

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.

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.)