So we could talk
18 about the same problem, and it relates to other
19 cities. I simply indicate that Newark is the
20 most acute of all the school situations.

21 CHAIRMAN LILLEY: In the area you have spoken
22 of I happen to have had a part in trying to help
23 Mr. Titus, and I can well realize the magnitude
24 of the job you are speaking about; but one of the
25 things that impressed me, and I hope I use the



1 right words, is the weight of the bureaucracy that
2 faces a school superintendent like this. Suggestions
3 were made about clearing at least part of these
4 10,000 pupil stations and is other activities you
5 would lease space. It developed that he told
6 us he was not permitted to lease any space for
7 more than a year at a time. Would you care to
8 talk about any of this? I don't want to get too
9 involved, but this struck me as something that
10 would prevent a man in the educational field from
11 doing what a man in the business world would do
12 to get things done. You can't lease places from
13 people for a year at a time.

14 THE WITNESS: This is a part of the state
15 line and these are parts of the things we are
16 looking at in terms of change that I think are
17 essential for particularly the urban areas. It
18 would apply across the board in the state. There
19 are things like this that are very handicapping.
20 If I could speak to the Five Contract versus the
21 One Contract in construction, that is another
22 thing that causes serious difficulties for school
23 superintendents in the state where they must get
24 bids from five contractors rather than a single
25 contractor.



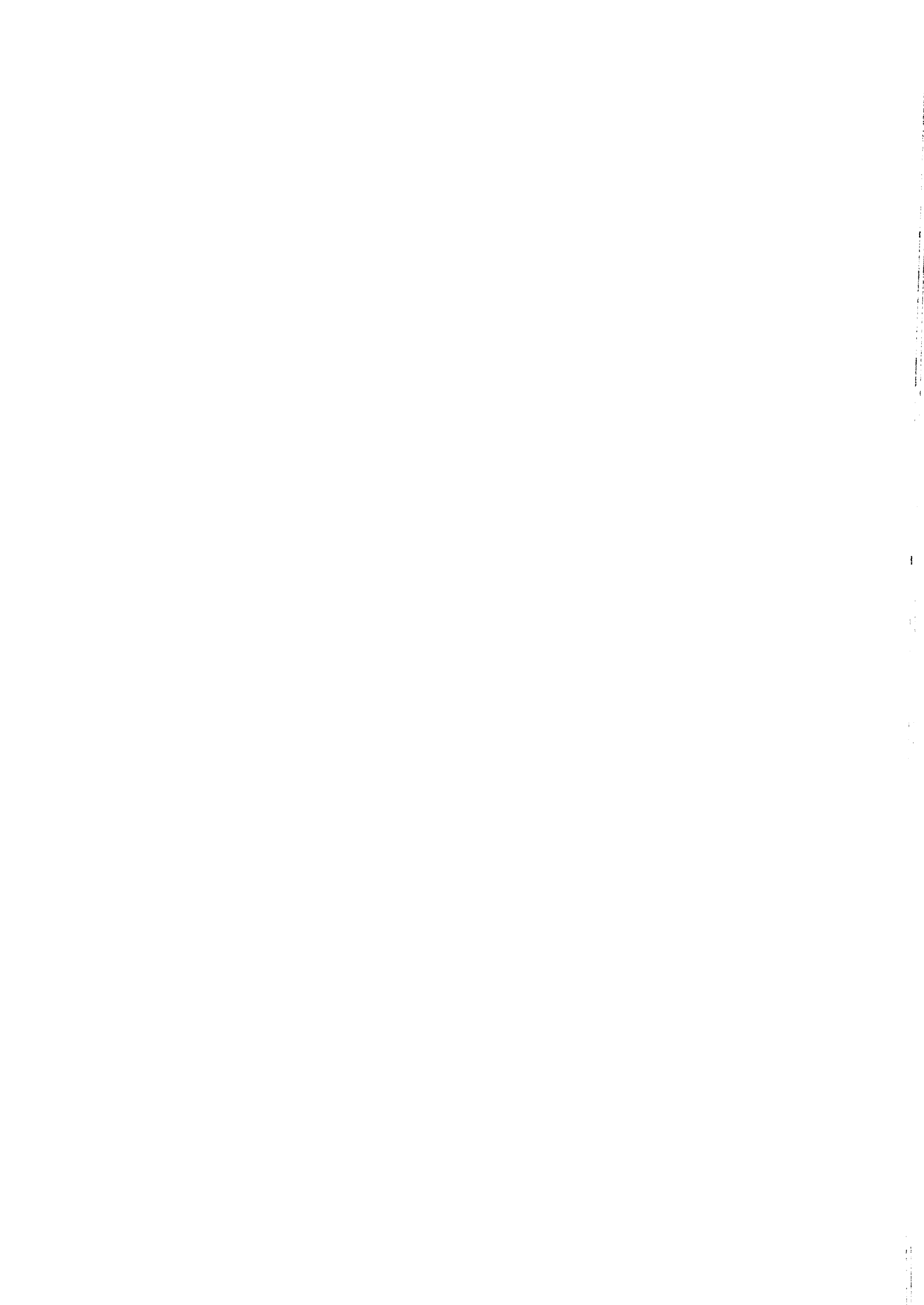
1 There has been legislation to try and
2 spend this so private enterprise can indeed go
3 out and get a single general contractor in the way
4 the state cannot. This does pose real serious
5 problems. We can't get the building built as
6 quickly as private industry would be able to do it.
7 I have not had an opportunity to make a comparative
8 cost study as to what the difference would be, but
9 I would like to take a look at parochial school
10 construction versus public in terms of a single
11 versus a five-contract type of bid.

12 The state indeed and the state department
13 has some real responsibilities in trying to put up
14 some of these bottlenecks for the school
15 superintendents, particularly in the urban areas.
16 I am trying to have an analysis made of these
17 things, and I have asked each of the superintendents:
18 What are your particular problems and how can the
19 state department be of assistance? These are our
20 concerns, and these are some ways you can be of
21 help. In some ways it takes legislation. In other
22 ways, if it is rules and regulations, I can spend
23 that there and have done so in certain cases. This
24 is just facilities. If we talk about program, I
25 think the big cities are in very serious trouble



1 in terms of meeting the needs of disadvantaged
2 children nationally, and this is certainly very
3 true in this state.

4 Our children are achieving at lower rates
5 of two and three grades below. The longer they
6 stay in school, the more they get retarded by a
7 year. By the time they are in the eighth grade
8 level they are retarded two and three years in
9 terms of reading and arithmetic scores. Class
10 sizes are very, very large, and I am not saying
11 that this is a proposal in reduction of class size,
12 but I think with the youngsters who bring such
13 experimental deprivation to the school setting
14 that indeed we need to be spending about \$2,000 to
15 \$3,000 per school child as we did in the suburbs
16 and as we do in our private schools as opposed to
17 the \$300 which Camden spends and approximately
18 \$700 which Newark spends. It is simply not enough
19 to provide the quality of teaching staff and the
20 terms and the program to meet the needs of these
21 young people who are becoming the psychological
22 dropouts at third grade level. From that point on
23 all too often they are simply occupying chairs
24 rather than really becoming involved in the
25 learning process.



1 I can't really say just how serious I
2 think the situation really is in our big cities.
3 This true nationally. Newark, Jersey City,
4 Camden and the rest are perhaps in as bad shape
5 or in worse shape than any city I have seen with
6 the possible exception of Washington, D.C. in terms
7 of this deprivation.

8 Massive aid for construction is
9 important, but, frankly, gentlemen, if we could
10 turn \$10,000,000 over to Mr. Bitas or other
11 superintendents I am not sure that we know how to
12 do the job of making the difference in the lives
13 of these children because I think we tend only to
14 do harder what we are already doing in many cases
15 with these children.

16 There is no panacea, but the question
17 from my point of view is the quality of the
18 teaching staff and the attitude of the teaching
19 staff who bring what we call hopelessness for
20 education of these children or hopefulness for
21 the education.

22 A significant piece of research just
23 came out of Harvard where this researcher took one
24 school, eighteen classrooms, and gave them a test,
25 which was a standard intelligence test, but told



1 then it was a specialized test designed specifically
2 to find those creative and innovated, bright
3 youngsters in the school who really had potential
4 for school success and then randomly picked out
5 20 percent of the children and said they had made
6 this top group and they were the bright ones.

7 In the period of a year the youngsters
8 that were selected randomly ended up something like
9 24 intelligence points above the other children
10 because the attitude of the teacher was, "I have
11 hope for these youngsters and they can achieve."
12 So the key is bringing in staff who believe these
13 youngsters can make it and who then behave
14 accordingly and the children behave in terms of
15 the expectations of the teacher.

16 By Mr. Jaffe:

17 Q How do you go about doing that? Do you improve
18 the level of the teachers' colleges in New Jersey? Do you
19 recruit out of state or do the residence problems restrict
20 that kind of attempt? Is there a salary problem? What are
21 your views in that area?

22 A Let me start at what I think is the beginning, and
23 that is how we recruit staff into the teachers' colleges
24 and into education. There is a tendency on the part of
25 colleges and a tendency on the part of young people to go

1 into education as a last resort. "I can't make it here, so
2 I go into this." We do not have, I think, the kinds of
3 criteria which other professional groups have for
4 recruitment of young people into colleges or education.
5 We need the Peace Corps spirit type young person who
6 believes in young people.

7 So I think recruitment of people into the colleges of
8 education is key. I think we better examine what we are
9 doing with these young people in our colleges of education.
10 I am not suggesting we throw out methods courses because
11 experience with Peace Corps returnees and other kinds of
12 experience tells us that methods courses are important, but
13 I think we need to examine precisely what we are doing with
14 these young people in our methods courses. A lot of the
15 things we are doing with young people make work, kind of how
16 to put a bulletin board together kind of thing. I think we
17 need to provide these young people with a great deal more
18 experience in their college preparation in the cities where
19 they are living, where they are experiencing precisely
20 what these kids and parents are experiencing, and our
21 practice teaching can no longer be just, "I am going to
22 sit in a classroom with a so called expert teacher," but
23 living in a community working with a social worker, with a
24 principal, working and living with children, in this as at
25 all possible, so they have a visceral understanding of the

1 problems of these young people and their parents.

2
3 BISHOP TAYLOR: Is this Harvard study
4 available and, if so, where can it be secured?

5 THE WITNESS: Bishop, if you will give me a
6 buzz I can let you know where I can reach this.
7 I have the copy on my desk, and I have not read
8 the total study but a digest of it. I would be
9 happy to see that you get this information.

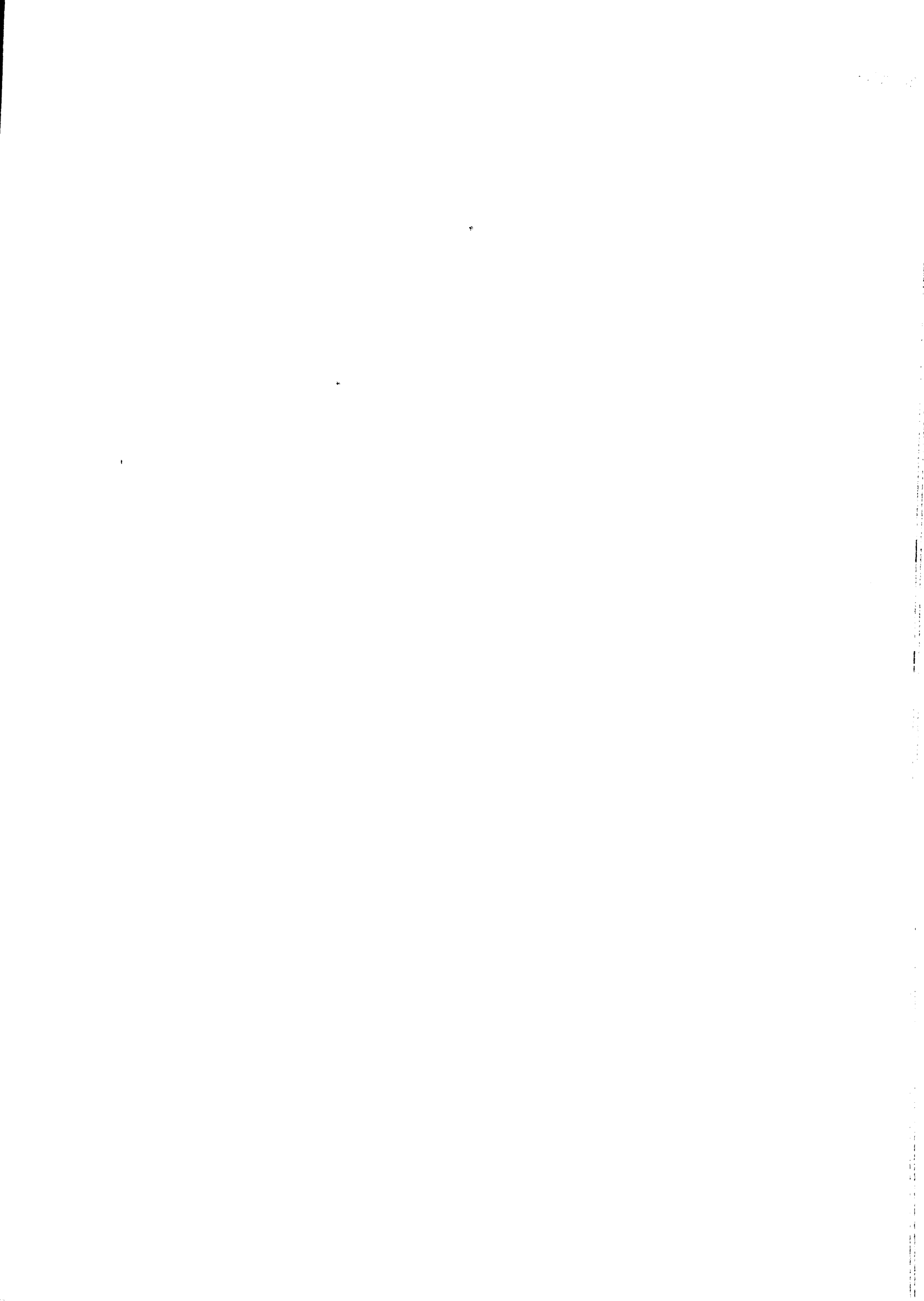
10 By Mr. Jaffe:

11 Q If I can join in on the Bishop's request, I will
12 also call for the commission's staff and I would appreciate
13 it if you could make it available to the staff. I am sure
14 we can Xerox it.

15 A Very fine.

16 BISHOP DONNELLY: I wonder whether, admit-
17 ting what you just said having definite validity,
18 people to go into this area of teaching would re-
19 quire specialized training, specialized education
20 analogous to teaching of the handicapped. This
21 has been more a psychological kind of handicap.

22 THE WITNESS: I think so, Bishop but I
23 think in addition to what I think all teachers need
24 a basic course along with a very strong liberal
25 arts component; that indeed teachers who are
26 planning for intercity teaching need a different



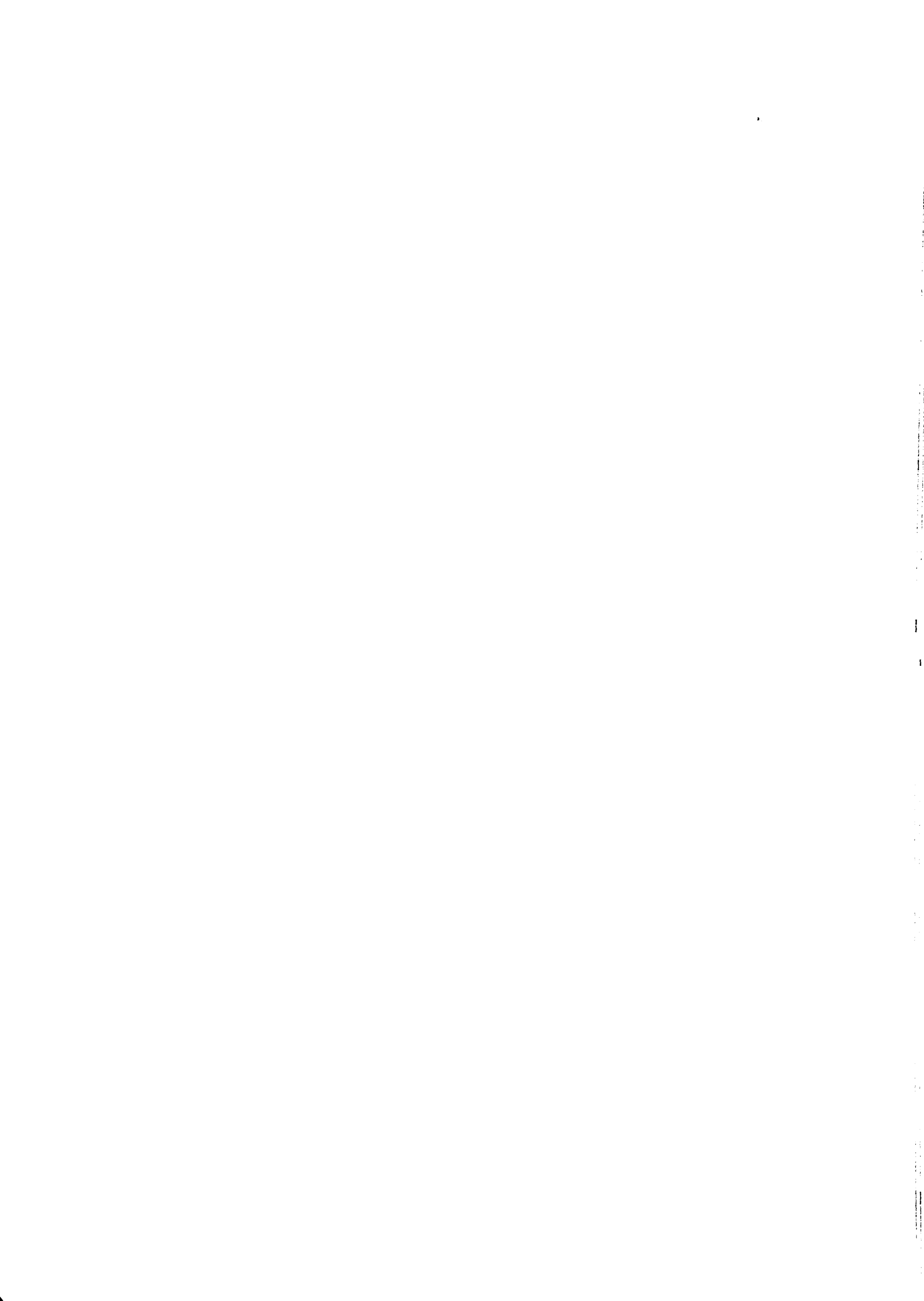
1 kind of approach. I think they need more of the
2 intellectual stimulation through anthropology and
3 the politics of education and so on.

4 I think they also need the experience
5 that I think is different than what we are generally
6 providing in our normal practice-teaching experience
7 for the teacher who is going to teach her own kids
8 in the suburbs and she is comfortable with it.

9 BISHOP DOUGHERTY: My feeling is what you are
10 projecting is sort of laboratory, which I admit has
11 a great value, but I think you have to bring
12 something to the intercity experience in
13 interpretation of your preparation to get from it
14 what a teacher should get.

15 THE WITNESS: Exactly.

16 CHAIRMAN LILLEY: Commissioner, you refer to
17 the Peace Corps and that type of individual. I
18 believe it is true that one of the attractions of
19 the Peace Corps is that a young person can be an
20 individual, and again I come back to this horrible
21 word, in this bureaucracy. What happens if you
22 can get that type of person that you want and then
23 he seems to go in there and be overlain by all the
24 things which to me seem to work against the desire
25 to be an individual? Would you care to comment on



1 that?

2 THE WITNESS: I certainly don't have an
3 answer for it. Indeed, we have the bureaucracies.
4 I think that change in systems occurs in two ways
5 -- one by having within the system change agents
6 and, secondly, change agents. So there are
7 constant agitations from outside that are
8 absolutely essential if we are going to make any
9 changes within that institution.

10 One system that I know of that has had
11 some considerable success is building in change
12 agents within a school system. So that in effect
13 you have what Mario Fantini from the Ford Foundation
14 calls a principal in charge of change and where we
15 build into each school a person who is a change
16 agent within the system. This is a very threatening
17 thing to the establishment, and it is very
18 difficult to bring in, but I have seen it operate
19 in systems. You have to have it coming from both
20 directions. You have to have a superintendent who
21 is amenable to change and not just accepting of
22 the same way of behaving.

23 So that it starts from the top, and
24 sometimes we can work it up from the bottom, but
25 often that bureaucracy is so heavy at the top it



1 squelches any innovation. If we bring enough
2 young people in with young ideas, we found what I
3 call a negative boiler room effect. That is when
4 the older idea teachers in the smoke room or the
5 boiler room contaminate the younger idea teachers.
6 "John is stupid; he can't learn." We get enough of
7 these young idea teachers and that contaminates the
8 older ones and at least they keep their mouths
9 shut. At least they aren't saying those things
10 over and over again, and the tendency is to have
11 them pull out rather than the younger idea teachers
12 pull out.

13 The local school principal is the key.
14 He sets the milieu for innovation and change. In
15 this continuum you are also talking about the
16 preparation of our school administrators, and we
17 need to look very seriously at this. There are
18 studies by Gross at Harvard which indicate that the
19 least innovative principals are those who have the
20 most experience in the system and those who have
21 the most higher education credits; in other words,
22 the closer they get to the doctorate, the least
23 innovative they tend to be, and those who have gone
24 through the hurdles of department head, counselor,
25 assistant principal, vice principal, tend to be

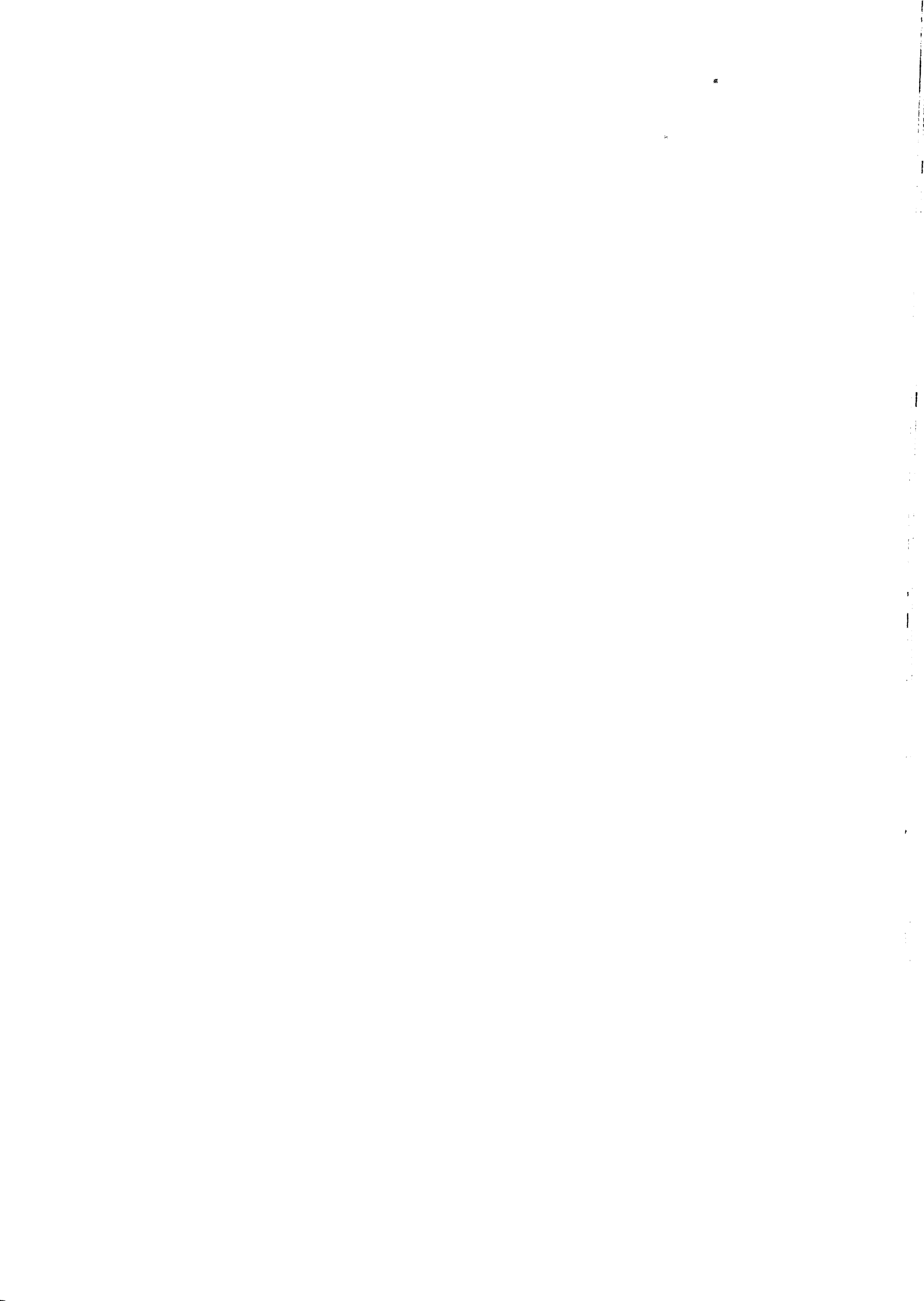


1
2 such less innovative because they are now part of
3 the system.

