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 childred 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 contrubution
24 at a broad level to the integrity of the family life.
25 Q Has such legislation been introduced into the

1 New 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 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

operates like depending upon whether or not the municipality participates in the state plan and receives state matching. If they receive state matching, then they are subject to general state supervision. But in general the provisions are organized around an emergency concept and, consequently, I know they are considerabley less.

MR. MEYNER: Some of the smaller municipalities are cruel.

THE WITNESS: They don't participate. Cruel is a very apt word for some of the municipalities which do not participate in the state plan and over them we have no supervision or control.

MR. GIBBONS: Historically running the poor house was a municipal function, and that is what the general assistance program really is. It is an outgrowth of the old poorhouse in a municipality.

By Mr. Jaffe:

Q Commissioner, has there been a trend, or is there a trend in centralizing this on a statewide basis?

A I couldn't answer this authoritatively, but I think you would find most states have a system of state-supervised county-administered. Connecticut is an exception which has a total state program.

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. MEYNER: They do a better job than the
23 municipalities, don't they?
24 THE WITNESS: Yes.
25 MR. MEYNER: 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 went,
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 morerecently the not yet enacted buy 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 realatively 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 organisational 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 knawing 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

from a dependency status into a more productive relationship.

By Mr. Jaffe:

Q What kind of ancillary services does the Welfare Department have to aid in that, and is there an opportunity for recommendations or thought to be diverted into developing this type of ancillary services?

Q I think in New Jersey primarily because of the organizational structure the state did not, and if you like, there is available a survey that was completed of the administrative organization of welfare in the State of New Jersey by the Department of HEW at our request. We asked them to come in and take a look at it. As they point out, one area where New Jersey has been, shall we say, not as aggressive as it might have been is in the area of providing a kind of professional leadership to counties, to other areas, and the development of special projects. I think in the last three or four years we have done a good deal more of that. I think we have done it somewhat better chiefly because we have a better administrative structure, and we have given, in the last two years, to the Division of Welfare considerably more support, not as in my opinion they need it, but given all the factors that both the department and the state had to deal with, substantial 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, presumabley 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 thetotal 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 AFCUP 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. MEYNER: 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

Plainfield?

THE WITNESS: I am not so sure about that.

MR.MEYNER: That is if they had an agreement.

THE WITNESS: If they had an agreement, we could dig up the data. Let me check and I will send you the data, and you can review it and determine whether or not it is adequate. If you want to get something else, we will try to get it.

MR. MEYNER: Would there be any way of getting an approximation -- take the City of Newark during the summer of 1967, and you could give us the figures of number of people on welfare. Is there any way of approximating the population or percentage that was in a position to need welfare but could not have welfare for a variety of reasons?

THE WITNESS: I have to make the assumption that all persons who are eligible under any program, if they had made any effort to get it, are receiving it because there is no barrier. The only barrier would be (1) the individual didn't know of his eligibility for a program and, consequently, made no effort to get it, or he turned to alternative sources, or the operation 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

positions. That school we hope will start the latter part of the year.

There was a concentrated effort to employ people and to ignore theeighth grade school requirements. For instance, I think furing the months of July and August we hired upwards to of about one hundred persons from the City of Newark who could just read and write. We also set up in our department, and I don't think this is generally known, but we are going to establish at the department level scholarships for persons, fifty a year for career development, for nurses, all of it concentrated towards the disadvantaged.

Q Has there been any kind of a summary of what that interdepartmental committee has done that could be available to the Commission?

A Each of the departments that were involved made summaries up to date recently. Whether this is going to be consolidated as a summary of the total thing by the Governor's office I don't know. I would assume you would want to contact his office to get such a summary.

Q Just from your discussions at those meetings, were there problems raised or recommendations in mind that you think would be of help to the Commission and that you think the Commission might want to look into that were raised by the committee and not able to be finished?

A My impression is they are going to continue to meet to discuss a number of things that are still open, but certainly the range of problems that you are discussing was discussed here because what are we talking about when we are talking about the cities? We are talking about, it seems in order of priority, housing because if you want to do something about the housing problem, I don't know where we are going to go.

