

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?

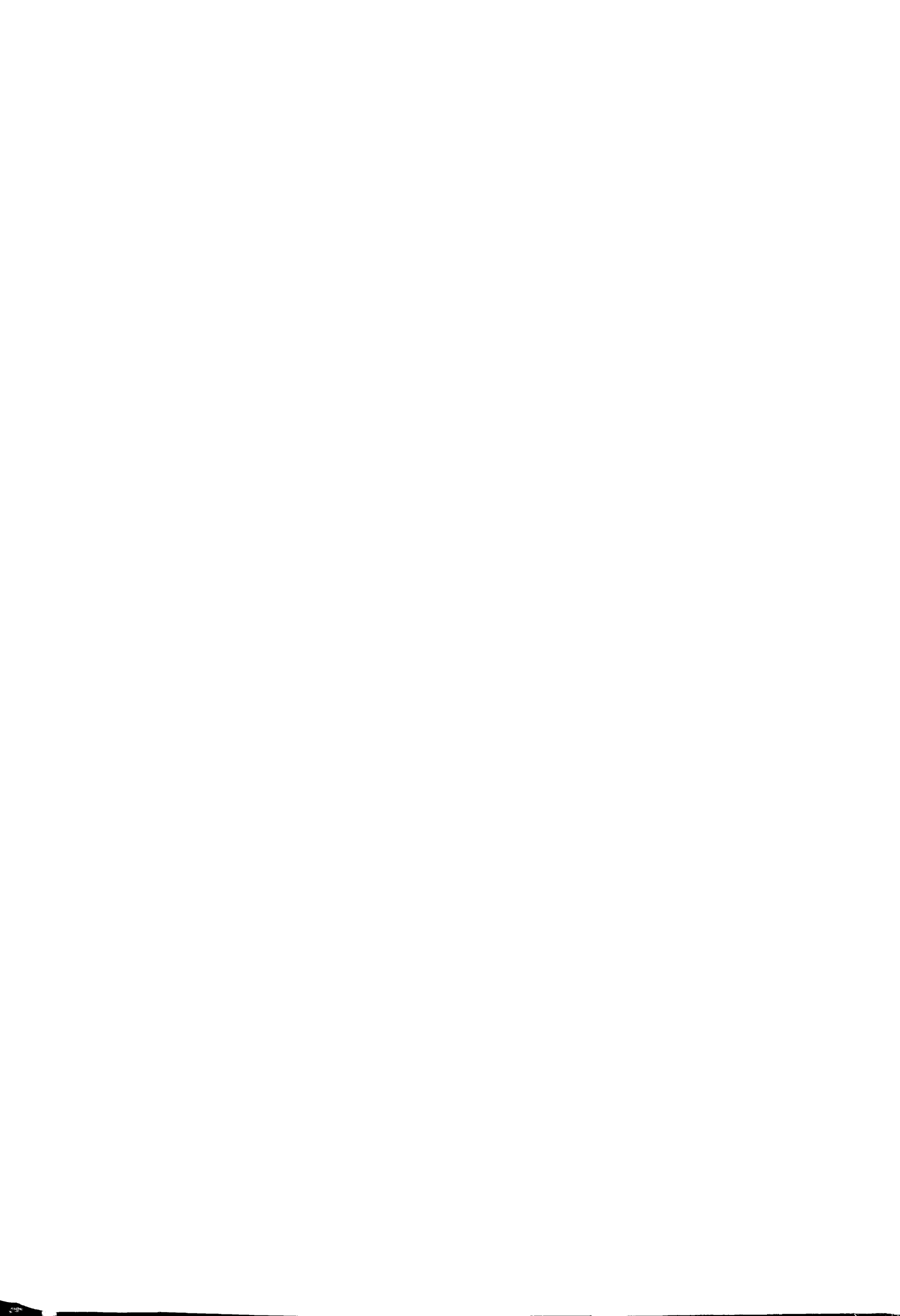
THE WITNESS: And off the cuff estimate?

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.

  
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