4 You reach out for the good teacher who
5 shows administrative qualities and this tends to
6 be the more innovated administrator in a school
7 building. I am quoting reports, of course, that
8 support my position, but I think these data are
9 substantive, and we have enough information that
10 supports this position to indicate that we need to
11 have whole new look at the way we train our
12 administrators, what we do with them both in the
13 pre-service and in the in-service training.

14 We tend to lock people into the in-service
15 training and repeat for them over and over again
16 the things they are most comfortable in doing.

17 So the training of administrators, the
18 training of teachers and then the whole certi-
19 fication process is another thing that I have
20 direct responsibility for, and I am working very
21 closely with the Chancellor of Higher Education on
22 this. We have some 94 certificates in the state,
23 and it is what I call from somebody's speech that
24 I remember the credentials trap. We are trapped
25 by the credentials. Indeed, I need to design a
system by means of which we can (a) find those

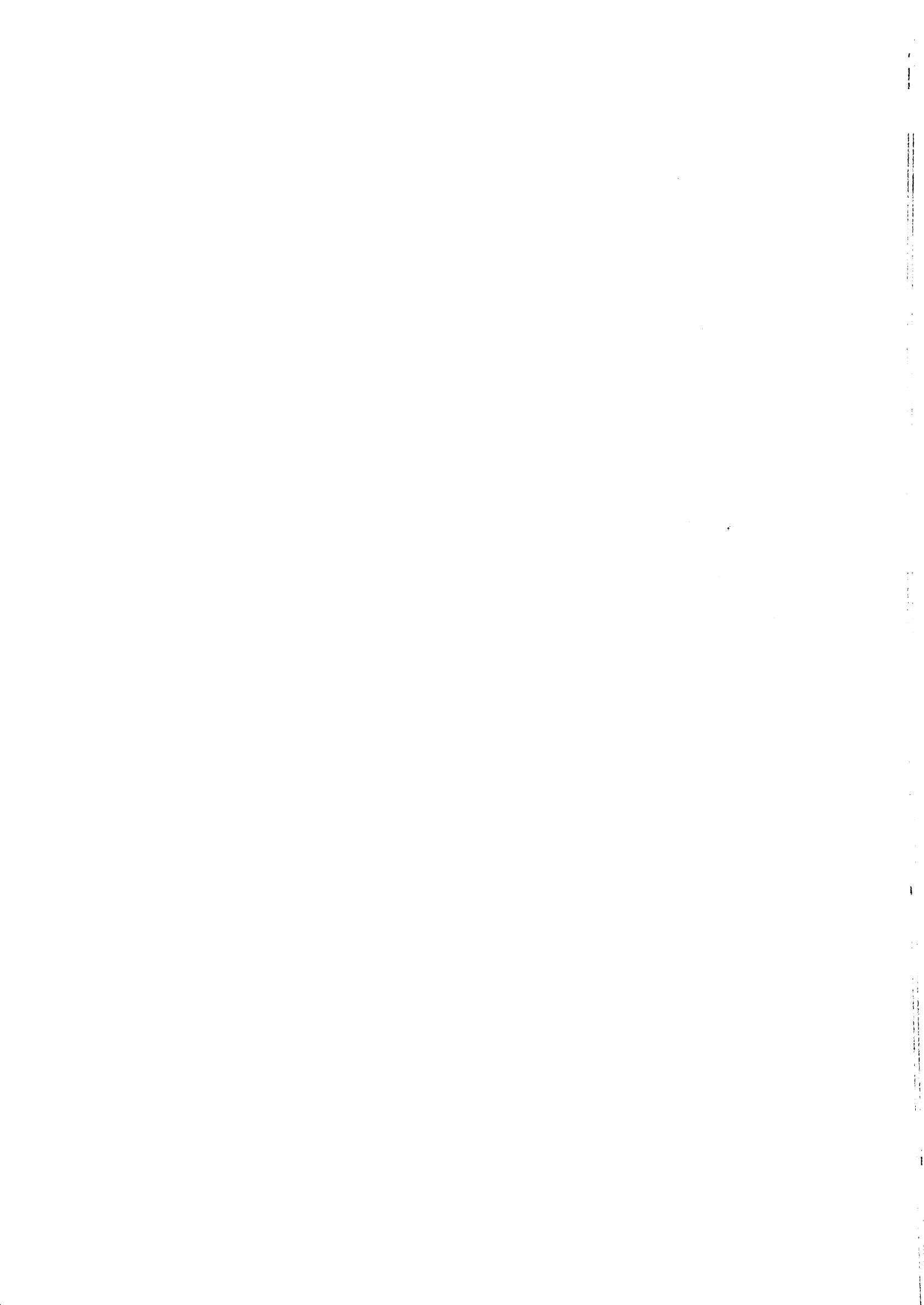


1 young people who have competence who don't
2 necessarily have all the credentials, and there
3 are many. I want to reach out to try and get
4 that biochemist and be able to use him in that
5 classroom situation for whatever time he can
6 devote.

7
8 I want to reach out to the housewife
9 who has her master's degree in English but is not
10 certified and cannot be certified at the present
11 time. I want to reach for the Peace Corps returnee
12 who doesn't have all the credentials and then not
13 have to force him to then return 26 hours of
14 education courses in order for him to be a
15 qualified teacher, and at the same time I want to
16 be able to do something about those teachers who
17 are damaging and hostile to kids.

18 This is all part of the credentialing.
19 For example, I had a young lady call me at home.
20 She taught for eight years in the State of Virginia,
21 full certification, completely qualified. She is
22 in this state, and now she finds when she asks
23 for credentialing that she has to take twelve hours
24 of credits in order to get her certificate to teach
25 in the State of New Jersey.

By the same token, Chancellor Bungen



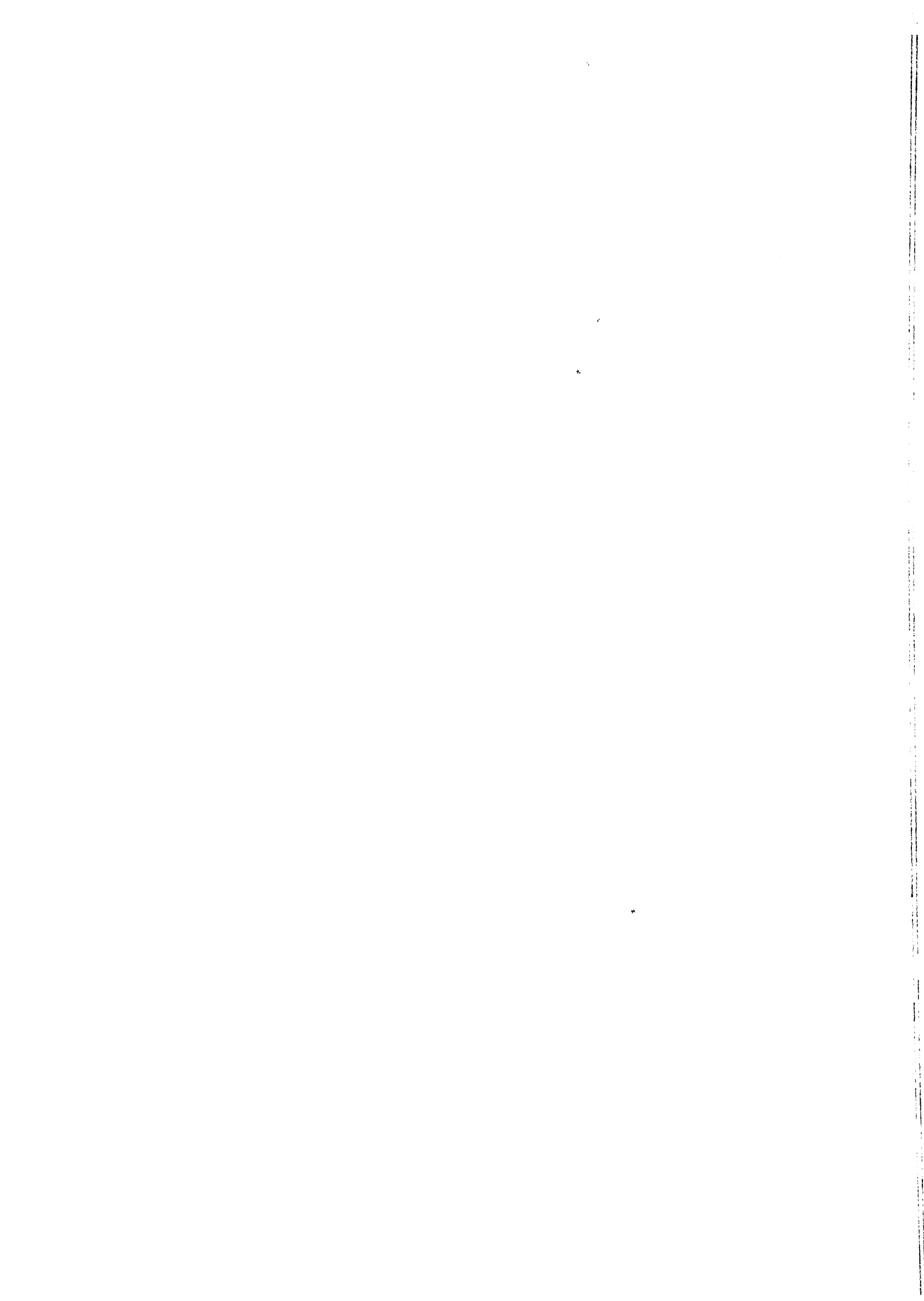
1 relates the story of the young lady who came from
2 another college, entered one of our colleges,
3 wants to be a teacher of English, and she is in
4 the College of Education and they found that she
5 took six hours of American history at the college
6 she attended before. They will only allow her
7 three hours of those six because that is all that
8 is required in order for her to become a teacher of
9 English in the State of New Jersey.

10 These are the things we need to work out,
11 to change so that we can start bringing in these
12 people who are innovative and creative and young-to
13 teachers.

14 I would like very much to have Mr.
15 Mac Innes to speak on this. Could I ask him to
16 make a statement at this time?

17 CHAIRMAN LILLY: Yes.

18 MR. MAC INNES: The Massachusetts Advisory
19 Committee on Public Education looks at
20 certification standards, what the impact was in
21 the school districts. They found the school
22 district with the most certified teachers was
23 Quincy, which is not real renown as a great school
24 system, and that the school system with the fewest
25 fully certified personnel was Newton, Massachusetts,



1 which has one of the finest public education systems
2 in the country. That is one case and supports what
3 the commissioner is saying may not hold true always,
4 but at least it did in Massachusetts.

5 MR. GIBBONS: What is the pattern in the
6 suburban schools in New Jersey in regard quality?

7 THE WITNESS: In terms of certification?
8 They tend to be nearly all fully certified here.
9 You have people who have gone into schools and have
10 attained all the credentialing because this is the
11 thing to do, but this is the pattern in New Jersey.

12 MR. GIBBONS: How do they compare with
13 the fancier prep schools?

14 THE WITNESS: I could only give really just
15 a top of the head impression. I would say they
16 compare very unfavorably with the good prep schools
17 in terms of the quality of education they provide.

18 MR. GIBBONS: Where people are mostly
19 uncertified?

20 THE WITNESS: This is right. That is not
21 saying that they are not still doing an adequate
22 job. I think they could do a great deal better
23 job in the suburbs where we have so called quality
24 education.

25 This is the kind of criticism I am



1 talking about from certification, and the last of
2 that is: What do we do with them after we get
3 them in? The first thing we need to do is to
4 eliminate that damaging and hostile teacher before
5 she gets tenure. We simply do not make this real
6 effort on our part, and I will get two or three
7 cases a year where finally after 25 years they
8 decided they can't stand this psychotic teacher
9 and then I have to make a decision. We need to do
10 something in that first couple of years before that
11 person gets tenure, and we need to learn better
12 how to do the in-service training of that staff
13 that is already on board and certified.

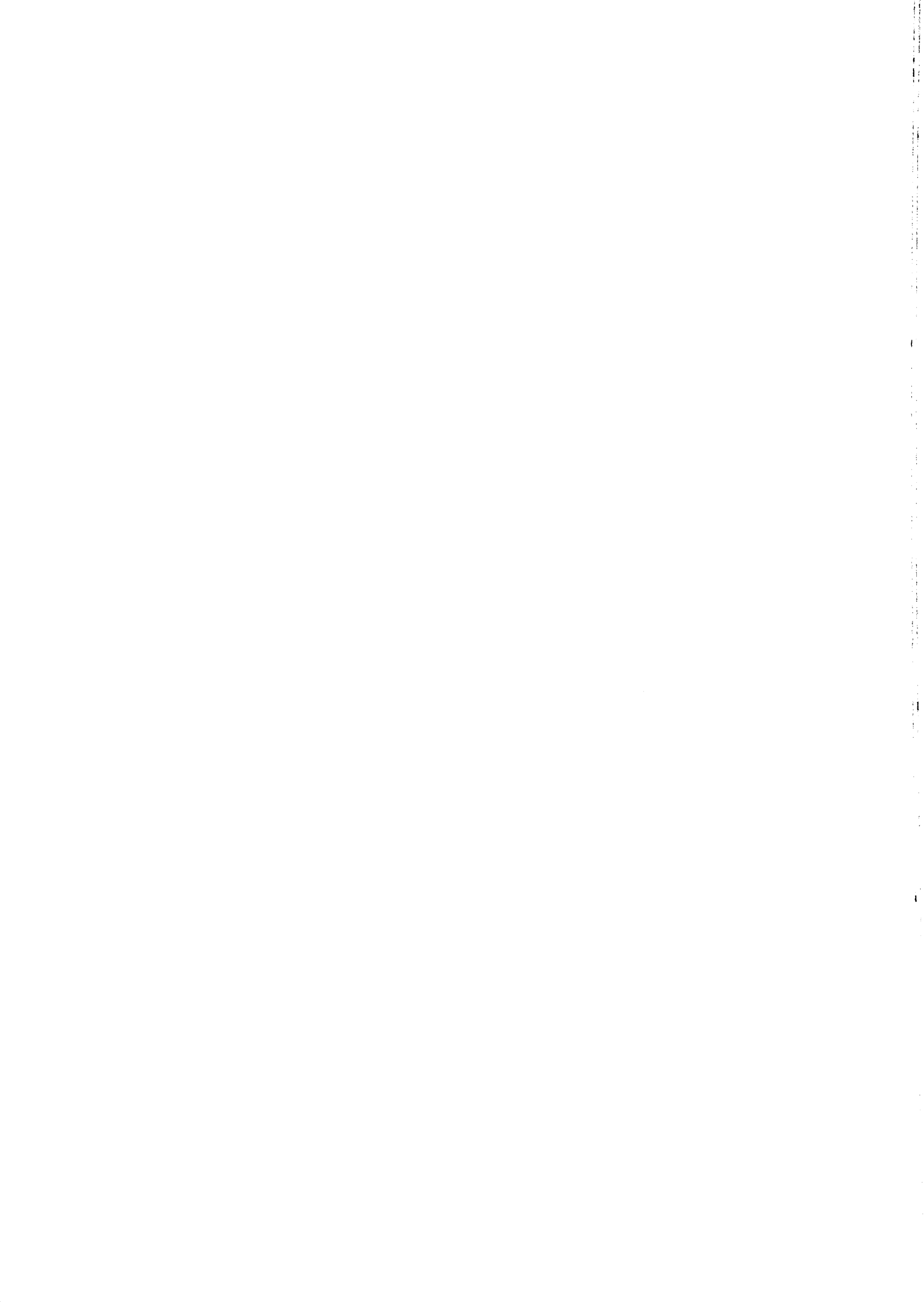
14 By Mr. Jaffe:

15 Q Does the changing of the certification process
16 require legislation, or is that within the power of the
17 commissioner?

18 A Within the power of the commissioner.

19 Q That could be done by rule or regulation?

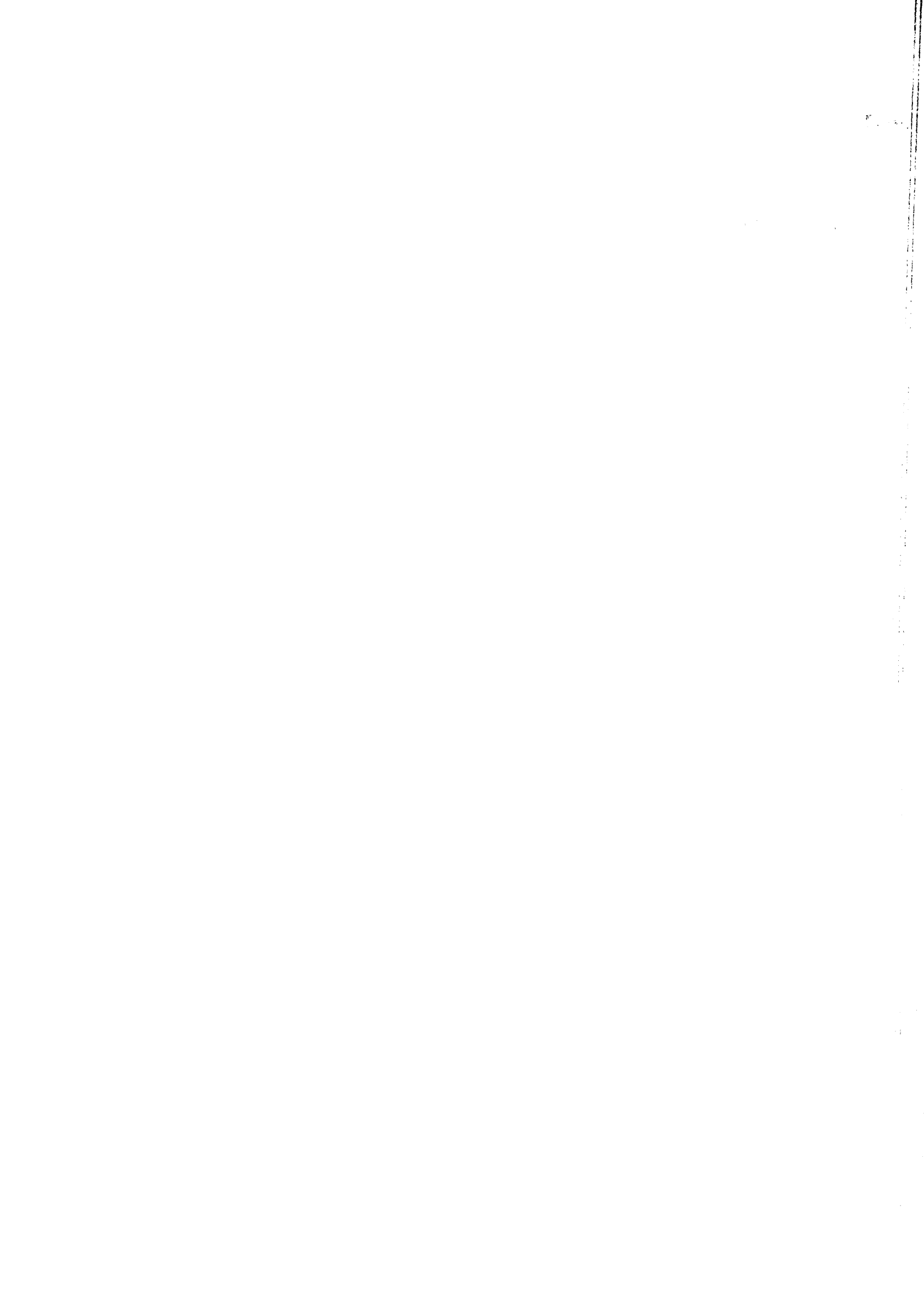
20 A I have an advisory committee on this, but I have
21 not even met with them. They don't meet until October, so
22 I don't even know the position of the group. I really can't
23 respond except to say that it is within my jurisdiction,
24 along with Chancellor Dungan, to work on the whole
25 certification issue.



1 Q If those are changed, I gather a city like Newark
2 could go out and hire non certified people since they are
3 then meeting the state requirements?

4 A They could. One of the problems of Newark is they
5 always give a test to all prospective applicants. That test
6 can very easily be used by the City of Newark and other
7 cities who use such tests as a screening device to take out
8 people they don't want to bring in. That can be both good
9 and bad. I suspect that in Newark quite frankly it is a
10 method or a means by which they don't have to pay the top
11 salaries that they would have to pay if we had fully
12 certified people in the city. They literally save hundreds
13 of thousands of dollars by having substitutes and nearly a
14 third of the teachers in Newark are substitutes. They are
15 not entitled to the fringe benefits and their salary
16 schedule is at the bottom. It is a device that can be used
17 -- I am not saying it is -- to discriminate, if you will, or
18 to keep the whole salary picture down so you have a little
19 freer money.

20 CHAIRMAN LILLEY: If I understand what you
21 are saying, I seem to recall the figures, that there
22 are 800 non certified teachers in Newark, but this
23 isn't producing the desirable affect that you have
24 in this school system in Massachusetts. This is
25 used for another reason.



1 THE WITNESS: It is used for another reason,
2 and they are brought in as substitutes to kind of
3 fill a classroom that hasn't got a teacher in it.

4 MR. GIBBONS: You mentioned earlier,
5 Commissioner, the problem of removing early enough
6 the unqualified teacher. Do you think that the
7 home rule set up for control of local school boards
8 contributes to the problem here?

9 THE WITNESS: Yes, sir, I think it does.
10 We have 594 school districts in this state. We
11 have many school districts with no children attending
12 a school. We have a range in assessed valuation
13 per child from \$3,000 in one district to \$70,000,000
14 in another district.