You are talking about schools next from my point of view in terms of my personal priority, and then, third, you are talking about the employment situation. Anything else is symptomatic of the interrelation of these three.

Q I think it is important we get these summaries, and I will ask the Governor's office for them so that we don't retread in that area.

I would like to briefly touch with you on the role of the probation service and particularly the role played by your people in the Newark riots, subsequent to it, talking to some of the people, and also in the kind of information that you have obtained from this source.

MR. MEYNER: His department is Parole.

THE WITNESS: Probation is county-administered.

By Mr. Jaffe:

Q I always get the two mixed up.

A It is not even supervised by us. I have some data

here if you would like it. I didn't bring the data on welfare, but I did bring data on the particular subject since I thought you might be interested.

There were fifty-seven parolees who were arrested in connection with the Newark situation.

MR. MEYNER: Fifty-seven who were out on active parole?

THE WITNESS: They were conditionally released. The total number of persons -- I took the names of 1,495 persons arrested in Newark, and I compared for name, age, sex and race with our files in the Department of Correction, Parole, Bureau of Children's Services and the mental hospitals and schools for the retarded. One hundred sixty-nine names had been known to our department.

MR. MEYNER: When you say fifty-seven were on parole, could you give us some brief general characterization of how dangerour they might have been?

THE WITNESS: Well, since the bulk of them was from the juvenile institutions, either Jamesburg or Annandale, you are not talking about sophisticated criminals.

MR. MEYNER: The bulk of the sixteen hundred?

THE WITNESS: No. Only 169 names matched up.

By Mr. Jaffe:

Q Does that 169 include the 57?

A Yes.

MR. MEYNER: That had some criminal record?

THE WITNESS: Correction. Eight-nine were known at one time or another to our Correctional Division, but only fifty-seven were on parole. We would have a record on them if they completed parole or if they were out.

BISHOP DOUGHERTY: Is the word "criminal" appropriate in that connection?

MR. MEYNER: I don't think so. I would say, "record."

BISHOP DOUGHERTY: Correctional institutions was the word you used, and I was seeking clarification whether or not that is all criminal.

MR. MEYNER: Criminal is a conviction such as an assault.

THE WITNESS: A considerable number of these were adjudicated juvenile delinquents by the Juvenile Court, but there were fifty-seven that were parolees. There were only one hundred twenty-seven unduplicated persons who were arrested. We compare with 1,495. I don't know if that 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. MEYNER: 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. MEYNER: 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

charges. That is the eight we declared delinquent. One violation of curfew. He received a suspended sentence and he is a sixteen year old. He was making a good adjustment on parole so the Bureau of Parole did not declare him a delinquent. The court gave him a suspended sentence.

Q The thirty-one released with no disposition by the magistrate, will you await legal action before you decide whether those will be declared?

A We don't have a basis on which to take an action at this time pending what the courts do. There is nothing in the record that would lead us, other than this specific thing which is being tried in another area, to believe that they should have been declared delinquent.

Another was a juvenile delinquent who received a suspended sentence to the Reformatory for Women. We continued her on parole in view of the satisfactory parole to date. The individual was making good parole. The court apparently took the view that a suspended sentence was indicated, and I would assume from that our Bureau of Parole took the position that in view of what had been a good adjustment to date we should try to continue the individual on parole.

The other was the juvenile delinquent. The petition was sustained in the Juvenile Court but he was continued on parole in view of the satisfactory parole record to date.

Q Are those statistics in a form which you could leave them with the Commission as a commission exhibit?

A Yes.

MR. JAFFE: They will be received.

(EXHIBIT NO. C-9 WAS RECEIVED IN EVIDENCE.)

THE WITNESS: I also have a summarization from the Board of Public Welfare on the activity of our Division of Welfare during the disturbance.

By Mr. Jaffe:

Q Could you paraphrase that for us?