15 CHAIRMAN LILLEY: What town is that?

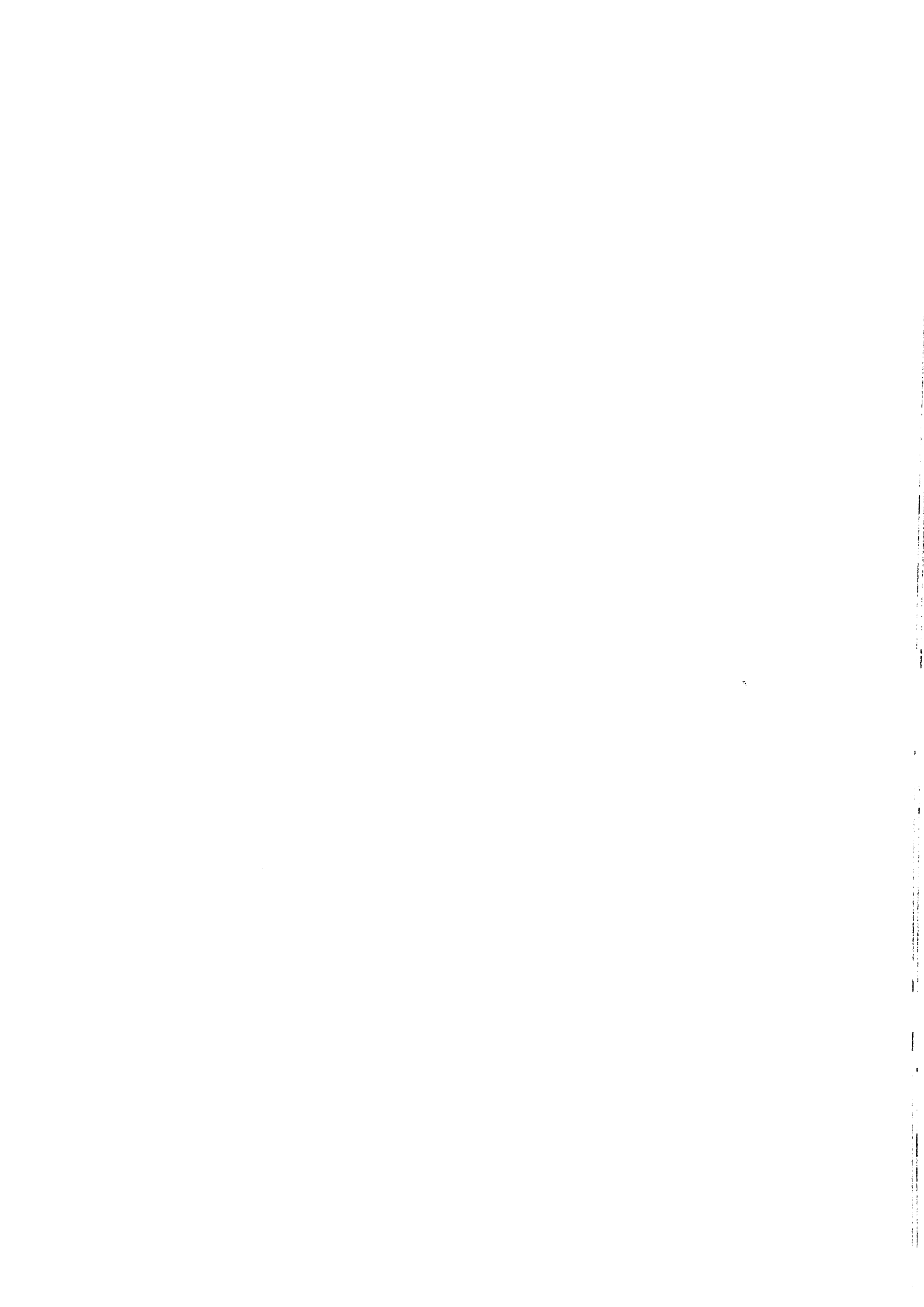
16 THE WITNESS: Teterboro.

17 CHAIRMAN LILLEY: I didn't know there is a
18 school in Teterboro.

19 THE WITNESS: There isn't, but they are in
20 a school district. They have three children.

21 JUDGE WACHENFELD: They must be children
22 of industry.

23 THE WITNESS: So it is \$70,000,000 per
24 child for those three children in the Teterboro School
25 District.

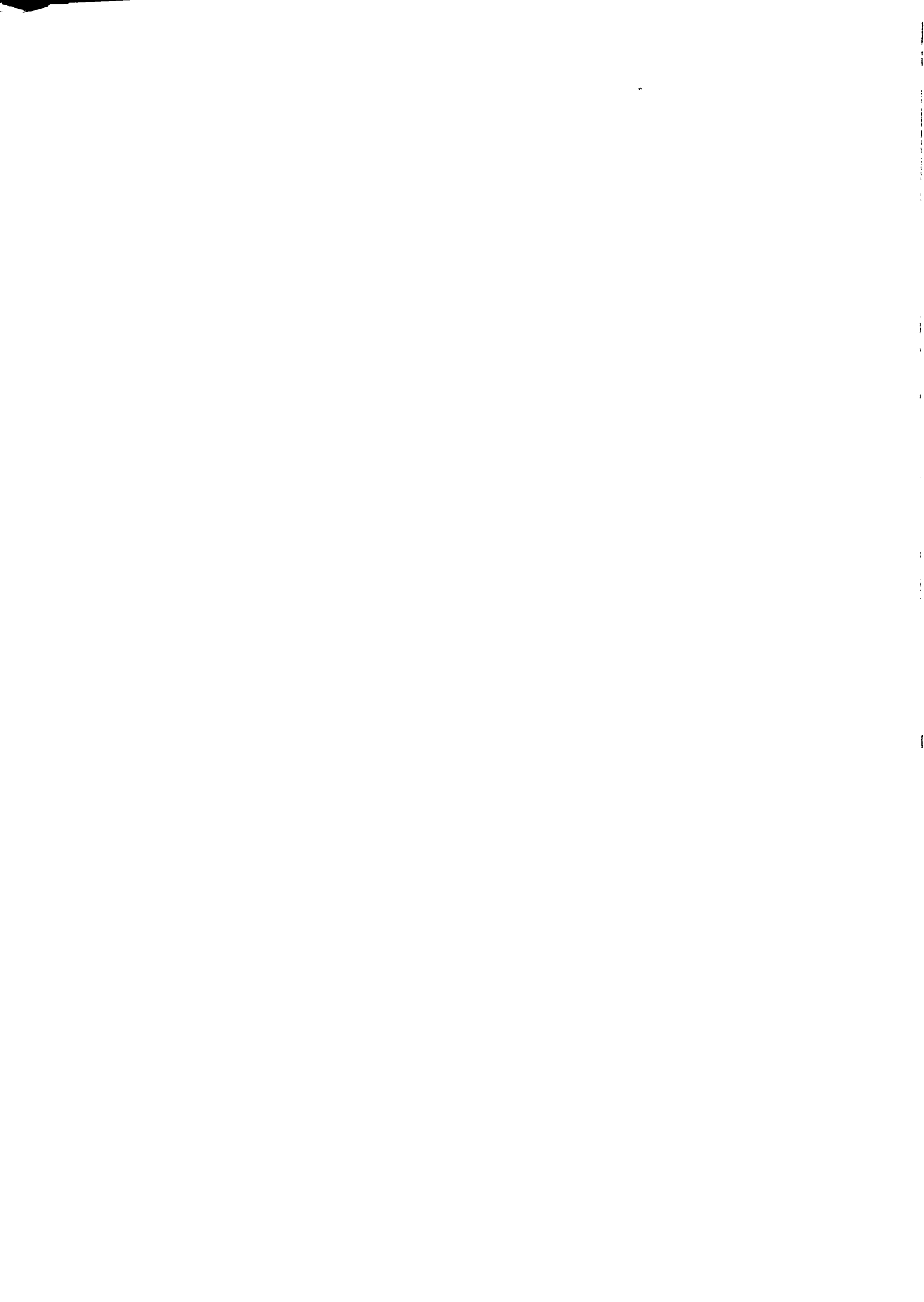


1 MR. GIBBONS: Where do they send them?

2 THE WITNESS: I don't know any school
3 districts well enough to say where they send them.
4 They could send them just about anyplace they wanted,
5 I guess. We have many school districts kindergarten
6 through grade three, through six. We have regional
7 high schools. We are one of the few states in the
8 country that has increased school districts in the
9 last ten years as opposed to the trend nationally
10 of removing numbers of school districts within a
11 state. Home rule is a very strong factor in this
12 state, and I believe personally that you have to
13 have a minimum of 5,000, and it may be as high as
14 10,000 children, within a school district if you
15 are going to provide a quality education experience
16 for all children from kindergarten to the twelfth
17 grade.

18 You can't have Latin and French. You
19 have to have one, and that is all you can have in
20 the small school. So there is currently a
21 committee, Englehard and Leggett, which is doing a
22 base line study for the department on what is the
23 state of the art in terms of school districts,
24 what they look like and so on.

25 I am moving hard toward school district



1 reorganization. I don't know what this picture is
2 going to look like, how many we are going to end
3 up with. I can only state I want to look like a
4 K-12 District in every school district in the state.
5 New York State uses incentive grants to school
6 districts to combine so they do get additional
7 funds if they are able to pull suburban and urban
8 systems together and high-ratable districts and
9 non-high-ratable districts together. It is a
10 complex and difficult problem, but most states
11 have moved on it. Pennsylvania has done it through
12 fiat where "you will do this by a certain time."
13 New York State has moved through the incentive
14 system. So it is a key to the whole education
15 problem, the number of fragmented school districts.

16 MR. GIBBONS: would you care to comment on
17 the extent to which this home rule concept has been
18 successful in preserving patterns of segregation
19 in the school system?

20 THE WITNESS: I think it is very key in
21 preserving patterns of segregation in the state.
22 One of the inputs that I want to make into the
23 whole district reorganization is racial balance, in
24 other words, that we do try to move towards
25 reorganization based upon size as a key factor,



1 total educational experience as a key factor, and
2 racial balance as a key factor, because, indeed,
3 you are able to maintain a segregated school
4 system with the kind of home rule and local school
5 districts that we have in this state.

6 MR. GIBSON: Has your department made any
7 study of the extent to which the city schools
8 suffer, that is, the youngsters' experience in the
9 city schools being inferior merely because it is
10 segregated?

11 THE WITNESS: No, sir. We have no
12 specifically as a department made this kind of
13 analysis. We do, however, have the Coleman Report
14 published by the Office of Education, the Civil
15 Rights Commission Report, which I think
16 substantiates basically that the segregated
17 education is inferior education. Our department
18 has not made that specific study.

19 MR. GIBSON: Would you care to comment on
20 whether or not bussing from the cities to the suburbs
21 would be a feasible alternative?

22 THE WITNESS: There are many feasible alter-
23 natives. This is one. The education part is another
24 alternative.

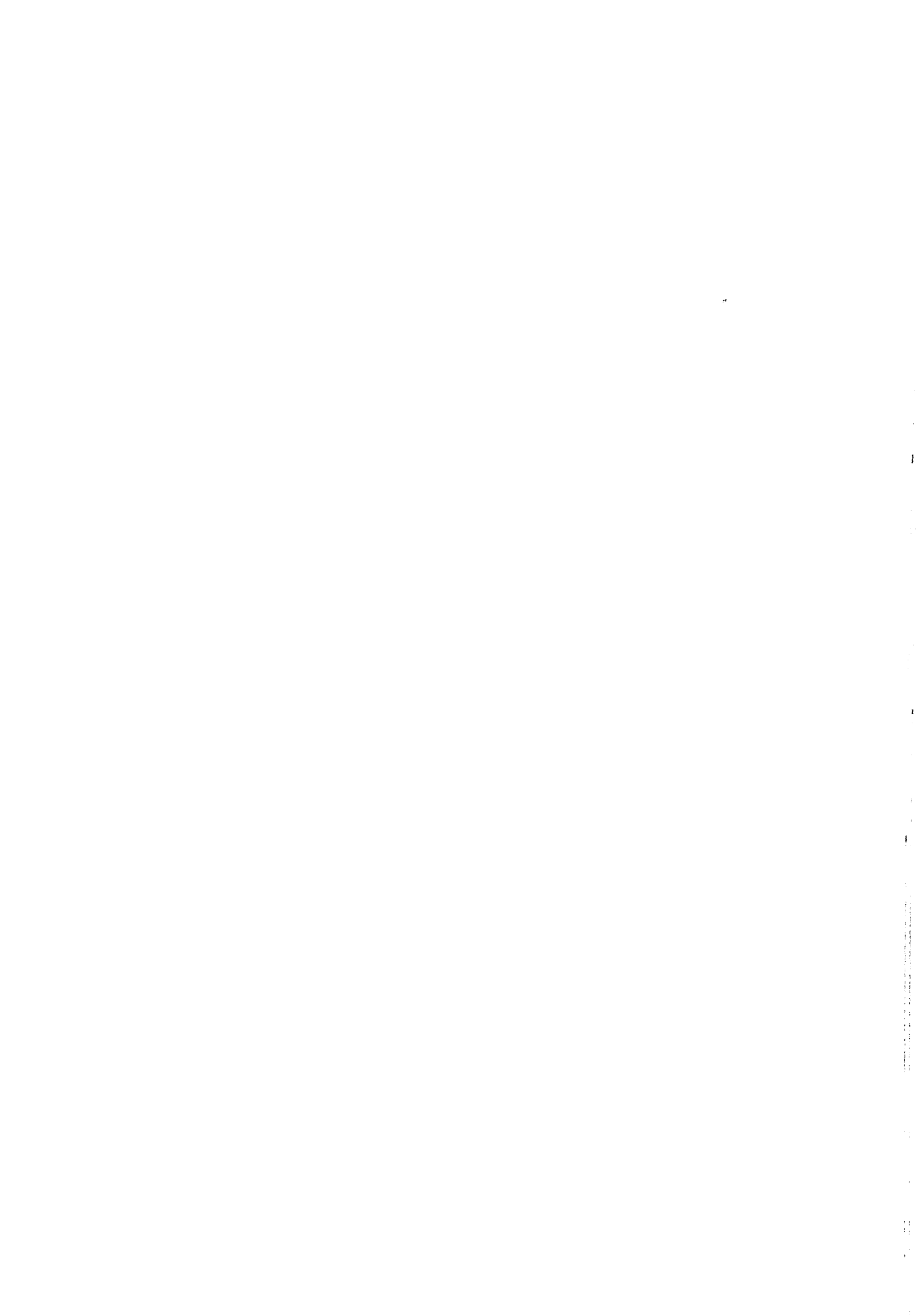
25 CHAIRMAN LILLEY: What is that?



1
2 THE WITNESS: The education park is where
3 you bring together all of the schools within a
4 district. For instance, East Orange has such a park
5 concept in mind where all children will attend a single
6 school complex elementary on through the senior
7 high school, so indeed you have a complete racial
8 balance as it is possible within that total city.

9 Other communities have built such
10 educational parks on the edge of school districts
11 so that they have feed-in of basically the white
12 suburban population and the intercity negro
13 population into a park complex where it is a total
14 K through 12 Housing Complex. There is another
15 direction that we can go.

16 I think the city school systems cannot
17 really make it without the help of the suburbs.
18 They are going to be increasingly ghettoized and
19 minority-populationized less in some way the
20 suburbs and the cities can work together in some
21 kind of a mix. One such experiment is taking place
22 right now in Hartford and West Hartford, which is
23 basically a negro population of Hartford and a white
24 population in West Hartford. We are bringing to
25 Trenton to meet with us to talk this whole idea
over the superintendent of schools in West Hartford.



1 who is the one in the suburbs who initiated this
2 plan.

3 There are many ways. Bussing is another
4 possibility. There are many ways in which this
5 could be done. I personally am not a proponent of
6 just bussing. I think we have to look at all the
7 alternatives and each school situation, urban and
8 suburban situation being an entirely unique one,
9 and what will work here will not work over here
10 necessarily.

11 I have to make decisions on segregation
12 cases. I have made one on Bridgeton. I cannot
13 use that as a case that will be the identical case
14 in Montclair or Englewood. They have to be
15 determined in terms of geography, racial composition.
16 Location of schools is all a key factor in what is
17 the way in which we achieve racial balance.

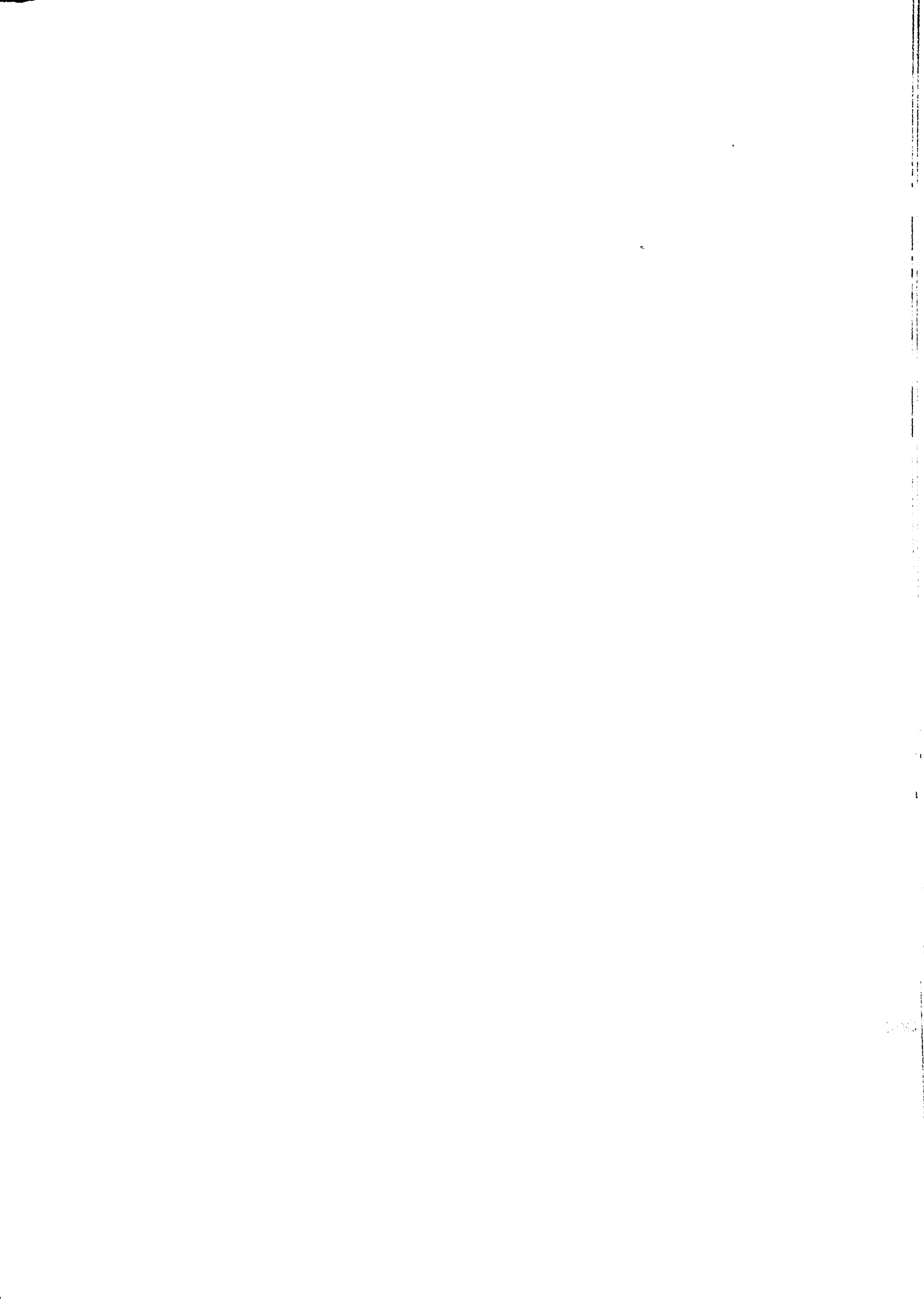
18 By Mr. Jaffe:

19 Q You have no way of forcing one school district to
20 accept pupils from another?

21 A No, sir. I may have more power than I know, but at
22 this point I don't think that is one of my powers.

23 Q Do you think that would be a desirable power to have?

24 A Power corrupts, and I am one of the good guys;
25



1 therefore, I can handle it, you see. Power in the wrong
2 hands could be a very devastating power, and I would say I
3 guess at this point probably no, that persuasion, that
4 working with school districts, incentive grants of this kind
5 in the long run are going to be much more effective.

6 Q Particularly I would imagine if you can realign
7 the school districts, then to a great extent you achieve
8 that result, too?

9 A Right.

10 Q Commissioner, you just mentioned the Hartford
11 experiment. I wonder if you could give us a little bit of
12 an exposition on what they have done.

13 A I am talking about 100 white and negro youngsters
14 who are being cross-bussed and this being a total experience
15 for white youngsters and negroes. This was stimulated
16 primarily by a suburban superintendent who wanted the mixed
17 racial experience for the children in his suburban community.
18 I could give you many more details on it after I have met
19 with the superintendent and have had him spell out the
20 details of it. But it was initiated primarily by the
21 superintendent.

22 JUDIE WACHENFELD: Is that on an experi-
23 mental basis?

24 THE WIRBELS: Yes, sir.

25 JUDGE WACHENFELD: Has there been



1 cross-fertilization of teachers?

2 THE WITNESS: It has been tried but not in
3 New Jersey.

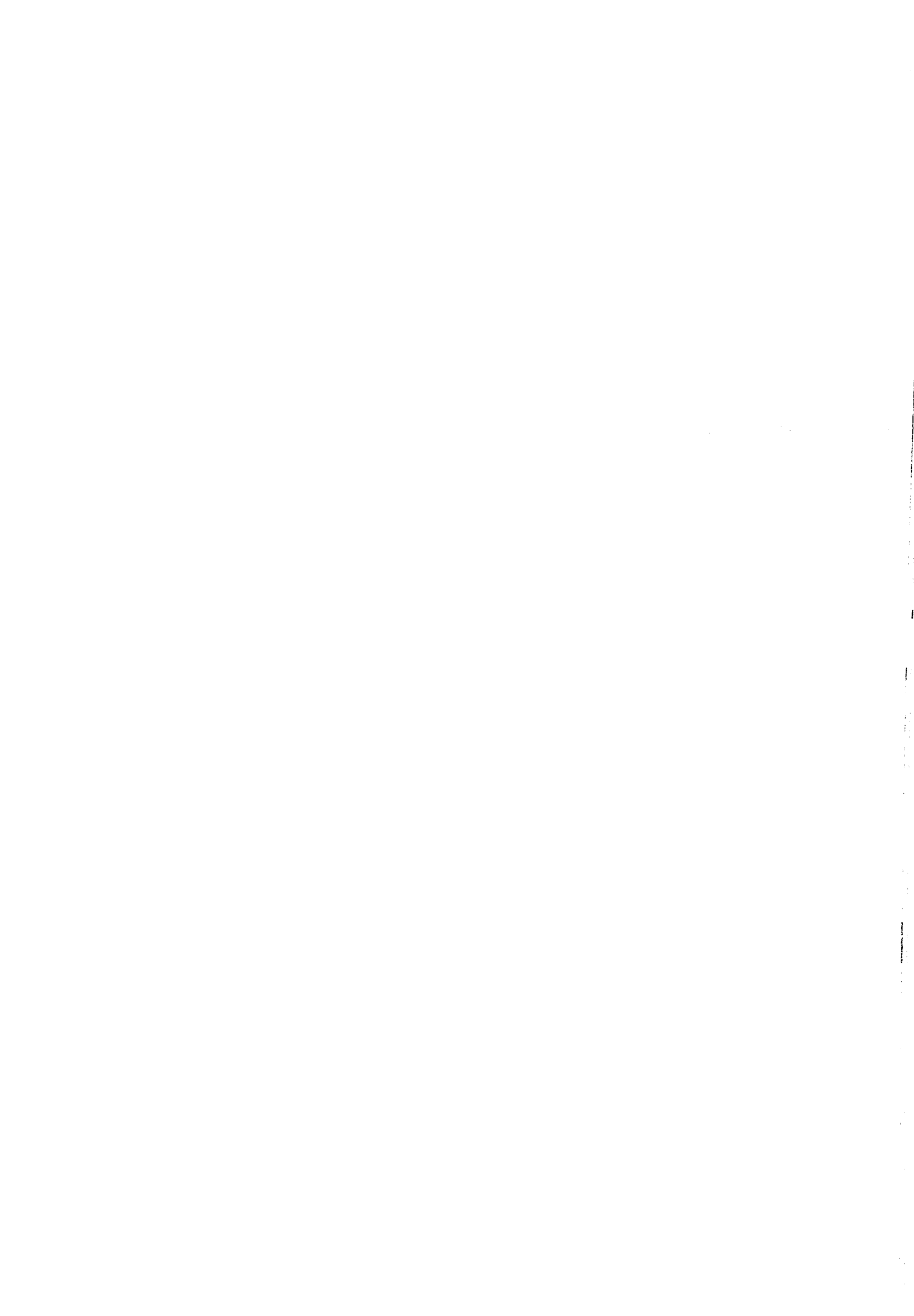
4 JUDGE WACHENFELD: Do you think it is
5 something that may be feasible between the suburbs
6 and the cities?

7 THE WITNESS: It is something I want to work
8 toward. How feasible depends upon which
9 communities we are talking about. There are some
10 that are obviously adamantly going to refuse any
11 kind of mix of this kind, others that have some
12 willingness to do so. It is a question of
13 negotiations with suburban and urban districts in
14 trying to work out teacher and pupil mix.

15 By Mr. Jaffe:

16 Q Commissioner, I wonder if you would care to comment
17 on the value of experimental programs in particular schools,
18 and I am referring specifically to the Camden Street project
19 in Newark, whether or not more of those should be instituted
20 and the value and utility of this type of program.

21 A I certainly am most supportive of innovated ways
22 to go forward. What are the values of our innovated
23 programs is they have not been valued and assessed. All of
24 our federal programs' funds that have come in under Title 3
25 and Title 1 are such that we have done some good for



1 children and we have done some good for schools, but they
2 have not been adequately valued. We don't have competent
3 research being done in these.

4 So one of the things that I want to insist on is as we
5 do these things, these experimental programs, we have such
6 more adequate evaluation and research done. Just to
7 describe my own department, when I came here there was no
8 research component whatever in the department. There was
9 no planning staff. There was no budget staff that enabled
10 me to make the budgetary decisions.

11 So I had built this kind of staff within the department
12 now, at least the nucleus of a staff so that I can make both
13 budgetary and programmatic decisions based upon research or
14 budget information that is adequate. We don't have the
15 kinds of adequate information on the various innovative
16 projects that been started. We are working very closely
17 with the Office of Education and with the Department of
18 Health, Education and Welfare to do just as you are asking,
19 to indeed have set up a series of pilot schools, learning
20 institutes if you will, throughout the state with probably
21 the greatest emphasis on urban areas that will have a heavy
22 research and evaluation component so that we can say yes,
23 we have made the difference by doing the following kind of
24 things.

25 Then you can go to Education and say, 'We can use

1 \$100,000,000." Today if they gave it to me I can only put
2 it in facilities. I could not say to Frank Titus here
3 today, "Take \$10,000,000" because I am not sure we would
4 accomplish very much.

5 Q How long has that Camden Street project been going
6 on?

7 A One year.

8 MR. MAO LINES: They are coming in for almost
9 a tripling of the project this year, which has not
10 been approved as yet.

11 By Mr. Jaffe:

12 Q I gather you are going through the evaluation
13 process of it. Do records aid in this?

14 A It is very soft. It is hard to find what difference
15 they are making in the project after a year.

16 Q Do you use universities primarily in these
17 experimental programs?

18 A I guess I have to say yes, but we are using
19 university staff primarily for most of the projects that
20 are on-going in the state. Vocational education is a little
21 different in that we have some 30 or some pilot projects
22 where there is primarily our own staff. Personnel from our
23 department and school systems, but primarily we reach out
24 for the expertise of the universities.

25 Q I wonder if you would like to comment on the role



1 of the vocational school in this problem as it relates to
2 the central city, and what I have in mind is: Do you think
3 the vocational school has a place, and if so, should it be
4 expanded? How?

5 A In speaking to this I am not going to be speaking
6 from a great deal of information. I have a very good
7 assistant commissioner responsible for vocational education,
8 Mr. Robert Worthington. With all of the emergencies and
9 pressing problems that have beset us since coming into this
10 state, and I knew what I was getting into so I am not
11 objecting, but I have had a lot of problems. I have almost
12 given Mr. Worthington carte blanche and said, "You run and
13 I will deal with you later."

14 In two months I am not on top of the vocational
15 education program except to say that I think we have as
16 good a vocational education program in the state as any
17 state in the country. I think we have moved further than
18 most states in this respect.

19 I will say that I think the tendency of vocational
20 schools is to cream, to take off the best kids, and they
21 really become more technical institutes for those young
22 people who have high skills. I would prefer to go the
23 comprehensive high school route where vocational education
24 would be a very heavy component of those comprehensive high
25 schools rather than the exclusive vocational school as has

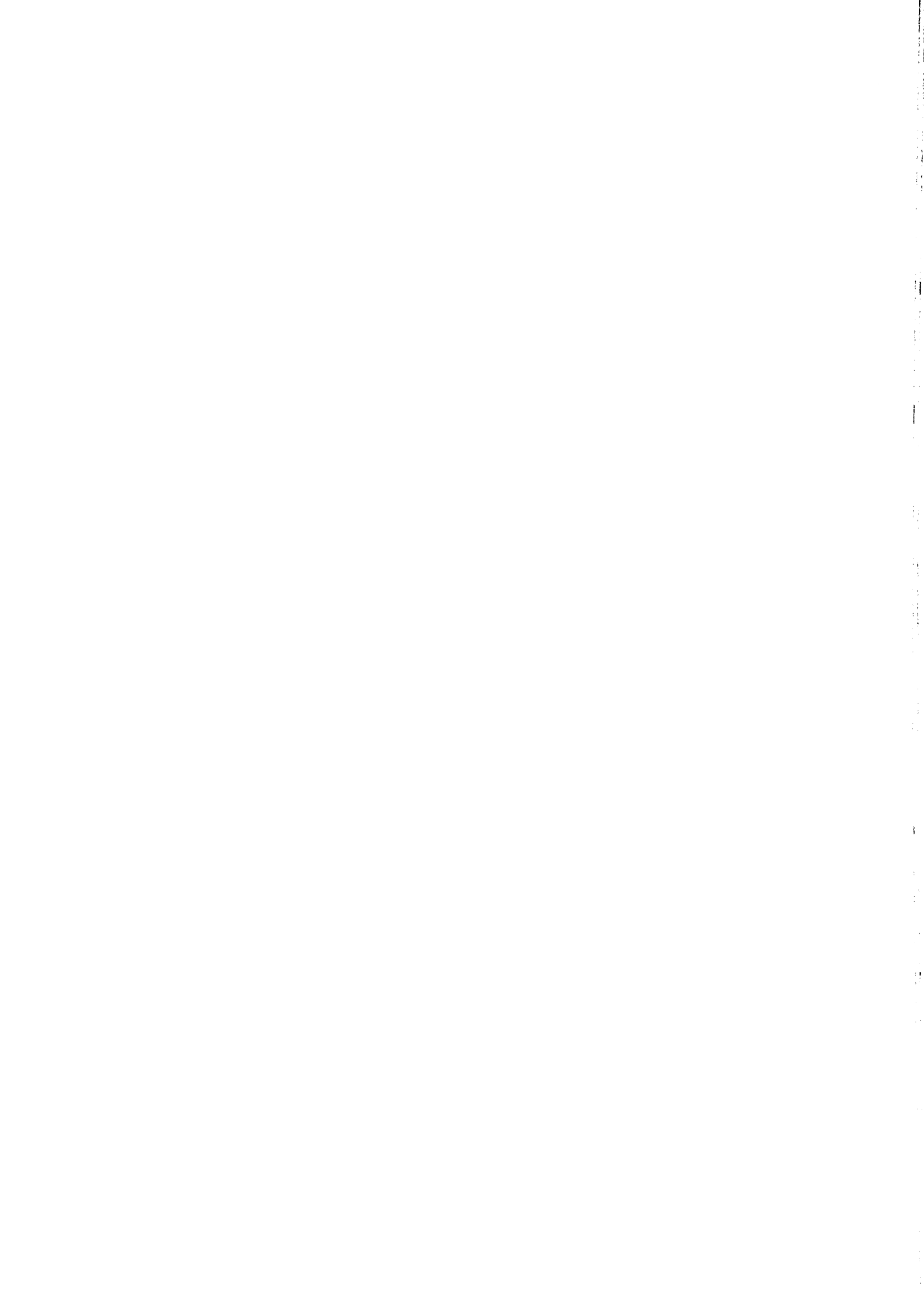


1
2 the tradition in the state. I think the state was the first
3 state to have a vocational high school as such. I think in
4 some respects this has been somewhat damaging to the total
5 concept of vocational education and general education because
6 it tends to fragment the two. It tends to pull them apart.
7 I would tend to prefer to have comprehensive high school
8 with a heavy vocational component in it rather than the
9 separate vocational schools.

10 We do have a lot of vocational schools, and I want to
11 make of them less a crowding operation of taking those bright
12 youngsters who are going to make it anyway and try to reach
13 into the inner cities for the young people who need the
14 vocational experience if they are going to survive a school
15 experience.

16 We have problems with this. For example, Newark has
17 not been able to work together well enough with the county
18 or to wake up their minds sufficiently to even run the
19 manpower training center in this city. It is the only one
20 in the country that is being run by a state department only
21 because Newark and the county could not get together and
22 decide they wanted to have a manpower training center. So
23 the state is running it, and we are providing training for
24 many young people who are dropouts or high school graduates
25 that would never succeed unless they had this experience.

That is not a substantive answer.



1 Q I realize that. Would you care to comment on the
2 role of pre-school training and the value of it, something
3 either analogous to the Head Start Program or an improvement
4 of it, if you think that is advisable?

5 A I am very supportive of the pre-school program.
6 If I could relate an experience I had with Dr. Paul Hannah,
7 a noted educator who has been working for seven years with
8 a group of brain surgeons, biochemists, educators,
9 psychologists, psychiatrists in an analysis of the learning
10 situation, he indicated that they had been working for seven
11 years and would be working for three more years and then
12 would publish their results and they were not about to
13 release their results of the study of the learning situation
14 until after ten years.

15 My comment was, "Meanwhile, look at the ranch, Dr.
16 Hannah, we have a lot of kids. Are there some general ideas
17 you could share with us?" The two things he indicated were
18 most critical were: (a) We need to provide particularly for
19 disadvantaged children earlier experiences in the school
20 setting and, secondly, we must provide multi-sensory
21 experience, that we just talk at kids, but children have to
22 learn by doing, touching, feeling and smelling, and be
23 totally involved.

24 So I am very supportive of the pre-school concept and
25 I think we must with disadvantaged children bring them into



1 the school earlier in pre-school, head start, kindergarten
2 experiences. The problem is precisely the problem which
3 Mr. Lilley has mentioned, that after they have had a
4 worthwhile or pre-school or head start experience, the
5 results have tended to diminish as they then get into the
6 regular school program. So after two or three years you
7 can no longer recognize them as having had the experience
8 because we in the institution tend to conform them to the
9 norm of other children who haven't had the experience.

10 So we must look, then, at a continuing experience for
11 these children that goes up into the grades so that the
12 first grade has more like a head start than does the second
13 grade and the kindergarten looks like more of a head start
14 than the first grade. The key must be involvement of the
15 community and the parents. This is one of the things that
16 Head Start has really brought to this whole notion of how
17 we educate children, because unless we have the motivation,
18 the aspirations on the part of the parent for this parent
19 to succeed, then we are fighting a losing battle with the
20 child five or six hours a day in school and with the
21 negative influence of the home or community which can weigh
22 down this child with its bigotry. We will make a great push
23 and put emphasis on pre-school as a part of my responsibility
24 as commissioner in this state.

25 Q Do you envision the pre-school education as a



1 mandatory or as a volunteer type concept?

2 A I think it needs to come to the stage of mandatory,
3 and so I think we do need state legislation that will provide
4 funding for children who attend pre-school.

5 MR. GIBBONS: Have you had any reaction from
6 pediatric circles about making it mandatory?

7 THE WITNESS: No. I have not asked pediatric
8 circles. I am talking about disadvantaged children
9 and whether it is possible to make this distinction
10 in terms of mandatory attendance or not is another
11 question I simply have not investigated.

12 MR. GIBBONS: There certainly would not be
13 unanimity among pediatricians.

14 THE WITNESS: Or educators.

15 By Mr. Jaffe:

16 Q It would not necessarily follow even if it were
17 mandatory that your pre-school education would have to take
18 place in the school. You could run your pre-school education,
19 I would assume, for example, in a high-rise apartment. It
20 wouldn't necessarily follow that it actually had to be in
21 the school. I am sure along those lines it might be a more
22 feasible approach in that kind of a context.

23 I wonder if you would have an opinion as to whether you
24 think it is feasible to talk about the full-year concept in
25 New Jersey.

1 A No, I don't think it is. I think we can talk about
2 the full-year schooling if we are talking about using the
3 summer months for remedial enrichment and other kind of
4 activities, the full year in terms of the use of the school
5 facility such longer during the school day and week so the
6 Saturdays and Sundays are utilized. But if you are talking
7 about school year in terms of some kind of a trimester or
8 quarter semester whereby children are in school all year
9 long and some children are taking their vacations during
10 January and some are taking them during November and
11 December, the experience across the country has been there is
12 not a single school system that has tried this that is still
13 in operation that way.

14 Basically industry, parents, labor, all indicate that
15 they are on this ten-month bit, so vacations are seen as
16 coming during the summertime. I don't want as a parent for
17 my children to have their time off in January when they can't
18 go out and play and I am stuck with them all during that two
19 months time. I have got seven kids, and we have to schedule
20 it so that all seven kids are scheduled in January and I
21 have seven in the house.

22 No twelve-month school system has succeeded that has
23 been tried. That doesn't mean we shouldn't totally utilize
24 that school plant for the summer months and evenings and
25 weekends, but I am simply speaking to the twelve-month school



1 year as a regular schedule. It has not succeeded in any
2 school system I am aware of, and we did a total analysis of
3 this.

4 Q What I was also thinking about, isn't there some
5 way of working out the concept where the teachers are
6 employed on a four year basis and the school plant, although
7 it may not be necessarily used for the educational process
8 per se during the summer months is still in full operation
9 in a variety of different programs?

10 A This is most feasible. Once again, it is paying
11 teachers for twelve months' work rather than ten months'
12 work as they currently are paid. That has also been tried
13 in many school systems where the teachers work eleven months.
14 One system allowed them to take a fall month vacation one
15 time, a travel vacation for educational enlightenment the
16 next year, and then attend a university or college another
17 summer, so there are various schemes whereby this can be
18 done.

19 It must be that you pay the teachers for the full year
20 rather than ten months and then expect them to work beyond.
21 With the increasing militancy of unions and the NJEA, we
22 have to have twelve-month pay. This becomes a very costly
23 proposition for school systems.

24 Q Assuming you could meet the cost problem, do you
25 think it would be a feasible use of the school plant during

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1 the summer months?

2 A Yes.

3 Q The question that is raised is with the present
4 problems in the labor market, the type of labor available,
5 the days in which a student can earn a sufficient amount of
6 money during the summer months is non-existent where you can
7 get the type of job that is a paying job. Couldn't we work
8 some program out that would keep people in school during
9 the summer months, or a good portion of them, and keep the
10 teachers employed and use it as a creative experience?

11 A The various federal programs have allowed this to
12 happen. The GSG programs and Title I's have extended the
13 school day and year where teachers are paid and where many
14 youngsters are in school during the summer months. I have
15 visited many programs this summer in the cities. It is
16 only a small portion of the young people who are attending
17 these programs, but if we had a twelve-month school year
18 and teachers were paid, that could make use of that facility
19 almost full time.

20 I think we almost have another consideration to make,
21 and that is about air conditioning. It is pretty difficult
22 to have youngsters sit through a full day of school during
23 the summer without some air conditioning in buildings.
24 Most adults wouldn't tolerate it in their work, and we
25 expect kids to.

1 Q Are new plants going up air conditioned?

2 A Your I think.

3 Q There are schools presently being built that are
4 not air conditioned?

5 MR. MAC INNES: There are only four schools
6 that are built or are being planned with air
7 condition as opposed to a record of something like
8 70 percent nationwide of new school plants being
9 air conditioned.

10 MR. GIBBONS: Does your department have any
11 position on this? Are you encouraging it to go in
12 the other direction?

13 THE WITNESS: I can't really answer whether
14 the department has taken a stand. I take the stand
15 we should go in the other direction, but once again
16 it is a financial problem.

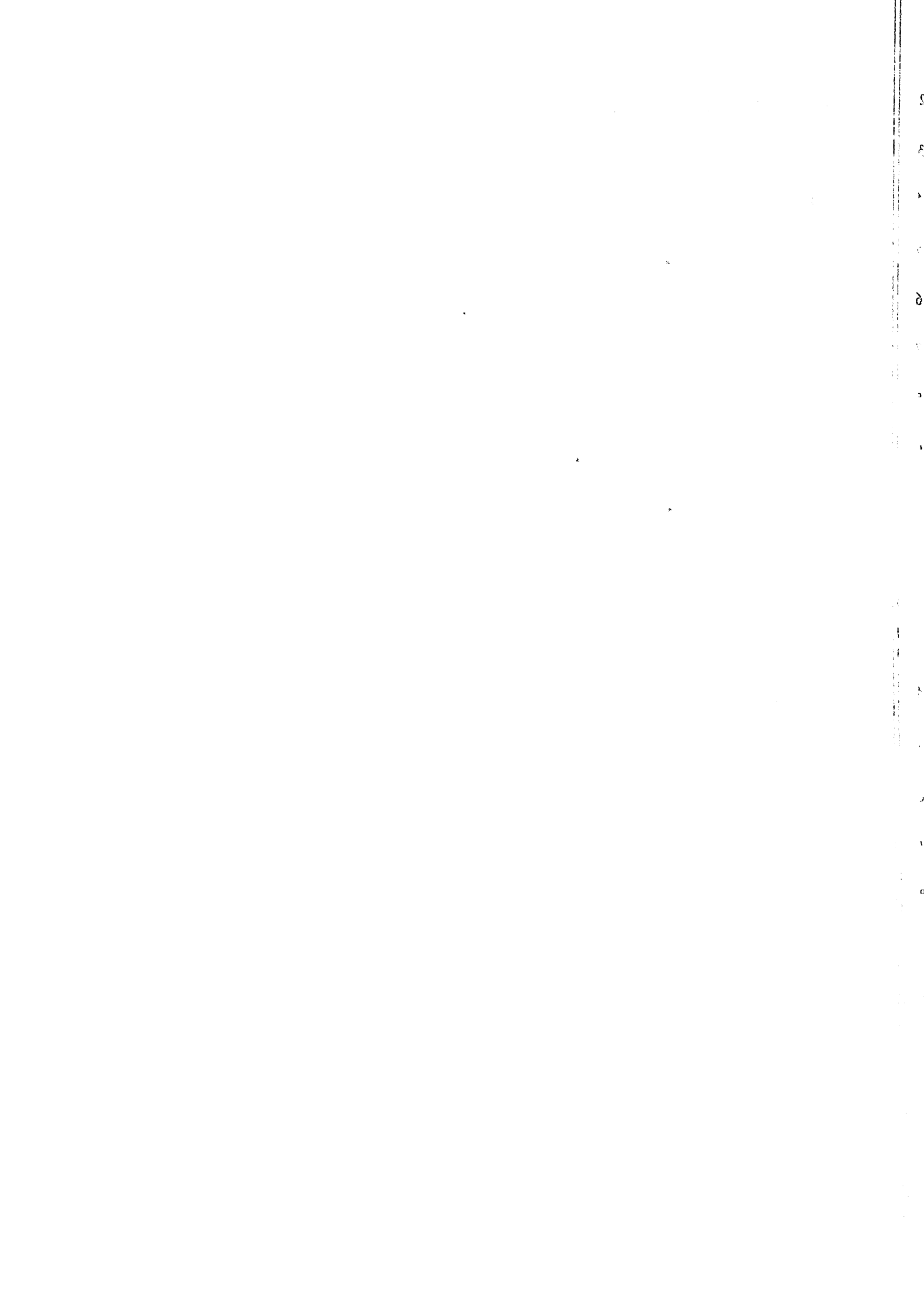
17 MR. GIBBONS: You review all school plans?

18 THE WITNESS: Right.

19 MR. GIBBONS: But you are not turning them
20 down on this basis?

21 THE WITNESS: Not because they don't have
22 air conditioning.

23 MR. GIBBONS: Have you made any observations
24 with respect to rates that school boards are
25 paying architects in the state compared to what



1 good firms are deserting from industry for
2 comparable work?

3 THE WITNESS: No sir, I haven't. It is
4 another one of those areas that I think needs
5 looking at very hard. As a matter of fact, our
6 whole school construction approval process is one
7 which I need to get at very much. There is
8 currently a committee in operation that is taking
9 a look at the standards of what we are requiring.
10 I met with them very briefly last week and indicated
11 some of my concerns in this area, but I have not
12 done this kind of depth investigation of the
13 problem.

14 By Mr. Jaffe:

15 Q One other area we haven't touched on is the
16 problem of federal financing and the kind of federal
17 financing we ought to take advantage of and the kind of
18 liaison. I wonder if you want to comment on that from the
19 standpoint of the local municipality and the state with the
20 federal government.

21 A There are at last count some 140 federal programs
22 that can provide funds either directly to local school
23 districts or through the state department, through state
24 plans or other sources. We have an analysis of the funds
25 that are available in the state and where they are going,



1 and I would be happy to make that a part of the record for
2 the committee if you would like.

3 The largest single source of funds is the Elementary-
4 Secondary Act which provides under Title I for the
5 disadvantaged young people of the state, and we have the
6 approval of these programs at the state level. In the past
7 I think this has been a fairly perfunctory kind of approval.
8 Anybody that submitted something pretty much got it. I am
9 taking a much harder line on this and asking school districts
10 to demonstrate through what they are planning in program
11 that it also is meeting the needs of the young people.

12 You probably read in the paper that we turned down
13 Newark. We didn't really turn down Newark; we simply came
14 back to Newark and said, "These are what you tell us your
15 needs are, Mr. Superintendent, and this is the program and
16 the things don't mesh. Let's take a look at the needs of
17 the kids and try to design the program in terms of needs."