A Immediately following the first major eruption on Thursday night, July 13, Mr. Engleman, our Director of the Division of Welfare, got in touch with Mr. Lazzaro, the Essex County Welfare Board Director, on Friday and verified all offices were being closed by noon and suggested that Mr. Lazzara alert key staff members to be on call over the weekend.

On Sunday night Mr. Engleman received a telephone call from a member of the Governor's emergency task force on duty in Newark, and as a result the next morning he and three members of the division staff went to Newark to participate in planning for dealing with the post-riot situation. Plans were developed for the establishment of an emergency center in the heart of the affected area to be operated by the City Welfare and to deal with anticipated

applications for public assistance from persons not previously known to welfare agencies, but who would represent themselves as having been deprived of job, money, home, et cetera.

A simplified application form upon a simplified basis for issuing cash assistance on a weekly basis was developed and would help provide fifty volunteers from various agencies, this plan became operative at the end of the week. Mr. Engleman advised that although prior preparations were made to handle a large volume of applications, at the close of three weeks there had only been one hundred sixty-two cases that applied for services and only seventy-eight were found eligible for monetary aid, a total expenditure of $3,614, or an average of $41 a case. These expenditures were made from a fund of $20,000 contributed by the Prudential Life Insurance Company.

(EXHIBIT NO. C-10 WAS RECEIVED IN EVIDENCE.)

By Mr. Jaffe:

Q From your interviews are there any general conclusions that could be drawn, any lessons to be learned from it?

A I don't know. Following the disturbances I spent some time myself personally for my own education talking to parole people in Newark. As some of you know, as Governor Meyner knows, I was warden of the prison at one time, and I

have a number of contacts as a result of that experience with people who are in the City of Newark whom I knew when I was warden of the prison where, Governor Meyner also knows, we had a disturbance or two, and I talked with people on both sides of the fence. I would suspect if anything there were probably more people with, shall we say, a deviant orientation who were involved. They were much more skillful in dealing with the police. They were never picked up.

My own general impression would be that the fifty-seven who were picked up were the kind of individuals who were not very bright or very systematic, very perceptive of how you handle situations. In the words of an old convict of the prison who was involved in a situation that I talked to, they were, as he put it, a bunch of stumblebums. They were the kind of guys who just, you know, didn't know; they didn't know how to deal with situations. Their competency is very limited.

MR. GIBBONS: How many parolees did you have in Newark in July?

THE WITNESS: I can get that figure. I think it was in excess of eleven hundred.

MR. GIBBONS: You are talking about fifty-seven out of eleven hundred were actually arrested?

THE WITNESS: Yes.

1 MR. NEYMER: 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

1 accomodations 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 1&4. 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

effect a re-equilibrium in the prison with people who were driven by intense hostilities of an undifferentiated character, I might add, that made the possibility of any serious negotiations with them a myth. As a result, the total group in the New Jersey State Prison felt more and more detached and alienated, and they felt increasingly if they were going to have any security at all, they had to sign up with the worst elements in the prison.

I recall one occasion -- Governor Driscoll is not here now -- of going to him and saying, "We may have another riot, but we have to move on this. We have to take these groups and we have to do something about it. Otherwise, there is no reason for the little guy on the bottom to have any confidence in state leadership."

By Mr. Jaffe:

Q What was the kind of thing you suggested doing for those groups?

A I moved them out of the prison and I tried to move in with a positive program.

MR. MEYNER: You had to run the prison instead of letting them run it.

THE WITNESS: That is correct. That was the basic problem.

By Mr. Jaffe:

Q How do you translate approach to the present urban problem?

A I don't know about the approach. I am not going to get into that, but I am going to say this: That the present urban problem, particularly as it relates to the so called ghetto, is essentially a struggle between the extremists and the liberals and the bulk of the people are wondering, I suspect, what is going on. I must say in terms of varieties of official actions that I have no intention of detailing -- these are conclusions I have reached from inadequate evidence perhaps and I can understand their bewilderment.

BISHOP TAYLOR: It is generally alleged that young negroes are arrested as delinquents for far lesser offenses than whites. Would you like to comment on that point?