18 So I am taking a much harder line in terms of having
19 programs meet the needs of young people.

20 What is the total that has come into the state in the
21 last year, Mr. Mac Innes?

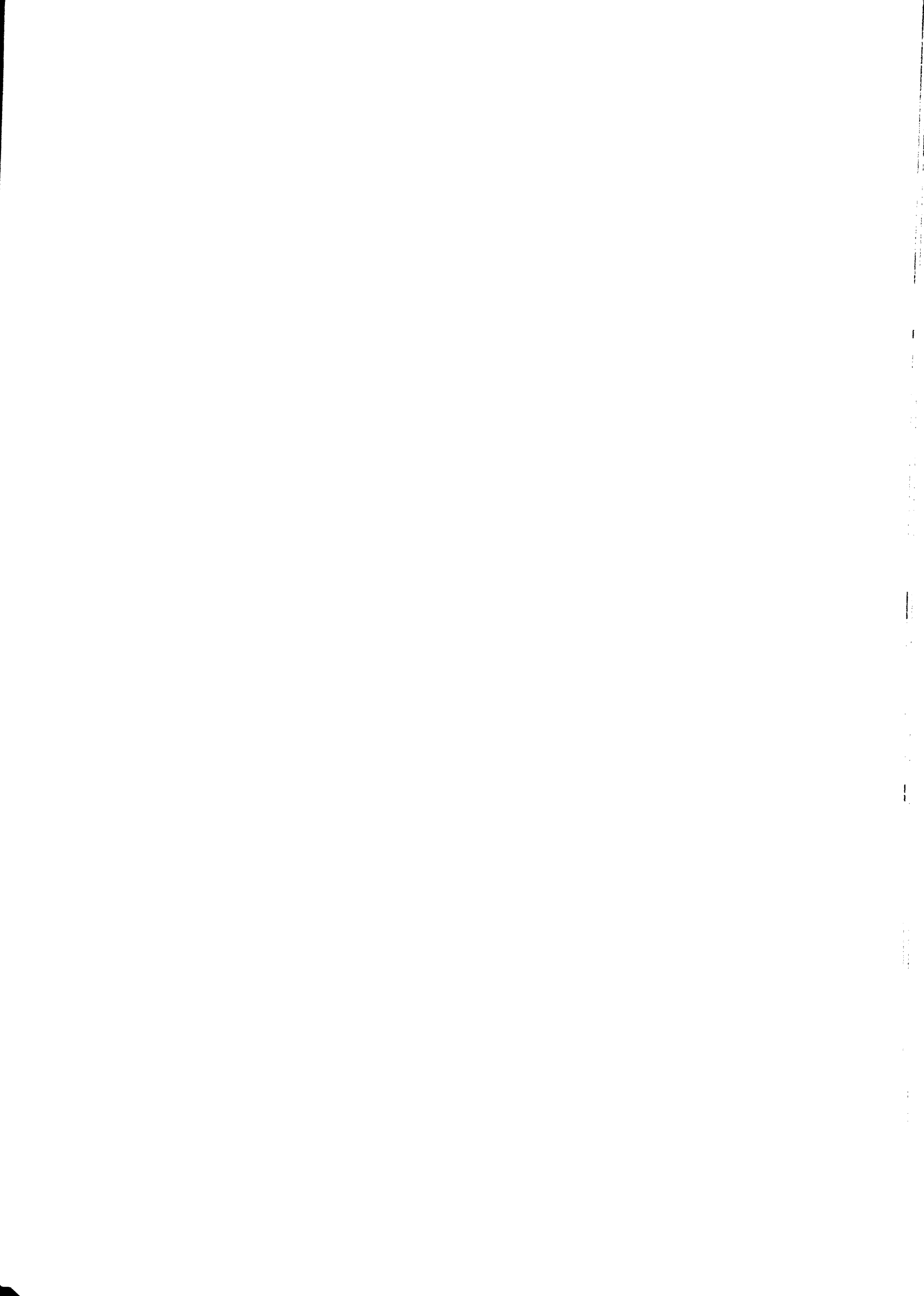
22 MR. MAC INNES: Forty-eight million dollars,
23 and of that last year about \$24,000,000 was under
24 Title I of the Elementary and Secondary Education
25 Act. I can give you ideas as to how that breaks

1 down in different cities.

2 THE WITNESS: All of these funds tend to be
3 categorical in nature, for a specific purpose
4 rather than general aid. There are restrictions
5 on the funds, and there has to be maintenance of
6 effort on the part of a school district. Some
7 school districts are penalized because they can't
8 use the funds for those programs.

9 I am working with a task force here in
10 this state. The Office of Education has set up
11 what they call a New Jersey task force, and we have
12 a very close linkage between the office of Education
13 and ourselves in kind of a joint task force effort
14 and how can we together make a difference in this
15 state with the use of federal funds. They have
16 appointed a young man on the staff down there as
17 almost a full-time New Jersey guy to help us work
18 with all of the federal pieces that are available
19 to this state. We have not, I think, in the past
20 taken full advantage of the federal funds that are
21 available.

22 We don't have a single program in this
23 state under Title IV of the Civil Rights Act which
24 has money available for in-service training of
25 staff, attitudinal training of staff, or bringing



1 in consultants to help in the whole problem of
2 racial balance and school segregation.

3 So I can only indicate we are working
4 very tensely in the last month with the Office of
5 Education in trying to bring the state and the
6 federal government into closer linkage than has
7 existed in the past. The tendency on the part of
8 the federal government in the Office of Education
9 has been not to go through the state if it can
10 help it. There has been a distrust of states and
11 states' plans. Hopefully we can make a difference
12 in that relationship because at least one of my
13 experience has been working very closely with the
14 Office of Education, Commissioner Howe and his
15 staff down there. I think we can establish a
16 very viable relationship between the state and the
17 federal government.

18 By Mr. Jaffe:

19 Q I have one more question of you because it is
20 getting close to eleven. My last question to you is a
21 very gentle one, and that is I wonder if you can give us
22 your thoughts as to how you think the Commission can be of
23 assistance to you in this area. We are vitally interested
24 in the problem of education of the disadvantaged. I don't
25 think it takes such insight to realize the correlation



1 between the problem of education and the problem of being
2 able to meet the needs of a complex society. The Commission
3 would like to be of assistance to you and your division,
4 either as a springboard for ideas or just a statement of
5 what the conditions are. Can you give us some thoughts on
6 that?

7 A Once again I am the new boy, and I have a lot to
8 learn yet, but I need help in terms of legislation. I think
9 we need to look very seriously in this state at a state
10 bonding authority, really the full faith and the credit of
11 the state being available for school districts that are in
12 very serious trouble in terms of school building construction.

13 Q You are referring to the problem of the state
14 legislature setting the specific bonding authority of the
15 local municipalities?

16 A Right. The whole state aid formula is being
17 looked at presently by a committee, and I am not sure what
18 is going to come out of this, but at some point in time I
19 think I am going to need help from a Commission such as
20 this in modifying current state aid formulae that will
21 equalize in a much better way the funds that are becoming
22 available because of the lack of retables in certain
23 communities as opposed to others. Any move that is made
24 by the department in terms of school district reorganization
25 is going to need considerable help from a commission of



1 this kind.

2 Q Are you talking about the redistricting of school
3 districts?

4 A Right. As we move towards a K-12 District and as
5 we move towards some sense of racial balance that is a part
6 of that, a commission of this kind would certainly prove
7 most valuable in assisting the commissioner and his staff
8 in any legislation that may result from this.

9 I think the whole issue of sufficient funds in this
10 state is a very critical one. This state ranks 47th in
11 total support for education when you include the local
12 property tax, state aid and the other supports for education.
13 Yet the state contribution here is 23 percent of the total
14 as opposed to the national average, which is about 40 percent
15 of the state contribution as opposed to our neighbor, New
16 York, where it is 49 percent of the total contribution from
17 the state.

18 The local property tax is, as you know, very large,
19 and I think cannot absorb a great deal more. So I think
20 we need to be looking at such things as a state property
21 tax for schools that will in effect balance out the
22 distribution of funds. We distribute the funds through the
23 state aid formula, but I need to look at a way of collection
24 of funds that can then have a more equitable distribution
25 out through the state where the assessed valuation ranges



1 from \$3,000 in one instance to \$7,000,000 in another. We
2 need to overcome these kind of inequities.

3 MR. MEYNER: Isn't it true that we are about
4 the third or fourth in the country as to the amount
5 spent per pupil?

6 THE WITNESS: We are 47th. I mean at the top.
7 Perhaps I reversed that, Governor.

8 MR. MEYNER: We are very low on state aid.

9 THE WITNESS: Yes, but only California and
10 New York provide greater support for education
11 than New Jersey. So the effort is there. It is
12 simply that it is all coming out of the local
13 property tax, or a major portion is coming out of
14 the local property tax rather than the state.

15 MR. MEYNER: You realize in 1944 we abandoned
16 the state property tax in a reorganization?

17 THE WITNESS: Right.

18 BISHOP TAYLOR: I would like to ask a
19 double-barreled question. In light of the
20 complexities that you have indicated here, do you
21 look to the future with a degree of optimism? If
22 so, what are the basis for your optimism?

23 THE WITNESS: Yes, sir, I do look with
24 optimism. I guess I wouldn't be in this business
25 if I weren't an optimist. There are unbelievable



1 problems to solve in this state, as there are in
2 just about any state, and particularly as we look
3 at the urban situation. I am optimistic because
4 the Governor has given his support for education
5 and, because I think there is now a team of
6 Ylvisaker, Dungan and Harburger all looking at
7 people and the problems of education that I hope
8 is a dynamic trio.

9 I am optimistic because there are many
10 competent, innovative, creative people in this
11 state who want to make a difference within the
12 establishment. I have real optimism as I have met
13 with superintendents and principals and teachers
14 in this state who want to make New Jersey the
15 number one state in education.

16 I have optimism because we have the
17 resources in this state.

18 I am pessimistic because of the fantastic
19 financial problems of places like Newark, because
20 of racial balance problems which I think are very
21 critical in this state, but over all I see the kind
22 of team in operation now and the kind of interest
23 in education in the state that leave me to be very
24 optimistic that we can make a difference. I am
25 committed to that principle that we can.



1 JUDGE WACHENFELD: Having heard your problems,
2 my compliments to you for still being an optimist.

3 THE WITNESS: It depends on which day you ask
4 me the question. Friday afternoon I sometimes
5 cannot be this optimistic, but I have seen enough
6 things happen just in the period of time that I
7 have been here.

8 We threw out this urban education corpus
9 as just an idea to try and help superintendents
10 attract the gang-bro Peace Corps type teacher, and
11 the response we got to this was most encouraging.
12 The response from superintendents was, "Boy! If
13 you could just give me some of these," and the
14 letters I got from the superintendents saying,
15 "We got three of these guys and we think we can
16 make a difference." The whole changeover that I
17 think is taking place under the leadership of
18 Chancellor Dungan in the state colleges is a very
19 significant thing that I see in the future. So I
20 am optimistic that we can do it. We have the
21 resources and talent. We have simply got to pull
22 together all these forces to fight the battle
23 against the forces that are contrary to what we
24 want to accomplish, and I think it can be done.
25 I am not optimistic that it is going to happen



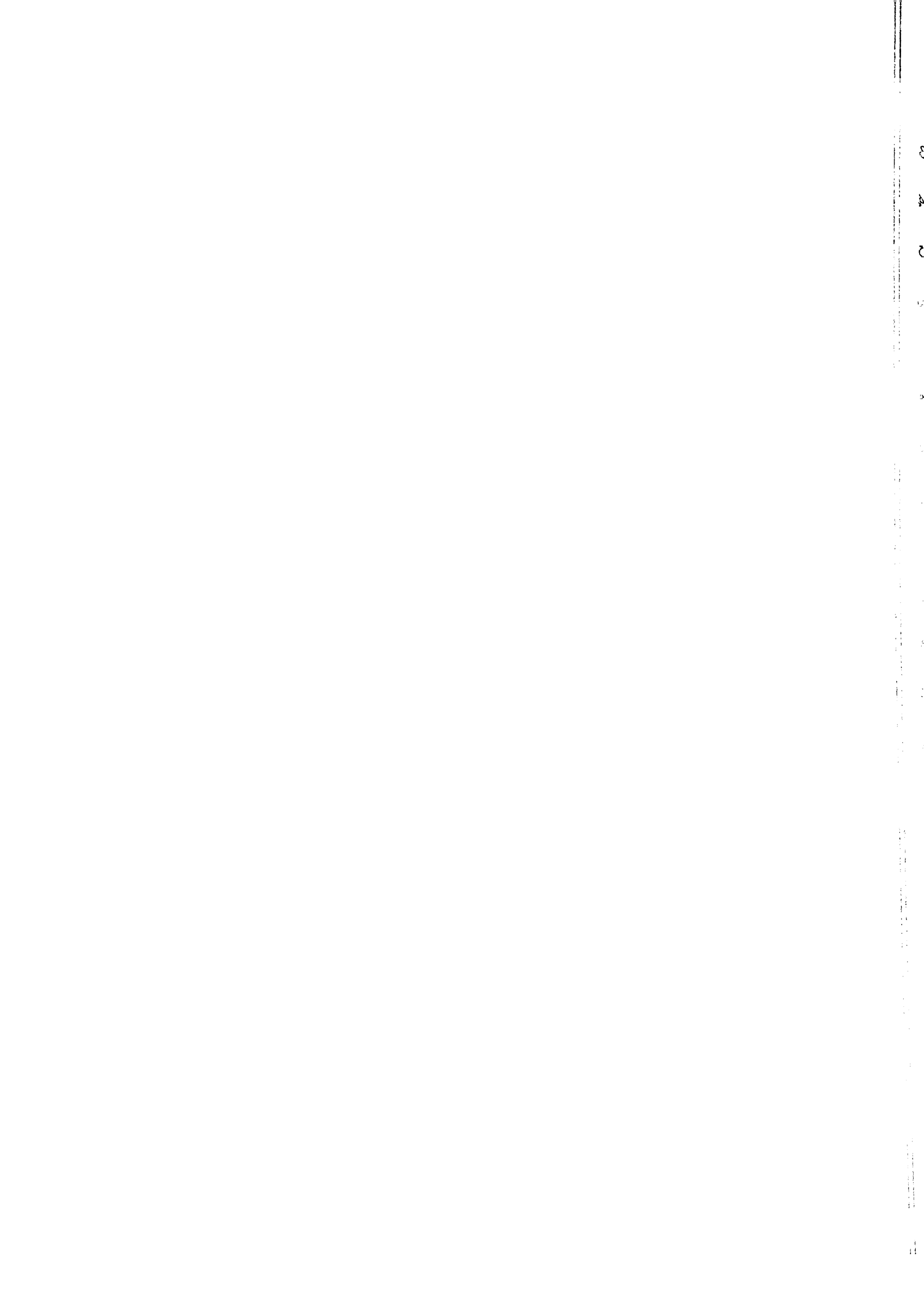
1 tomorrow or the next day, but in five years I think
2 we will have made a significant difference.

3 CHAIRMAN LILLEY: We are in the open question
4 period now, gentlemen.

5 BISHOP DOUGHERTY: This is sort of an
6 observation than question, but there might be a
7 question inherent in it. One day we meet a man
8 from Education, another day from Welfare. Somewhere
9 along the way we have to coordinate these things
10 because they are all interrelated. When you speak
11 of opticism, I think if you can get this kind of
12 coordination maybe it would be a more firm
13 foundation for our opticism. Any reaction to that
14 observation? It seems to me we are compartmentalized.
15 For example, the relationship of housing to your
16 problem, the relationship of pre-school, welfare,
17 delinquency problems, the whole thing ties in
18 together.

19 Do we envision getting some sort of
20 coordination, Mr. Chairman? Is this feasible? Is
21 this beyond our own competency and commitment?

22 CHAIRMAN LILLEY: Bishop, it is a thought
23 that has occurred to me, too, and I would think
24 that this Commission in its wisdom, when the time
25 comes, might say some things about that because we



1 certainly have the parade of expertise before us.
2 If this is something that has to be done, I would
3 think we have to address ourselves to it.

4 THE WITNESS: One of the reasons I mentioned
5 Elvisaker and Dungan, the three of us have been
6 working very closely together. We have a long way
7 to go. We have to work more closely with Welfare
8 and Institutions, but in the housing field we are
9 already examining the possibilities of the high-rise
10 with the school, the use of air rights with the
11 school, the building of the industrial complex or
12 the business where the first three stories are
13 schools and the others are apartments, or various
14 kind of business enterprises. We have already
15 examined these issues and are constantly taking a
16 look at how can housing and schools work together,
17 how can higher education and the elementary and
18 secondary work together. I agree it needs to be
19 done across the whole sweep of the cabinet
20 obviously.

21 CHAIRMAN LILLEY: I would think with two
22 commissioners who have spent four terms as
23 Governors of this state we would have lots of
24 expert thinking on how to pull all those things
25 together.



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JUDGE WACHSBERG: I think they are the two men we should tie these things down with

MR. REYER: I am sorry I wasn't here for all of what you had to say and I probably can consult the record later, but I have got to meet a professional man who doesn't think his profession makes the greatest contribution to our civilization. I often say sometimes if we follow their thinking completely we will have one governmental employee for every taxpayer.

But basically have you any suggestions to make as to how we can change the motivation of people to get to our schools? I have heard psychiatrists say that we feel that a child, by the time he reaches eight years old, has gotten to the point where he knows what is right and wrong and from there on there isn't much you can do for him. I think it is the Church that said, "Give me a child before seven and we will mold some character." I think there was a study made some years ago of people at eight and they predicted almost with unerring accuracy whether they were going to be delinquent or not.

Have you some thoughts as to where education fits into this picture? I sometimes

1 wonder whether when these people get to twelve,
2 fourteen or eighteen maybe we ought to forget
3 about them and concentrate in priorities at this
4 early age. I have made a speech and not asked a
5 question. Have you some thoughts on that?

6 THE WITNESS: We have two basic problems. I
7 don't think we can forget them. We have the
8 remedial problem to deal with and the experience
9 of the Job Corps indicates the cost to remediate
10 youngsters after they become ill.

11 MR. MEYER: Then do you get much of a result?

12 THE WITNESS: You get some results, but
13 certainly not total and not the kind of results
14 which we need. So the greatest emphasis must be
15 placed in terms of prevention, in terms of those
16 early years. There is no panacea for this, but I
17 think one of the things that education has to
18 learn how to do is to involve its community and its
19 parents in the education process because unless
20 there is this involvement, we are not going to get
21 the motivation and the aspirations on the part of
22 the adults in the life of that child for schooling.

23 We know over and over again we cannot
24 simply sit back here as the bureaucrats and as the
25 institution and say that we know what is best for



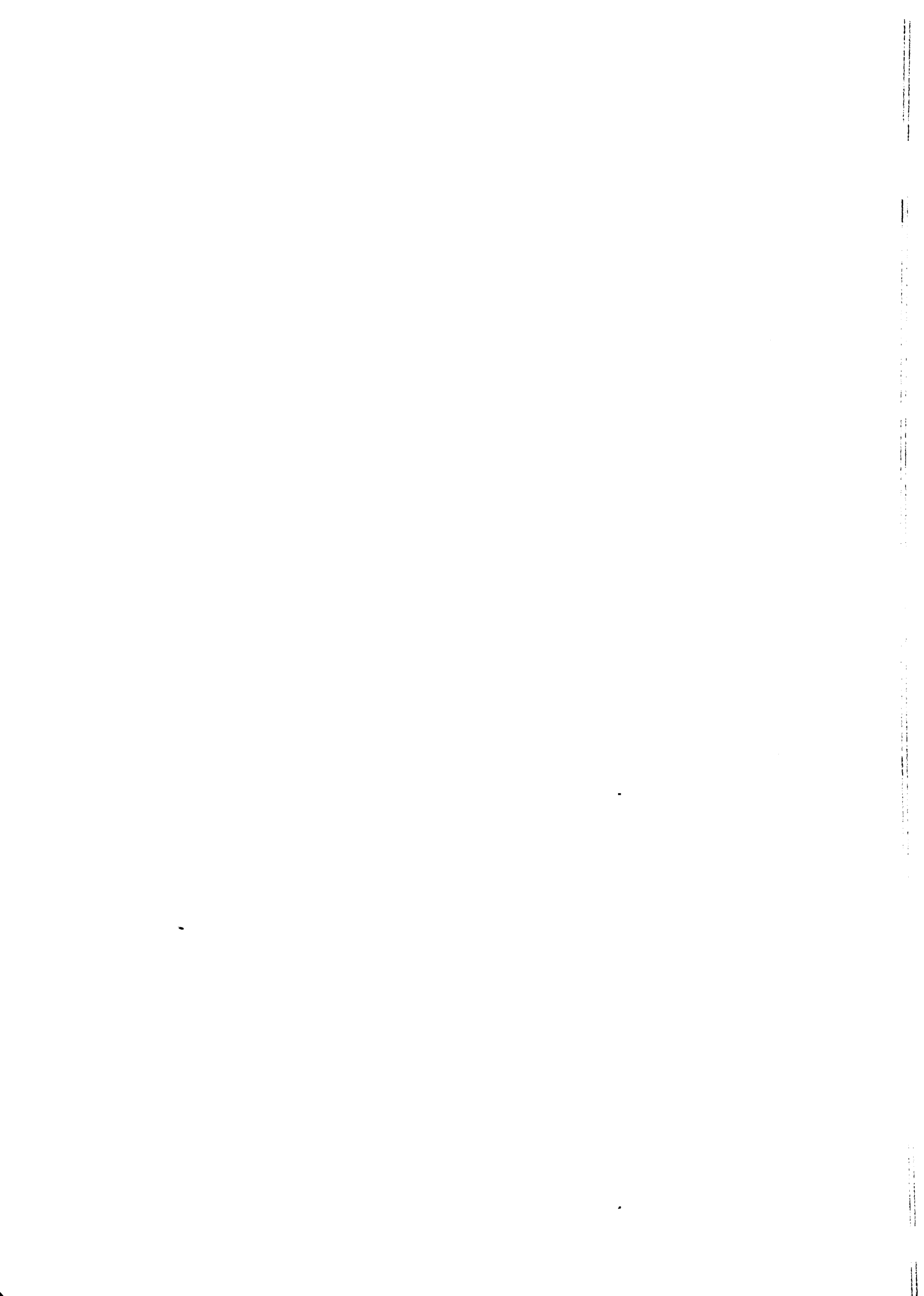
1 these kinds and provide it. We must critically
2 involve our communities in the operation and planning
3 of the school program. It has been demonstrated
4 over and over again over a period of time. It is
5 happening in Newark now at the Freshme Avenue
6 School and the Edison Avenue parents are saying
7 that we must be involved in some of the decisions
8 involved in part of this school process. Without
9 that kind of involvement our parents are not going
10 to be activating their children. It is not so
11 much a question of lack of caring; it is a question
12 of "I don't know how to help my parents."

13 MR. MEYER: But aren't the parents in some of
14 these neighborhoods the type that don't give a hoot?

15 THE WITNESS: Governor, you always have parents
16 of this kind. You have psychotic parents and parents
17 who don't give a damn.

18 MR. MEYER: Shouldn't you have some remedy of
19 getting them out of the homes?

20 THE WITNESS: That is a tough legal problem.
21 Emotional neglect -- I know of no way that the
22 courts can effectively rule what emotional neglect
23 is and then make a determination to take them out
24 of the homes. Foster homes are a partial answer
25 for some youngsters who have parents who simply



1 don't care. It is not a question of parents who
2 don't care as they don't know how to demonstrate
3 their caring.

4 I think this is the role the school has
5 to provide, help those parents working with those
6 children and studying at the pre-school level so
7 that these young people and their parents are
8 involved in what is happening.

9 MR. REYNOLDS: Would you take the responsibility
10 in the Education Department in planning to reach
11 out and try to set up nurseries?

12 THE WITNESS: Yes, sir.

13 MR. REYNOLDS: So where you have these families
14 you would have at least a place they could place
15 the child for a portion of the day and they could
16 get some food and care?

17 THE WITNESS: I don't know it is the direct
18 responsibility of the department, but certainly of
19 the school systems and I think we need to take a
20 look at children from six months on, those children
21 at six months of age who are totally neglected
22 either because of incompetence of the adult or no
23 adult in the home; that we must have some kind of
24 a caring experience for those young people at that
25 age. Then under the pre-school, then under the



1 Head Start, and the schooling experience. For many
2 young people we must provide this kind of a
3 continuing experience.

4 PA. GIBBONS: I have a personal prejudice in
5 one direction that I would like to hear your views
6 on. I feel that perhaps more important than the
7 quality of the teaching in an educational experience
8 is the quality of the pupil to pupil experience,
9 and that one of the difficulties of doing anything
10 in those center city schools is that the entire
11 class, even if it is a class as small as ten, comes
12 out and goes off to an environment which, if I am
13 correct in this, points in the direction of those
14 students of two or three being better off in the
15 suburban class of 60 than in the center city class of
16 ten. Would you care to comment on that?

17 THE WITNESS: I simply support what you are
18 saying. The teacher is often the determinant of
19 those pupil to pupil relationships, but only
20 within that context of a similar situation, if I
21 may put it that way. It is only as I think these
22 youngsters can have other kind of experiences and
23 that is why I think the racial issue is important
24 in the state, not only for negro children in the
25 ghettos, but also for our white children who are



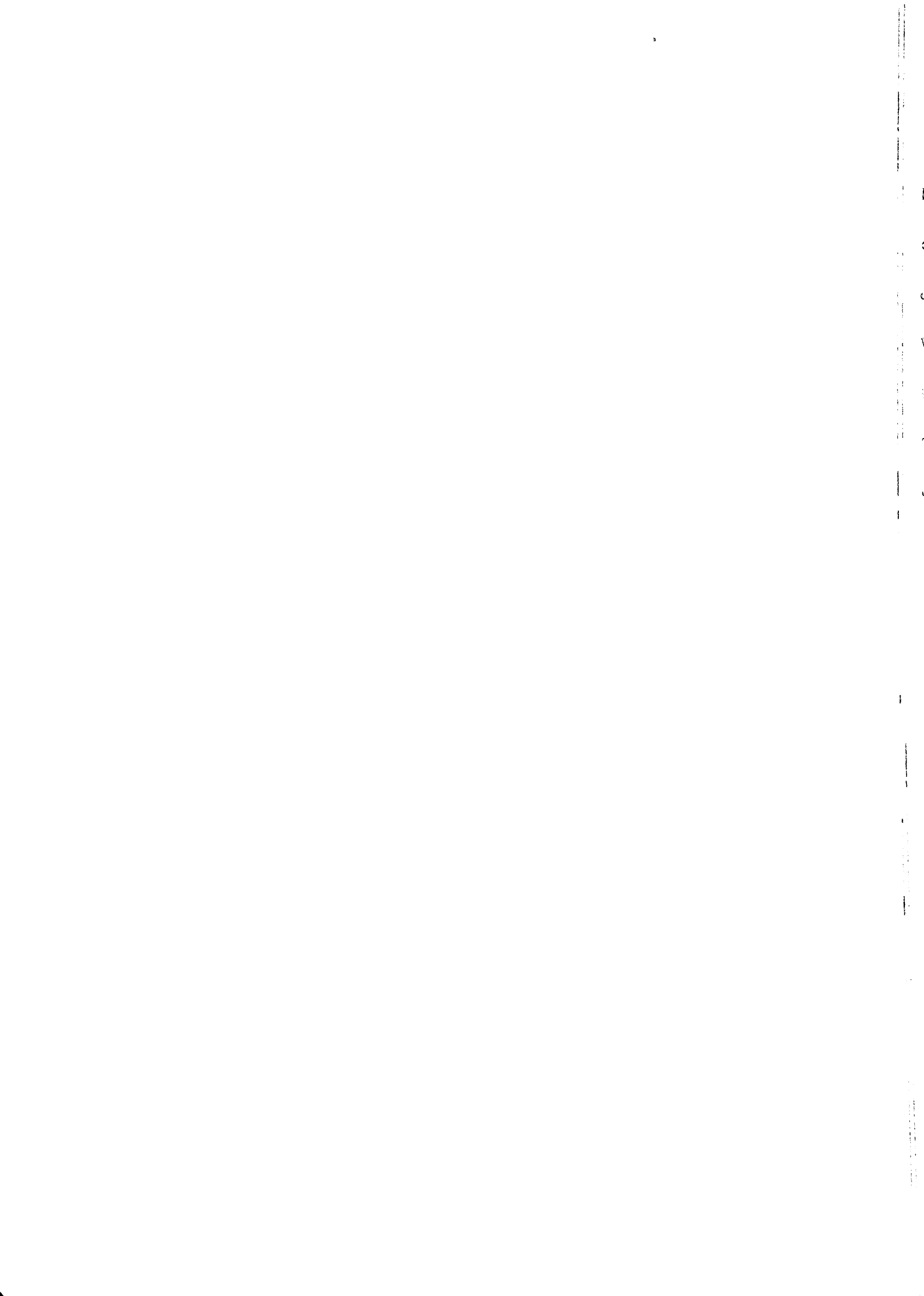
1 living in a homogeneous kind of situation. We
2 must work out ultimately for an integrated society.
3 I moved into Trenton because I wanted my children
4 to have such an experience rather than moving into
5 the suburbs.

6 MR. GIBBONS: Do you have any thoughts of
7 how a change in the home rule concept, which is
8 really the absolute barrier at present to that
9 kind of an experience, is politically possible?
10 Where do you start politically?

11 THE WITNESS: Next question.

12 MR. GIBBONS: This is what I would perhaps
13 ask Bishop Dougherty. Would it be possible as a
14 start in educating suburban communities to bus a
15 limited number of central city youngsters out to
16 the suburban parochial schools to at least start to
17 create an atmosphere?

18 THE WITNESS: All of the things I think we
19 discussed in terms of racial problems, the bussing,
20 the school district reorganization, are all ways
21 we have to go in this state. If we can end up
22 with a number, like 200 school districts in this
23 state that have racial balance built in as one of
24 the criteria, in addition to size, then I think we
25 will move in this direction.

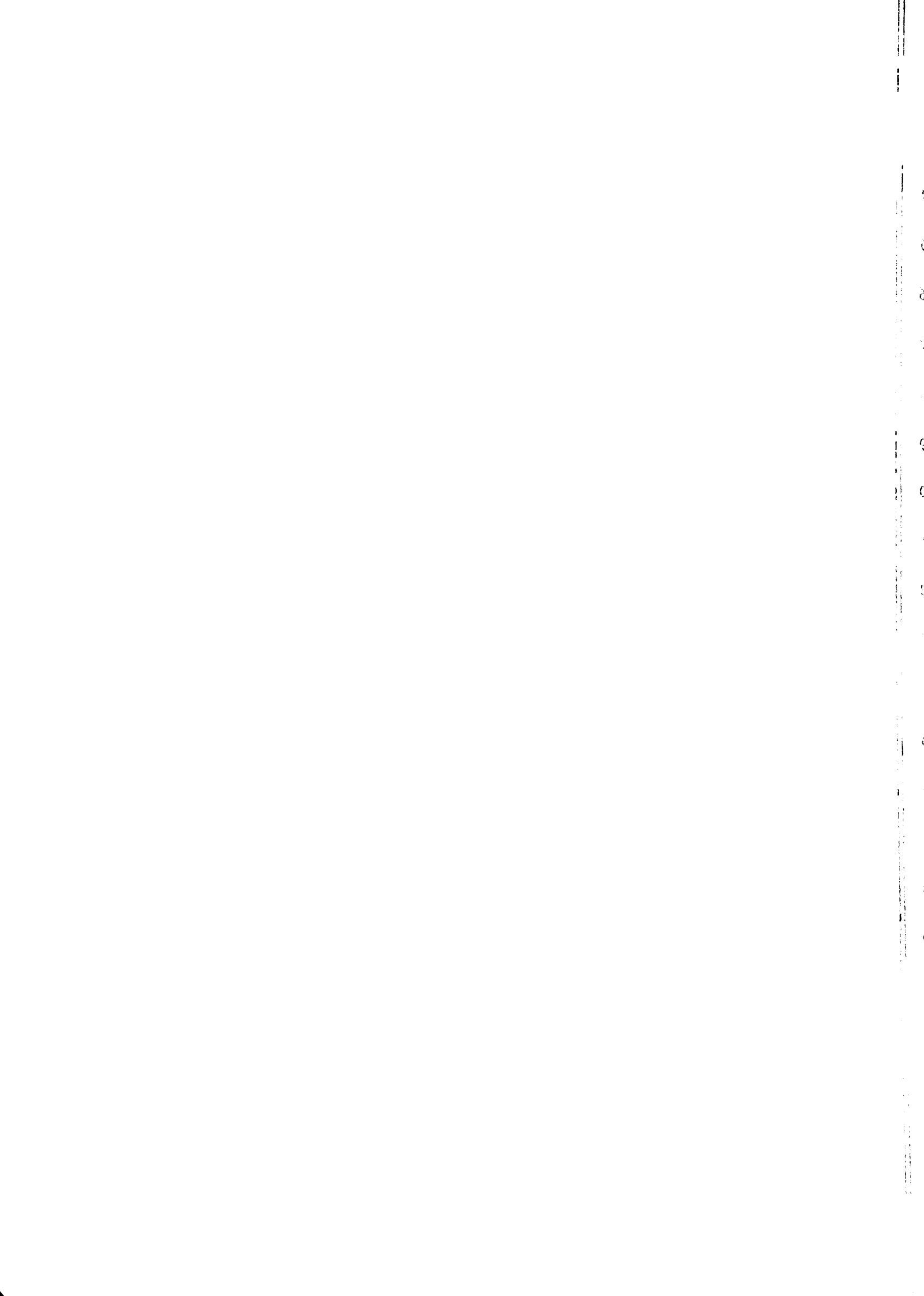


1 MR. HYMAN: How about leasing them to
2 Lawrenceville?

3 LITTLE BOUGHERLY: There is an experiment
4 going on between our School of Education and
5 Monsignor O'Carra's school, Our Lady of Angels. I
6 know part of it is they are not grading students.
7 It is experimental, and we will have more at least
8 in that area of experimentation to possibly
9 contribute to the overall.

10 I have a reaction to some of the questions:
11 This job is bigger than any professional group or
12 combination of professional groups. I think it
13 involves the total community.

14 THE WITNESS: The public sector cannot do the
15 job alone. The private sector must be involved.
16 This is why I went to Western Electric yesterday
17 and spent the day meeting with the staff there,
18 simply to talk about some of the problems we had
19 and what the role in industry is in this, where we
20 have met with groups here in the city to take a
21 look at ways that the private sector can be of
22 assistance. I think indeed it is a bigger job than
23 education alone. We have been too isolated as
24 educators. We need to reach out for the expertise
25 that exist throughout this state in all fields.



1
2 CHAIRMAN LILLY: we are getting now into the
3 matter of selling programs and the politics of it,
4 and at this stage in our public lives in this
5 country we are beginning to consider the disadvantag-
6 ed which we should have done a long time ago. In
7 many parts of this country, and around here
8 particularly, many people have participated and
9 supported the schools on the basis of excellence
10 and, indeed, many people have given financially.
11 It seems to me as we sell all the things we need
12 to do, somehow or another we need to reassure
13 people who still look for excellence that it can
14 be provided.

15 Do you feel that it can be done and yet
16 do all these things that must be done, or will
17 there be a great levelling process?

18 THE WITNESS: No, sir, I think we can provide
19 excellence, but it is going to cost. We can
20 provide the excellence for the suburban school
21 system and at the same time provide excellence in
22 the urban situation if we are willing to pay the
23 cost. Our estimate is that 17 mills across the
24 board would equalize this state so that the
25 Newark would indeed be receiving a fair share.
This would mean that obviously suburban communities,



1 particularly the bedroom communities, would be
2 having to pay some of the bills for the Newarks,
3 the Gardens and the Trentons.

4 Whether there is willingness to do this
5 is another question because basic attitudes and
6 prejudices are key to this whole thing. I think
7 there is no other single factor that is as key as
8 the attitude toward the non-white in this state.
9 Unless as a society we are willing to accept this
10 responsibility for other persons, then we are not
11 going to make it.

12 CHAIRMAN HILLBY: I thought of this when you
13 indicated the vocational schools in their field
14 were technically excellent, and I thought you were
15 somewhat critical of it.

16 THE WITNESS: We need to provide the technical
17 training for those young people who need it, but
18 the vocational school had not served the needs of
19 the disadvantaged who also need a vocational
20 experience but have a different culture, just the
21 cream, not just the best who can make it anyway.

22 CHAIRMAN HILLBY: But you feel both --

23 THE WITNESS: Absolutely. I don't want to
24 downgrade the excellence we need in all school
25 systems. We can provide both, but there is going

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1 to be some sacrificing.

2 CHAIRMAN LILLY: Are there any other questions?
3 Commissioner, we thank you and Mr. Joe Innes.

4 THE WITNESS: If I can retract one statement.
5 I don't think mandatory is a legitimate concept as
6 I re-think it. So let me change that for the
7 record.

8 CHAIRMAN LILLY: We will break for fifteen
9 minutes. Mr. Gibbons will be in the chair when we
10 come back. I must leave.

11 (Whereupon, a short recess was taken.)

12 MR. GIBBONS: (providing): Mr. Parrall.

13 Whereupon,
14

15 JOHN J. PARRALL

16 called as a witness, first duly sworn, testified as follows:

17 THE WITNESS: I have taken the liberty to
18 bring Bill Druz along with me. Bill is the
19 assistant chief examiner and secretary. I hold
20 the position of Chief Examiner and Secretary of
21 the Civil Service Commission.

22 JUDGE WACHENFELD: You are at perfect liberty
23 to consult with him at such an extent you think
24 necessary and advisable before you answer.
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EXAMINATION

1
2 By Mr. Jaffe:

3 Q Mr. Farrell, I wonder if you could give us a
4 general description of the responsibilities of the Civil
5 Service Commission.

6 A I believe we are all aware that in the constitution
7 of the state it provides the positions, wherever possible,
8 shall be filled by merit and fitness in state government.
9 We assume that responsibility through Title II and, therefore,
10 basically and broadly I would say that the Civil Service
11 Commission is responsible to run a merit system in carrying
12 out this particular mandate in the constitution.

13 It falls not only into state service but also into all
14 local jurisdictions, county and municipal levels of
15 government where by referendum those jurisdictions have
16 selected to come under the provisions of Title II, which is
17 the Civil Service Act.

18 Q Mr. Farrell, could you tell us a little bit more
19 specifically what are the methods in which the Civil Service
20 Commission goes about doing this?

21 A As a merit system, responsibility if you want, we
22 could be called the state personnel agency, the concepts
23 that any of us have of a personnel agency pretty much fit
24 into our functioning. Recruitment, selection, classifications
25 of positions, compensation, especially on the state level,

EXAMINATION

1
2 By Mr. Jaffe:

3 Q Mr. Farrell, I wonder if you could give us a
4 general description of the responsibilities of the Civil
5 Service Commission.

6 A I believe we are all aware that in the constitution
7 of the state it provides the positions, wherever possible,
8 shall be filled by merit and fitness in state government.
9 We assume that responsibility through Title II and, therefore,
10 basically and broadly I would say that the Civil Service
11 Commission is responsible to run a merit system in carrying
12 out this particular mandate in the constitution.

13 It falls not only into state service but also into all
14 local jurisdictions, county and municipal levels of
15 government where by referendum those jurisdictions have
16 selected to come under the provisions of Title II, which is
17 the Civil Service Act.

18 Q Mr. Farrell, could you tell us a little bit more
19 specifically what are the methods in which the Civil Service
20 Commission goes about doing this?

21 A As a merit system, responsibility if you want, we
22 could be called the state personnel agency, the concepts
23 that any of us have of a personnel agency pretty much fit
24 into our functioning. Recruitment, selection, classifications
25 of positions, compensation, especially on the state level,



1 and we have limited jurisdiction, local jurisdiction in this
2 area of compensation, but on state level we have a full
3 responsibility; training, and one other area which falls to
4 our Commission primarily, appeals, appeals from suspensions,
5 separation. These are the details.

6 Q Could you give us an estimate of the number of
7 potential positions that are under the Civil Service systems,
8 state and local?

9 A I would say it runs around 140,000, state, county
10 and municipal levels.

11 Q What is your average a year?

12 A We are running about, I would say, 80,000 applicat-
13 ions a year against our announcements to fill vacancies. I
14 cannot say there are 80,000 vacancies. I would say the
15 turnover or vacancies would come to about 20 percent, so
16 one-fifth of that. Around 20 percent or 20,000 if you will.
17 This may be a little blown up, but generally speaking what
18 is filled, state, county, municipal levels of government.

19 Q Could you also give me an approximation of the
20 number of municipalities that are part of the state Civil
21 Service system?

22 A I think we are running about 250 jurisdictions
23 other than state level.

24 Q On a percentage basis how many would that be?

25 A I would say that represents about half now because



1 we have about 550 all told, counting municipal levels.

2 Q This may not be a fair question, but could you do
3 it in terms of population? In other words, the number of
4 municipalities that are covered in terms of population
5 figures. In other words, is 70 percent of our population
6 serviced by it?

7 A That would be pretty hard for me to say. Let me
8 say if jurisdictions can help you, I don't know of any large
9 cities, other than what is left maybe in New Brunswick, that
10 are not under the jurisdiction of Civil Service. We are now
11 getting into the smaller communities, the communities with
12 maybe 50 employees that are now, by referendum, voting
13 themselves under Civil Service. So we are down into that
14 area of small towns.

15 MR. MEYER: Do you have all the counties now?

16 THE WITNESS: Somerset excepted.

17 By Mr. Jaffe:

18 Q All the counties but Somerset and all the major
19 cities of New Jersey are under

20 A Yes. Our responsibility is particularly in
21 recruitment and selection and certification to fill
22 vacancies.

23 Q Do you also set the requirements on a state and
24 local level, too, for the particular positions?

25 A That is a very definite responsibility of ours in

1 all the jurisdictions under Civil Service.

2 Q Do you set the salary for both state and local?

3 A No. I mentioned earlier that in state service we
4 have the responsibility of fixing salary. In the local
5 jurisdictions they have that. This is one of suggestion,
6 survey for them if so requested, recommendation as to what
7 salaries are at the going rate in the area from our research
8 and studies, but nothing binding.

9 Q Could you give us a brief description of how you go
10 about setting requirements on the state service and in the
11 local municipal service?

12 A In state service we are pretty standardized. The
13 senior clerk in Banking and Insurance is the senior clerk in
14 the Civil Service Commission or she is at the same level of
15 operations in Institutions and Agencies. This type of
16 standardization is rather easy for us to maintain in state
17 service.

18 In local jurisdictions this becomes a rather difficult
19 task. We are attempting to do it. We are continually
20 moving in that direction of standardization. We do achieve
21 it pretty much in one particular town. In other words, the
22 senior clerk in Public Works in, say, Newark is the same
23 level of operations as the senior clerk in the Department
24 of Finance in Newark. So we do maintain a pretty good
25 standardization, we feel, in the jurisdiction, but when you

1 try to cross-section this and take in a township in Cape May
2 County as against a senior clerk in Newark, then we are
3 talking sometimes of something that is difficult to
4 standardise.

5 Q How do you go about setting it within a municipality?
6 Do you work with the local municipality?

7 A The jurisdiction tells us these are the duties
8 that are going to be performed by this position. We will
9 attempt to relate that to a standardized scale. If it
10 doesn't fit, we will go back to the community and tell them,
11 "Now, this is what we feel with this rate of pay and with
12 this kind of duties we should be looking for in regard to
13 filling this position adequately." This having been done,
14 we ask their suggestions.

15 They do have an opportunity to talk to us, but then in
16 finality it is ours to make the decision. So even though
17 they may say, "We are going to have a high school graduate
18 for this particular job," we don't feel that the ordinance
19 binds us in filling the statutory responsibility of our
20 department.

21 Q To relate this to the particular problems that the
22 Commission is looking at, it is my understanding that the
23 Governor some one month or month and a half ago asked your
24 Commission to review the requirements for particular jobs
25 with an end of bringing more disadvantaged into the local

1 Civil Service status through the municipalities. Could you
2 describe for us how you did it and what have been the
3 results of it?

4 A You have talked of local jurisdictions. This was
5 not done. The response that we were asked to particularly
6 accentuate at this time was within the state service.

7 Q Would you describe that first, please?

8 A We did a review, but we had already initiated a
9 review because we were finding difficulty in filling positions
10 where we had what may turn out to be unrealistic minimum
11 requirements. We have the task of not lowering standards
12 and adequacy of those hired and yet relate them to the area
13 that was available for recruitment. With that in mind we
14 reviewed and are still reviewing and we concentrate in the
15 lower area positions.

16 Q Give us an example.

17 A I am going to leave with you a list of those we
18 actually changed. Let's take institutional attendant, which
19 is a big area of employment. We had high school requirement
20 there. This was a hurting area. Let's take butcher. We
21 were putting high school and/or grammar school in some of
22 the positions of this kind. We have changed that now and
23 have put in a general requirement of ability to speak and
24 write English.

25 I think I must point out to you that a good number of



1 positions in the lower category are not examined for by us.
2 They are in what we call the non competitive area, and have
3 been for many, many years. The attendant, for example.
4 However, we did set certain minimum requirements for the
5 hiring agency to be bound by. How much they adhere to this
6 I don't know. We assumed they would adhere to the require-
7 ment. So the non competitive position was a direct hire
8 against certain standards we have set in the specifications.

9 CHAIRMAN LILLEY: You mentioned ability to
10 speak and understand English. What does this do
11 in the Puerto Rican community?