THE WITNESS: Well, there are a number of studies that would tend to be supportive of the general point of view that there is differential in law enforcement between lower socio-economic groups than upper socio-economic groups. Since the bulk of the non-whites in the urban community are in the lowest socio-economic group, you can infer from that there might be a more vigorous application to party rule. If you want statistical

support, the best study I know of is prepared by a man by the name of Goldman who made a study of police actions in the greater Pittsburgh area.

MR. LEUCHTER: Specifically relating to the Bishop's question, have you or your staff run into many kids, let's say, from the ghetto areas and what are these kids doing here?

THE WITNESS: Let me back up to when I was dealing with and came specifically in contact with people. The number of innocent persons I met in our correctional institutions is zero. That has been my experience. If you are asking me to say why Joe Jones is in and Pete Smith is out, I suspect that is true, but I suspect it is something not just limited to one group but it affects a variety of situations. Some people are better able to handle most of life's problems and other people, including correctional problems.

MR. MEYNER: One of our tasks is to prescribe some course of conduct for the future. What is your feeling with reference to the Black Muslims, which I am sure you have encountered in your penal institutions?

THE WITNESS: Yes.

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 farm 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

not disobeying anything. We just want to go on sick call.' This unquestionably was spearheaded by Black Muslimsgroups who were engaged at that time primarily in a power struggle within the inmate community.

I might add also that in terms of being inmates the conversion of an individual to the point that he identifies himself and is identified by others as a Black Muslim doesn't mean he becomes a troublemaker. Our experience in this respect, I think chiefly because the administrative arrangements in New Jersey in general prevent selecting individuals for their beliefs and so on, and perhaps from their point of view providing them deferential treatment on that basis.

So that in their briefs the Black Muslims never stated we discriminated. In fact, they said just the reverse. We did not discriminate and they had never suffered because they were Black Muslims, except they could not congregate in a large group and they could not have an outside minister. That was the only issue they ever joined with us on. In New York and in the Washington case it was somewhat different.

But there was a struggle going on, and if you can believe the credibility of the people on the ground floor, they were spearheading to some extent this.

MR. MEYNER: My point is when they come out, does this group become a menace to the community to any degree?

THE WITNESS: I would think in some instances certainly you could get documentary support that they have.

MR. MEYNER: The militancy you mean?

THE WITNESS: Yes. There was one such case I believe, in Union County where he actually got the passport to Mecca. I think he did kill four people.

MR. LOFTON: With respect to the discussions that some of the people of the staff, the parole officers, have in talking to the delinquents, was there any discussion had with those youngsters that were arrested with respect to whether or not it was their understanding or information that the Muslims participated in any meaningful degree in the recent disturbances in Newark?

THE WITNESS: If that information was acquired 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

question which is simple, and you can answer it either on or off the record. In layman's language what do you think from your broad experience and knowledge caused the riot in Newark and how do you prevent another one? That is the purpose of this commission.

THE WITNESS: I think I touched in part on what my response would be. The redefinition of whatever remedial programs you are going to get, so you go back to some of the traditional balances of support. I think this is very important. When Rushton made the observation on the CBS interview, I believe it was, to the effect that the negro community and its responsible leadership had been asking, and this can be documented in New Jersey and I can pour out stuff that was taken during a whole series of conferences we had starting in 1961 in New Jersey -- the fact, as he put it, they wanted a negro police captain in Harlem. They had struggled for twenty years and couldn't get him. A few guys get on the street corner and start yelling and screaming, and the next thing you know there is a negro police captain.

I think our society is very ambivalent. I 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 pople this
24 particular time, it was elusive. They weren't
25 living in the area. They were seeing people at

1160 Raymond Boulevard and what was going on up the hill, yes, they would get up there from time to time, but it is a good bit different.

How are you going to reverse some of these trends in our cities? That is the Commission's job.

MR. GIBBONS: It is twelve-thirty and we have had a hard and fast rule. Thank you for coming.

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C E R T I F I C A T E

I, JOSEPH F. READING, a Certified Shorthand 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

September 28, 1967.