12 THE WITNESS: Actually it was to read.

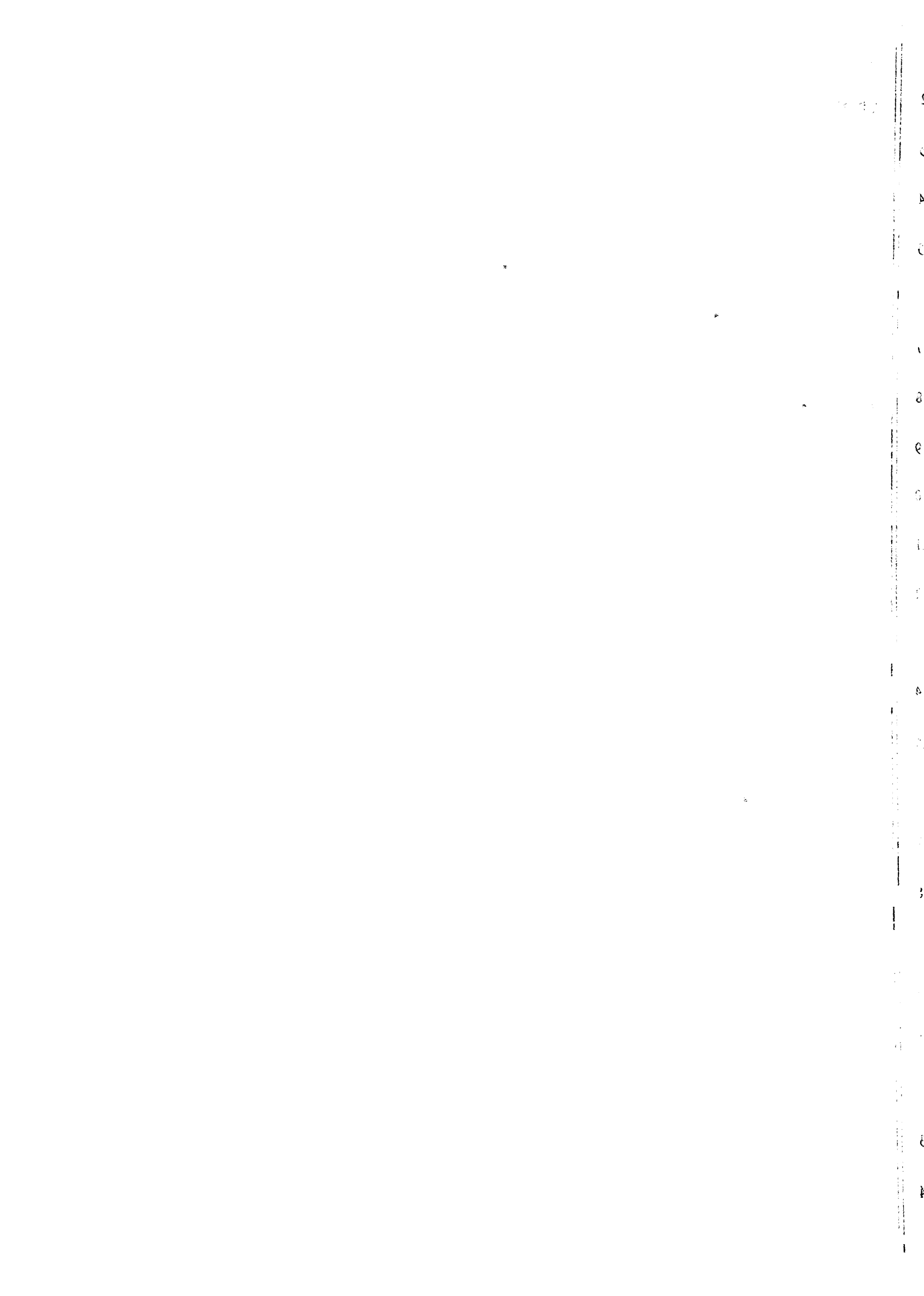
13 CHAIRMAN LILLEY: Does it raise any problems?

14 THE WITNESS: I have a feeling that this
15 definitely will because they were completely
16 excluded from our original little higher
17 requirement of high school graduation and/or
18 grammar school graduation. We are now moving down
19 into approaching this area.

20 In our examining staff we have provided
21 for this kind of individual who can speak Spanish.

22 JUDGE WACKENFELD: How long did you do that?

23 THE WITNESS: Certain of the cities have put
24 this upon us long before we ourselves as a
25 department felt the need for it, and I would say



1 it has at least six or seven years in its initiation.
2 It happened in the courts originally.

3 JUDGE WACHENFELD: Has it shown any good
4 results?

5 THE WITNESS: I think they have been able to
6 now at least know what these people are saying. We
7 have been able to reach to them. I don't see any
8 appreciable number in this area yet.

9 JUDGE WACHENFELD: Number of employment?

10 THE WITNESS: No. I think it is too brand new
11 for us to even put a finger on it at this point.
12 We feel we did break away from what we thought was
13 adequate high school education. We were being
14 pushed by the using agencies to raise the standards,
15 and in the same breath we know they were not
16 realistic and we were not being realistic insofar
17 as filling the positions. They weren't being filled.
18 So as a result Greystone and places of that sort
19 were going with vacancies.

20 By Mr. Jaffe:

21 Q As a result of this new program you have instituted,
22 has there been a marked increase in applications? Has there
23 been more of an attempt to reach the disadvantaged group?

24 A I find there has been an increase in filling the
25 vacancies. Whether it has been the result of stronger

1 recruitment processing or reaching out or whether it has
2 been because we have lowered the standard, and I put that in
3 quotes, "To lower the standard," we don't feel that. I think
4 what we have done, we have reached into more realistic
5 recruitment.

6 Q Could you describe the more active recruitment you
7 are doing?

8 A Let's take the clerical trainee, which is an
9 excellent example of this. I will give you three or four we
10 have gone into. The mechanic trainee, the institutional
11 trainee and the clerical trainee.

12 The institutional trainee was primarily set up to bring
13 in, if you will, the basic inadequate fringe people and
14 bring them in and train them to fill the bill and to service
15 adequately the institution.

16 Q This is on-the-job training?

17 A That's correct. It is a combination of classroom
18 and clinical training, clinical meaning on the job. The
19 clerical trainee is something that I guess about a year and
20 a half ago was precipitated in our need to get clerk-typists
21 and clerk-stenographers. So it wasn't an answer to recruit
22 out of the ghettos or any other place, or from the
23 disadvantaged. We were having positions of clerical that
24 were inadequately being filled or not filled at all.

25 So we felt we had to go into the market and bring them

1 who had no clerical experience or no clerical background,
2 and train them. We are in the midst of this now, and we
3 are in the midst of an announcement. We were doing this as
4 a pilot project. By the way, nationally we are a pilot
5 project in this, which is of interest, and I think we are
6 being watched in this area as to just what happens to it.
7 Up to date, and I think it closes at the end of this month,
8 we have 4,000 applications, which is quite a surprise to us.
9 I am not sure, I have no way of knowing at this point -- I
10 hope to do studies on it -- that they are coming from the
11 disadvantaged group. This may be the housewife who is coming
12 into employment again. This may be the blue collar
13 advantaged individual who wants out of blue collar, out of
14 the factory and wants to go into clerical.

15 So this has been an excellent guideline for us in many
16 areas. This is our advertisement of the clerical trainees
17 (indicating). This is the handout that has been going
18 around the state. It has been every place. I have no way
19 at this point of knowing just who is applying for this. We
20 will do a complete study on it as to background of the
21 people because it will be on the application form.

22
23 Q I wonder if you will also make these available to
24 the Commission.

25 A Yes.

Q We would be interested in an analysis of the type

1 of person who has responded to that type of program.

2 A We have already committed ourselves to the
3 Governor's Office in this area, and we assure you we will
4 be doing that. It will be interesting. It will be an
5 excellent indication to us.

6 Beyond this, which is of concern to us, Mr. Jaffe and
7 Commissioners, is the market there for 4,000 people? Now
8 we have the 4,000 people. Where are we going to place them?
9 Say even if 2,000 survive. Where are we going to place
10 them?

11 MR. GIBBONS: Clerk-typists?

12 THE WITNESS: That's right, file clerks and
13 so on. They may not all be available to state
14 service, but definitely we are going to push into
15 county and municipal levels of government where we
16 had some contact, and this would be a brand new
17 venture, to allow these lists to be available to
18 industry which may have a market for them.

19 The test that we are giving, and this
20 has been one of our problems -- we have had a
21 problem with a culturally-oriented test, and I
22 think any of us who are in the business of hiring
23 and recruiting know this has been the problem. The
24 disadvantaged individual is not necessarily maybe
25 talking the same language that we are talking in

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1 our examinations certainly at that level. So we
2 have had occasion in knowing this because it has
3 been our experience over the years being in the
4 testing business, we had Dr. Kirkpatrick in, and
5 we brought him in as a part-time consultant with
6 us. This is the gentleman out of NYU and the Ford
7 Foundation. He has been doing this work for the
8 Ford Foundation, and he has helped in setting up
9 a culturally-oriented test for us. It hasn't been
10 used yet, so it will be interesting to see. We
11 are hoping that it really brings results insofar
12 as doing two things.

13 Our primary business is to fill jobs
14 with adequate people. If it serves in this other
15 area of lessening the tensions in the disadvantaged
16 areas, this would be good.

17 By Mr. Jaffe:

18 Q Do you need any kind of legislation to take your
19 trainee programs that you are now operating on a state level
20 into the local municipalities, or is that just a question of
21 persuasion?

22 A I think it is a matter of persuasion. This needs
23 a real push from the Governor's Office and from the using
24 agencies, the elected officials in these areas.

25 Q Do you think this is an area in which the Commission

1 could be helpful to you?

2 A I think it would be a very strong suggestion of
3 mine that it get into your report somewhere along the line.

4 Q Do you think there is a need in the local
5 municipalities for this type of program?

6 A I would say. They are certainly crying to us to
7 fill vacancies and run tests in the clerical areas.

8 Q On your advertisement on these types of programs
9 do you have an active recruitment in the sense you have
10 people go into the ghettos or other areas of the cities?

11 A We went in through CAPS and through the other OEO
12 programs, and we did go into the areas, the so called ghetto
13 areas and actively recruited in that area -- shopping centers
14 and so on. Placards on busses, trains these were in separate
15 instances throughout the years where our experiences have
16 been, but there was a solid concentration of all other types
17 of recruitment pushed into the clerical trainees.

18 BISHOP TAYLOR: You have here on the application
19 for examination the question: "Have you ever been
20 arrested?" Suppose the answer is yes. What
21 happens then?

22 THE WITNESS: The witness not only says yes,
23 but he has to indicate what the nature of the
24 arrest was and what was involved. This is reviewed
25 by statute by the chief examiner and secretary.

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1 This is myself. On the basis of my decision and
2 review sometimes necessitating an interview with
3 the individual, the individual concerned, the
4 applicant is admitted to the examination. This
5 has been spelled out by circulars and by statute,
6 and we will give these to Mr. Jaffe for presentation
7 as to just how far we have gone in our attempts to
8 orient the using agencies because it is one thing
9 for the chief examiner and secretary to say, "I
10 feel this man is capable of performing in spite of
11 this arrest record, and there is a rehabilitation
12 and the question is, is he or she on the way to
13 full rehabilitation?"

14 Now that having been determined, the
15 using agency has to accept this because this is the
16 day to day operation the individual is going to
17 get into.

18 MR. GIBSON: Are there any objective
19 regulations in this respect I assure you would have
20 a different set of standards for a policeman
21 than a clerk-typist.

22 THE WITNESS: The policeman is fixed by
23 statute. This is cut and dry by statute. There is
24 no gray area at all in this.

25 BISHOP BRIGHT: I wonder whether the Bishop



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might have been thinking of arrest for a thing like
civil disobedience, which has a different coloring
in today's situation.

THE WITNESS: Let me tell you why we ask:
"Have you ever been arrested?" Years back we used
to put in our application: "Have you ever been
convicted?" We found so much hedging on this by
individuals. They didn't tell us the truth, and
their plea was, "We didn't understand the question."

We feel, "Have you ever been arrested?"
is pretty clear. Then I certainly take this kind
of thing into consideration, the nature of the
offense.

MR. GIBBONS: Do you make any investigation?

THE WITNESS: Of necessity if they are still
on probation we will check with the Probation
Office. We will check with the Parole Office.
Well, many times we will check with the arresting
agency. I use them to a great extent because they
can give you the local coloring that is not in the
piece of paper. They can tell us just what was
involved. It gives us a better rapport with the
individual if I call him in.

By Mr. Jaffe:

Q Before an individual can proceed with the process



1 if there has been an arrest record, does it have to be
2 personally approved by you and your staff before he can go
3 any farther?

4 A That's correct. If it is reported to me. I have
5 seen no particular increase in applications in spite of the
6 Governor's urging me to look with a lenient eye, and not
7 necessarily to the detriment of service. He persists in
8 telling me, "John, I don't want you to jeopardize the
9 service by admitting anybody with a record." But nevertheless
10 maybe a more liberal look-see on my part.

11 Since that has been encouraged, I don't find any
12 increase in the number of such applications coming before
13 me.

14 Bishop, if I say so, I feel that hiring agencies
15 sometimes have already screened these people out so they
16 never do get to me. How I can change that I don't know.

17 Q Would you have an opinion as to just how relevant
18 the question is?

19 A Really I don't think that many people are being
20 prevented employment to my level of decision because of a
21 record.

22 Q But you don't have a feel for how many people just
23 never get through the local municipality because of it?

24 A That's right.

25 Q I wonder if you might give us an opinion --



1 A They are not all fingerprinted.

2 Q I wonder whether you have an opinion as to whether
3 or not for a position like a clerical trainee or institutional
4 attendant you think it is relevant to even ask the question:
5 "Have you ever been arrested?" or do you think it may not
6 be a proper question?

7 A It is relevant insofar as the statute requires it.

8 Q What I am asking you for is an opinion as to
9 whether or not you think there might be room for statutory
10 legislation and to remove it as a question in certain types
11 of positions.

12 A I think you have to be concerned with the
13 institutional attendant, let's say. If we don't ask it
14 there, there is possibility of it affecting the morals of
15 a minor in a previous charge or in a previous offense. The
16 type of employment that the individual is going into I think
17 is of moment here.

18 MR. GIBBONS: Access to narcotics.

19 MR. BYRNE: What does the statute say? It
20 says a criminal record, doesn't it?

21 THE WITNESS: That's right.

22 MR. BYRNE: It doesn't say anything about
23 arresting..

24 THE WITNESS: That is why we changed to arrest,
25 to get the story.



1 MR. REYNOLDS: Maybe you are asking for too much.

2 Have you got a ruling?

3 THE WITNESS: No, we have no ruling. They do
4 not get knocked out.

5 MR. REYNOLDS: But aren't you playing God though?

6 THE WITNESS: They may be deterred from
7 applying.

8 MR. REYNOLDS: A lot of people are arrested.

9 MR. GIBBONS: There are whole blocks in
10 Newark where you find it hard to find a person who
11 has not been arrested.

12 By Mr. Jaffe:

13 Q Suppose you take something like an institutional
14 attendant and you obviously don't want someone who may have
15 a conviction on a morals charge. Couldn't you achieve the
16 same purpose by once you get the man in and this name has
17 applied for that particular job by sending that name to the
18 FBI and the local authorities for a check as to whether or
19 not there has been an arrest record, and in that way you
20 don't deter the individual from applying; you don't deter
21 the agency from reviewing his qualifications, and you get
22 the information and you can make the independent determination?

23 A In other words, do it at the point of employment
24 and not at the point of application?

25 Q That's right. Wouldn't this achieve the same end



1 you are achieving.

2 A Yes. Very solid.

3 BISHOP DOUGHERTY: Are there precedents
4 on this procedure at Federal levels?

5 MR. JAFFE: Yes. To some extent that is what
6 the Federal Government does.

7 By Mr. Jaffe:

8 Q I wonder if that kind of thing would require
9 legislation, or could that be implemented just by regulation?

10 A Probably with a request to the Attorney General for
11 an opinion geared in that direction, I think it would be
12 sufficient for our Commission to so orient it. Again I am
13 proceeding from the point of view what has always been done,
14 that the application has to be as true an application of all
15 facets as possible. It may not be as realistic now as I
16 was indicating to you, that my reaction is there has been
17 no particular increase in people with records looking for
18 employment. But it is very possible that the questions
19 that have been raised here are showing that they are
20 deterred because it is asked on the application.

21 BISHOP DOUGHERTY: I have a question as to
22 whether or not this has been sufficiently
23 disseminated or advertised. In other words, the
24 Governor's request is known here, but has it got
25 down to the mass of people?

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1 THE WITNESS: At this point I think he was a
2 little reluctant to indicate, you know, publicly
3 that there was going to be a relaxation in the
4 consideration. This is one ex officio comment, if
5 I may say so. You know, an irate citizen and so on.

6 BISHOP TAYLOR: You say out of 4,000, 2,000
7 were cleared; that the opportunity for jobs
8 within the framework of the state would be limited,
9 and that you would make names available to outside
10 industry?

11 THE WITNESS: Correct. I think this could be
12 readily done.

13 BISHOP TAYLOR: I notice here you are saying,
14 "Are you a citizen of the United States?" Over
15 here you say only citizens of the United States
16 may apply. Is it not possible that many of these
17 disadvantaged people are immigrants who are living
18 in these communities who might make excellent
19 employees in industry and outside of government.
20 I can see why they would be excluded from employment
21 within the framework of the state.

22 THE WITNESS: I don't know how many of them
23 are in the disadvantaged area, of course, the
24 non-citizen.

25 MR. GIBBONS: A fair number of Western



1 Hemisphere natives I suppose.

2 By Mr. Jaffe:

3 Q Where is the requirement there?

4 A Statutory.

5 Mr. JAFFE: The question the Bishop brought
6 up was good, as to whether that was a realistic
7 requirement.

8 Mr. MEYER: It certainly was not in the
9 thirties when there was a lack of employment
10 opportunity.

11 THE WITNESS: We ended residency requirement,
12 and we are moving away from that, residency, even
13 to the point of local jurisdiction. They had to
14 be a resident of Trenton or Newark. That still
15 persists. Now there has been legislation to permit
16 recruitment outside that jurisdiction if the local
17 jurisdiction so desires. It is a permissive type
18 of legislation to permit us to recruit outside of
19 that jurisdiction at the county level or state.

20 BISHOP TAYLOR: What this form means, if a
21 person were to move up from Mississippi to Newark,
22 he would have to live in Newark for a year before
23 he could make application for a Civil Service job.

24 THE WITNESS: We have twelve months residency.

25 BISHOP TAYLOR: Is there any special reason

1 for that?

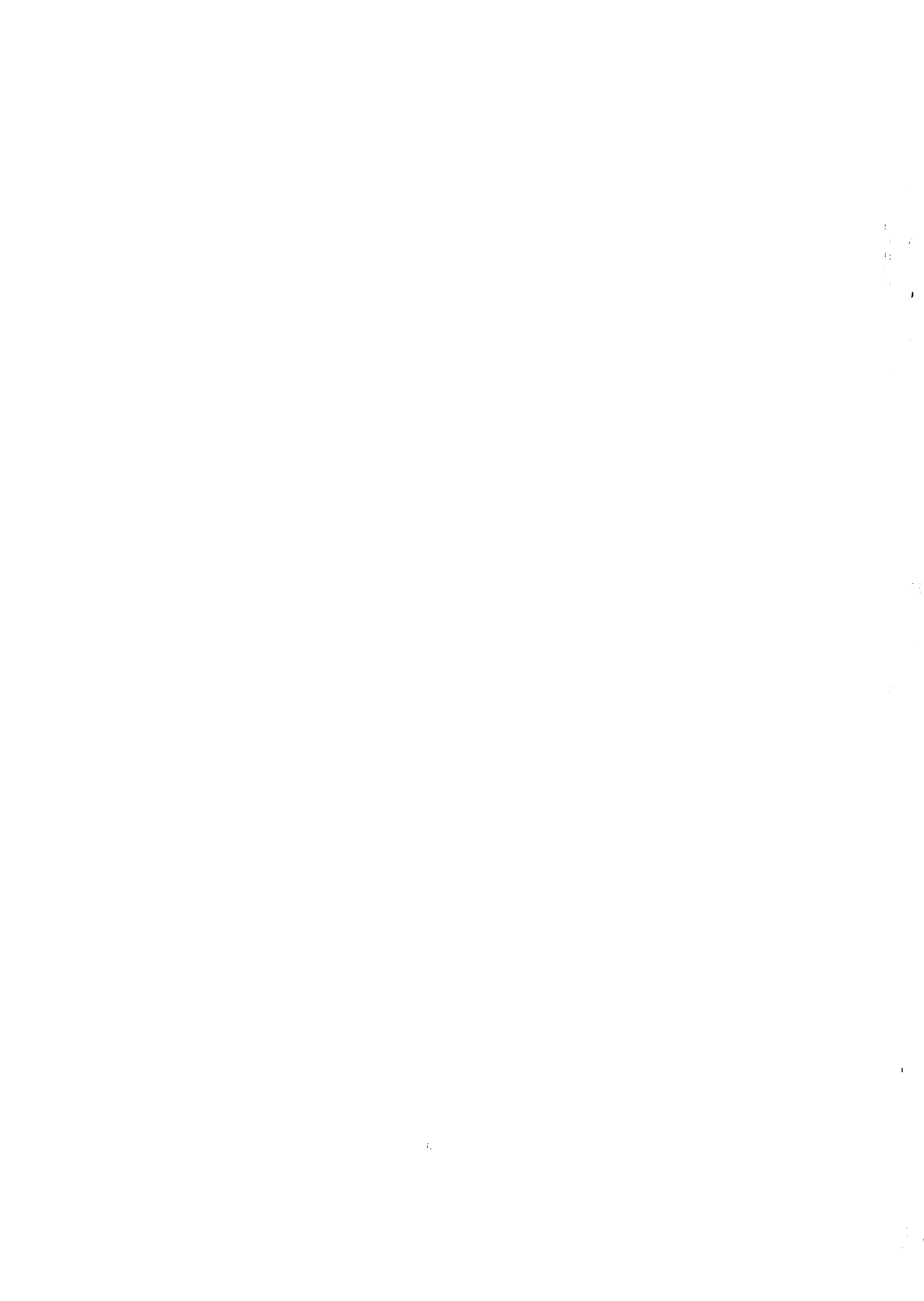
2 THE WITNESS: Other than the fact that we
3 don't know where this is going at this point.

4 MR. MEYNER: You don't want to encourage
5 immigration.

6 MR. JAFFE: I agree with the Bishop. It seems
7 to me we are going at cross-purposes. Our welfare
8 system is set up where you don't have a residence
9 requirement and don't have to reside in New Jersey
10 for twelve months, but yet the state as an employer
11 had these requirements.

12 THE WITNESS: In our clerk-typist position
13 and clerk-stenographers statewide we have gone over
14 the barrier into New York and into Pennsylvania.
15 We have done that. This is the first one for us
16 in the clerical trainee, and there may be some
17 growing pains in this. Your point is well taken,
18 but if we have a sufficient number of twelve months
19 residents to more than adequately fill the
20 vacancies, this will be the test. We may run into
21 a continuous recruitment in this area.

22 BISHOP TAYLOR: I raised the question on the
23 basis of your statement that of the 4,000 who
24 responded and 2,000 were cleared, you would have
25 great difficulty in placing them you said.



1 THE WITNESS: That's right. I don't foresee
2 we will have 2,000 vacancies in state service. So
3 we are going to lean on county and municipal levels
4 of government to use these people.

5 MR. MEYNER: Aren't you being most optimistic
6 when you say 2,000 out of 4,000 are going to clear
7 when you don't ask them anymore beyond these simple
8 questions?

9 THE WITNESS: There is a test beyond this.

10 MR. MEYNER: After the test you might narrow
11 it down to two or three hundred?

12 THE WITNESS: Conceivably. If the group that
13 is applying is returning housewives, then the
14 number would be 300. It may very well be more.

15 MR. GIBBONS: But the number of disadvantaged
16 persons will be very small.

17 THE WITNESS: We don't know what the test will
18 show. This is a brand new test, and this is why we
19 did so much in this area with Kirkpatrick as to
20 a culturally-oriented test which we hope will
21 enable us to measure. It is a pilot project,
22 believe me, for us and for the country.

23 MR. JAFFE: Could we mark this as a commission
24 exhibit?

25 (EXHIBIT NO. C-15 WAS RECEIVED IN EVIDENCE.)

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1 THE WITNESS: In regard to the 4,000, our
2 concentrations having been in the area of the
3 disadvantaged and the ghettos and through GATS,
4 we feel that primarily the bulk will be from the
5 disadvantaged area. Again I am guessing. I am not
6 going to say to you that it is from there because
7 we have had any number of inquiries from housewives:
8 "Is this available to us?"

9 By Mr. Jaffe:

10 Q I wonder if you might like to address yourself to
11 the residence requirement as far as police are concerned as
12 to whether or not if they were removed we might have a
13 greater outflux of negroes into the police forces in the
14 suburban areas?

15 A The hurting areas are the cities not the suburban
16 areas. What it has done is allowed the suburbanite to file
17 and be considered for employment through competition into
18 the city job.

19 MR. GIBBONS: That is a competitive job?

20 THE WITNESS: Oh, yes, run by us.

21 By Mr. Jaffe:

22 Q Have suburbanites been coming into the test?

23 A Let me give you an example in the Trenton area.
24 The City of Trenton has been hurting for patrolmen. In
25 their hurt one thing we did was go into continuous

1 recruitment. Come in off the street, and after we have a
2 certain number we will be in contact with you and we will
3 process you through examination. This open-end recruitment.
4 This has been effective. We have tried it in Trenton and
5 in Newark. It is still in process.
6

7 But a furtherance was through broadening the scope of
8 eligibility of recruitment. We know in the Trenton area
9 the townships -- Hamilton, Essex and Lawrence, which are the
10 immediately surrounding townships of Trenton -- have had
11 lists in the past that went unused from examinations. In
12 other words, there were still names remaining at the end of
13 two years, the life of the list. We felt that this showed
14 potential interest, to say the least, in being patrolmen.
15 Somebody has taken an exam and was interested enough to file
16 and go through the process and get on the list, but his
17 town did not have the vacancy. Trenton does. So it has
18 been helpful in the Trenton area for us, but it is the
19 townships that are coming into Trenton, not Trenton going
20 out to the townships, which I think was what you had
21 mentioned.

22 I would say to you that it is the suburbs coming into
23 the cities, rather than in this particular area the city
24 supplying the suburbs.

25 By Mr. Jaffe:

Q What you are saying is the suburbs have no need

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for that employment?

A Generally speaking They are not hurting. Some small towns are. Take a town like Hillburn, which is high residential and a high income area. They hurt for patrolmen.

MR. MEYER: But your profiles is your qualifications are so high that you don't get them in Trenton, but you do get them from these other places to come into Trenton.

THE WITNESS: We get them to apply, but they don't survive. You are right. Why high qualifications? There again the police are professionalizing themselves, and the PBA and the police chiefs and the public safety directors want high standards.

MR. SILBERT: I suppose we have to face the fact that of all areas in government we can't have the police be employees of last resort.

THE WITNESS: In regard to patrolmen, we are down to the tenth grade already. We have a tolerance to tenth grade schooling, not high school. You know the PBA and outfits like that are pushing for college.

By Mr. Jaffe:

Q Do you have a police training program similar to one of your clerical training school programs? Is there a program now of police trainee recruitment?

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A No. The nearest thing to it was the Cadet Program, the Police Cadet Program.

Q Where was that?

A Woodbridge still has it, I think. Newark tried it. Trenton tried it but nibbled at it. It never got off the ground. It hasn't proved highly successful.

MR. MEYER: Isn't it true under existing legislation once a municipality accepts an employee as a patrolman, then he must go to school a certain time at a certain approved school?

THE WITNESS: Police training before permanent status is attained, yes. That is of recent vintage. That is about five years old.

MR. MEYER: Supposing a city like Newark wanted to start a police trainee recruitment program similar to your clerical training program. Are there Civil Service restrictions?

THE WITNESS: By no means. The only problem you have is age, and that is statutory. You have age here, in maximum and minimum. So the cadet program was to get them out of high school and arouse their interest enough to stay with it from high school graduation, let's assume eighteen years of age, until twenty-one. This is the area that has been difficult. It sounded good, the cadet



1 program, and ostensibly may be good, but there
2 aren't enough interesting spots to keep that
3 youngster out of high school until he attains the
4 fullness of being a patrolman at twenty-one. This
5 I think has been their area of difficulty nationally
6 from what we understand.

7 MR. MEYER: He has three years to get
8 disillusioned, too.

9 By Mr. Jaffe:

10 Q Would it be realistic to talk in terms of changing
11 that to the point where at 19 you could become a patrolman,
12 a year as a trainee, and then go to the police training
13 academy for three or four months then become a patrolman?

14 A I wouldn't want to comment. It is a statutory
15 set up, and I don't know how realistic it would be or how
16 unrealistic it would be.

17 BISHOP DOUGHERTY: I think that question
18 requires professional police judgment.

19 MR. JAFFE: I realize that, and you said it
20 for me, Bishop.

21 THE WITNESS: I am in no position to tell
22 you that we see a lot of interest on the part of
23 19 year olds to get into the police department. I
24 have no way of making that comment.

25 By Mr. Jaffe:



1 Q Our basic purpose is to find out what statutory
2 requirements and Civil Service requirements there really
3 are and if there is a feasible method, we at least want to
4 have the background of the Civil Service requirements so
5 that we can recommend.

6 A If they ask us 19, we are ready to examine, if
7 that will help you. We feel adequate to examine at the 19
8 year old age as well as we are doing at 21. This is an area
9 where we have been well tried and experienced in the whole
10 area of police examinations and firemen examinations,
11 probably one of our longest and oldest experiences.

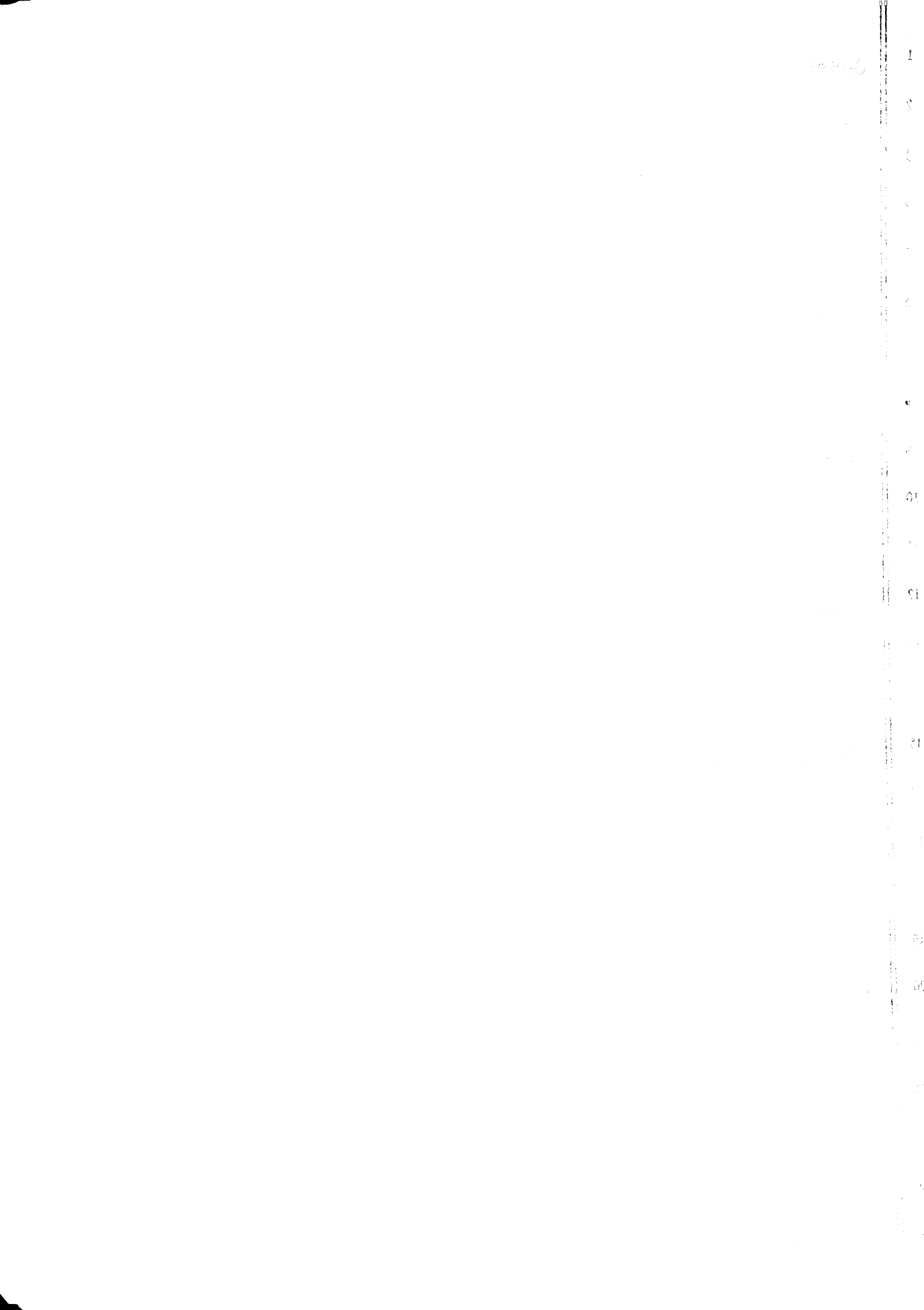
12 Q Mr. Farrell, I wonder if you might discuss some
13 of the problems you have run into in your physical location
14 problems in terms of where an institution is located,
15 particularly the institutional attendant problem, as opposed
16 to the job center.

17 A Doctor McCorkle will probably be more experienced
18 in this than I, but talking of institutions and having been
19 out at Trenton State Hospital as a personnel director for
20 ten years prior to coming back to the Commission under then
21 Governor Meyner as chief examiner, I would say location is
22 one of the factors of vacancies. This brings about how do
23 you transport from the areas of numbers, of possible
24 applicants and possible employees and transport them down
25 to New Lisbon or Woodbine, as the case may be? I think



1 Governor Meyner will remember when Ancora started and was a
2 state institution set down in the pines, I know there were a
3 lot of misgivings. I know by the Governor more than
4 myself, because he had many other areas to face as far as
5 answers were concerned other than employment, but when that
6 institution was put down there, lo and behold we found a
7 whole farm belt down there who were excellent recruitments,
8 and Ancora from its opening never really hurt such as an
9 institution like Greystone and Trenton State Hospital.

10 My experience, for what it is worth -- let me tell
11 you what I did at Trenton State as personnel officer,
12 because I faced a problem there of a lot of vacancies at
13 the attendant level. These were the days of accreditation
14 of a place like Trenton State and of all our mental
15 institutions. We were being pushed by the Governor to get
16 accreditation, and he wanted a good, healthy mental program
17 in this state, and rightly so. Now, we come to a full
18 accreditation. We had to have a certain number of attendants
19 and nurses. How to fill those vacancies in this growth
20 toward accreditation? One little thing I used, and I say
21 this because I did it, and I did it with the help of the
22 Board of Managers at Trenton State Hospital, men like Judge
23 Philip Forman -- we had a very small nucleus of colored
24 applicants at the time, or colored employees. Strange as it
25 may seem, and I think this happens, we had a large nucleus of



1 southern whites as attendants, and they were good attendants,
2 but I imagine sometime prior to my ever being there there
3 was a break-through of a certain number of people from
4 southern communities who came up to Trenton, found good
5 employment, and this was a break-through. As a result,
6 they came from those areas. When I arrived on the scene
7 there was a pretty healthy nucleus of southern whites
8 working at Trenton State Hospital.

9 I was trying to get away from the institutional floater
10 who moved up and down the coast as the seasons changed, the
11 so called non-resident if you will, and I turned to the City
12 of Trenton where Trenton State Hospital did not enjoy a
13 particularly good reputation. The employees did not. Part
14 of this was the press releases and so on. When an attendant
15 got in trouble in town, his employment was earmarked.

16 "John Jones arrested for drunkenness, Attendant at Trenton
17 State Hospital." The community felt that wasn't the place
18 to work.

19 What I did, and I stressed and I used particularly the
20 colored employees of the hospital, the few that were there.
21 We had about 1400 employees. Maybe we had 150 at the time
22 who were colored. I took those colored employees, and
23 particularly the good ones, and personally told them that
24 if you clear the individual that you bring, that will be
25 good enough for me. We will hire him. Having done this we



1 actually had a very healthy, wonderful reaction. What I was
2 doing, and at the time I didn't realize it, but I was
3 creating in the colored community in Trenton a feeling that
4 a successful employment could be had at Trenton State
5 Hospital. It proved effective. Two things were accomplished:
6 It started to develop a better reputation for us in the city,
7 and secondly, it certainly stopped the employment of the
8 flouters who, generally speaking, had no ties to the hospital.
9 He was a professional institutional attendant. A few pays,
10 get drunk and go.

11 MR. MEYER: Didn't you find they were a good
12 deal more sympathetic to the mental illness they
13 encountered there and had special attributes in
14 caring for people?

15 SHE WITNESS: And particularly the colored,
16 the "esmmie," they had a wariness to them. I say
17 this sincerely. I found the colored female
18 attendant made a good attendant.

19 Having done that and exhausted it, I still
20 had vacancies. I now used Carver Center, which was
21 a civic center. This is where Judge Forson came
22 in and was very helpful. We used Carver Center so
23 if a colored individual came in for employment, I
24 would say, "Do you know anybody in Carver Center?"
25 If you can get somebody in Carver Center to

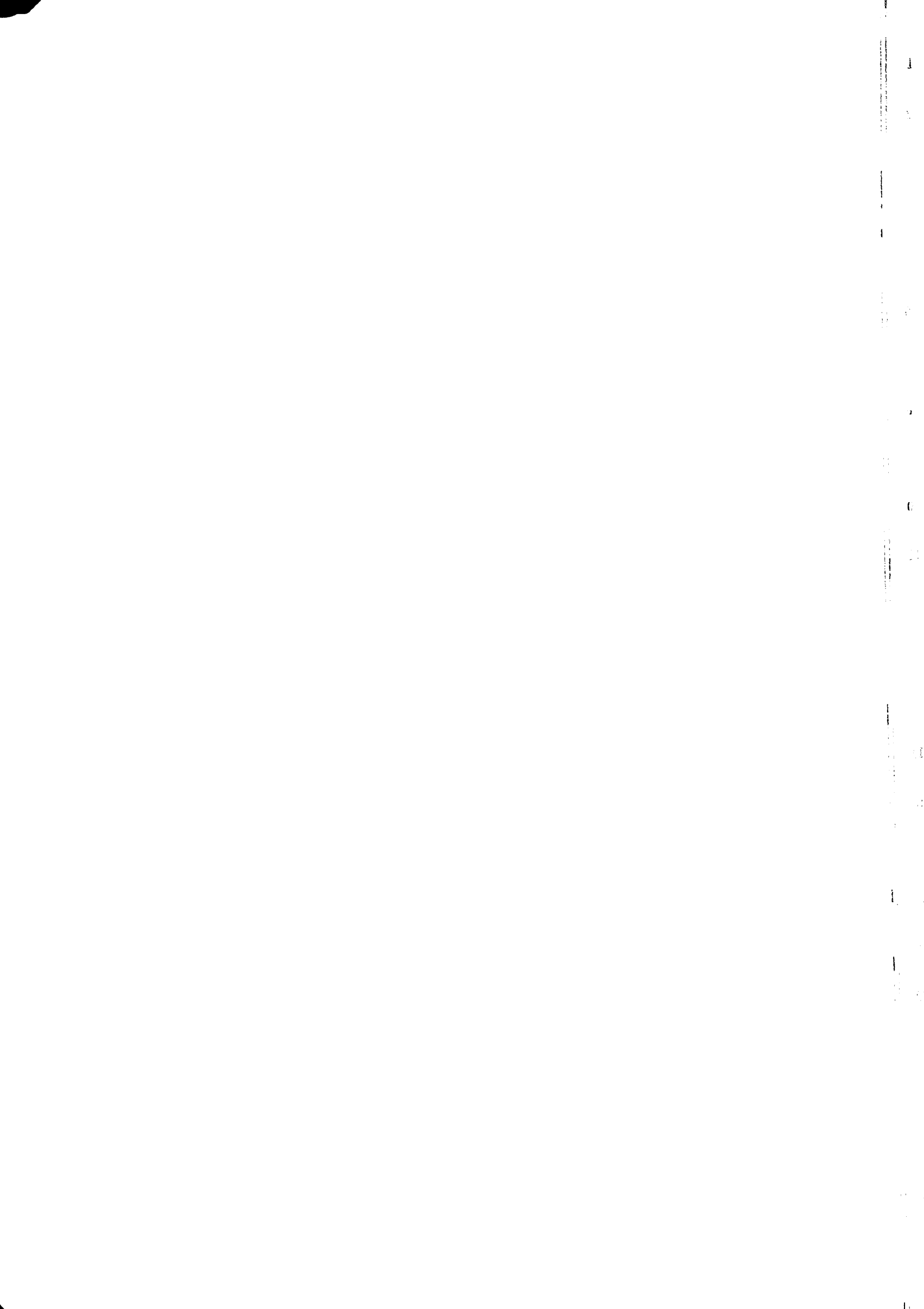


1 recommend you, that is good enough for me." Carver
2 Center then became right in the colored district,
3 if there was such a thing in Trenton, the recruiter
4 for me for institutional attendants.

5 I think the percentage at Trenton State
6 Hospital at this point is high. The attendants
7 have moved into psychiatric technician, from
8 attendant to charge attendant, and into nursing.
9 The state has gone into a nursing program, training
10 from attendant and psychiatric technicians into
11 nursing. I make this as a point of one experience
12 of my own. I am not saying this is workable today,
13 but it was my effort to fill vacancies, and it
14 proved to serve many purposes.

15 I think this is important in my thinking:
16 that if we can get the individual in the
17 disadvantaged area to know that at Company A or
18 Company B, or at this particular state service or
19 this particular state department there is good
20 possibility of employment there, there is good
21 career possibility there, this is a good
22 opportunity. This is a slow growth, Mr. Jaffe.
23 This is not a big push. This is slow, but it is
24 solid.

25 By Mr. Jaffe:



1 3 You have given us quite a few suggestions as to how
2 you think this Commission can help you in your general
3 dissertation. I wonder if you have any other thoughts as
4 to the kind of things the Commission can do that could be
5 helpful to your department in meeting the problem of
6 employment of the disadvantaged and the problem of training,
7 the combination kind of thing.

8 THE WITNESS: I know we have the ability to
9 move in this direction, and this is more performance
10 tests. We have over several years, and I initiated,
11 again with Governor Deaver, an accentuation of
12 performance testing. We felt the written test was
13 not measuring for us the butcher, the baker, the
14 potential mechanic, so we have gone into performance.
15 This requires a much greater budget than when you
16 given written tests. I would love to see as a
17 recommendation, for what it is worth, small or
18 large in your write up, an encouragement for more
19 performance testing and not only with us, but say
20 I say for industry as well.

21 MR. MEYER: How many employees in Civil
22 Service?

23 THE WITNESS: In our department we have 250.

24 MR. MEYER: How many degrees?

25 THE WITNESS: In our own department I would say

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1 about 30.

2 MR. HAYES: Are they in Trenton or Camden and
3 Newark?

4 THE WITNESS: Mostly in Newark. We have some
5 in the Trenton office as well. The Camden office is
6 very small. We only have seven or eight there but
7 no negroes.

8 BISHOP TAYLOR: What types of responsibilities
9 do they carry?

10 THE WITNESS: We have them in our examination
11 staff and they are in the clerical staff up into
12 near top supervisory positions. They are district
13 supervisors in our office in Newark, for example,
14 which is divided into handling certain districts
15 and municipalities. We have two in those two
16 supervisory jobs. We have an excellent lead in our
17 engineering staff, in our examination staff, who
18 is looking real good.

19 MR. GIBBONS: Do the members have any other
20 questions?

21 MR. JO MATHIAS: Mr. Parrell mentioned Carver
22 Center. I happen to know of it. I know it gained
23 a certain prestige in the Trenton area office as a
24 participating activity. Having walked the ghetto
25 areas, I know of no similar situation in Newark,



1 Boys' Club and so forth. John, do you think that
2 is a type of agency in there were more of it, it
3 would be helpful?

4 THE WITNESS: Let me say my experience was
5 excellent. I used Carver Center almost to a fare-
6 the-well because they were wonderful for me. They
7 were happy about the accentuation. Maybe it was
8 discriminatory. I took Carver Center of all the
9 colored organizations, but it was the one I knew.

10 MR. BAYLER: Is that an endowed civic center?

11 THE WITNESS: It is part of the YMCA.

12 MR. MC LAURICH: It is referred to as a
13 colored YMCA in Trenton, but I was thinking of it
14 in relationship to some of our current FCC set ups
15 or anti-poverty set ups in the community, and I
16 realized how they operated and started from their
17 boot straps and gained support and prestige, and I
18 related it to these newly organized activities and
19 their ability to produce and do a job for the
20 community.

21 MR. BAYLER: I know I had attended meetings,
22 but I never realized how it was operated.

23 THE WITNESS: I felt they knew the community
24 that I couldn't reach into. To me they are an
25 excellent screening. But I took their screening



1 without question, and I gave them some character as
2 far as I was concerned, as far as placement and
3 recruitment was concerned, but they enjoyed that
4 and they liked that respect.

5 MR. REYNOLDS: You were smart enough to entrust
6 them with some responsibility, and they responded.

7 THE WITNESS: That's right. I don't remember
8 that I got any bad ones out of them.

9 MR. SIMONS: Mr. Farrell, you will be
10 available to our staff members in the future?

11 THE WITNESS: Yes, always.

12 MR. SIMONS: They will undoubtedly want to
13 develop further information.

14 THE WITNESS: We are in the midst now of
15 establishing two training centers, one in Trenton
16 and one in Newark, for this clerical trainee.

17 By Mr. Jaffe:

18 Q Will you people operate these?

19 A In conjunction with Community Affairs, the two
20 departments. Training is basically our responsibility, if
21 from nothing else, from a supervisory point of view. I
22 definitely feel that we need to accentuate our advertising,
23 our recruitment. Legal advertising is minimal. It is not
24 getting people because it is hidden away in the back pages
25 with the sheriff's notices. We don't feel this is realistic.



1 We are in the midst of trying to suggest legislative changes.
2 We need to go into the black ads so that we can compete with
3 the telephone company and other entities.

4 Q Do you need legislation to do that?

5 A Yes, to give us some elbow room.

6 MR. GIBBONS: Not even as far as the
7 municipalities?

8 THE WITNESS: The type of advertising, because
9 it is expensive, legal advertising, and yet it is
10 not serving a purpose for us.

11 MR. GIBBONS: We would be interested if you
12 might have one of your staff people give us a
13 memorandum as to this type of legislation that you
14 need.

15 THE WITNESS: This has already gone to the
16 Governor.

17 MR. GIBBONS: You might want to give it to us,
18 too. We might give it a push.

19 THE WITNESS: We feel recruitment is important
20 if we are to reach the people.

21 MR. GIBBONS: Thank you very much.

22 - - -



C E R T I F I C A T E

I, JOSEPH F. READING, a Certified Shortland Reporter
and Notary Public in and for the State of New Jersey, do
hereby certify that the foregoing is an accurate transcript
of my stenographic notes to the best of my ability.

Joseph F. Reading

October 4, 1967.

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