

1 Whereupon,

2 the Notary Public DONALD MALAPRONTE

3 called as a witness, first duly sworn, testified as follows:

4 have been assigned by EXAMINATION

5 investigation By Mr. Robinson:

6 the Q Could we please have your background, educational,
7 residential and that sort of thing?

8 to the A I have been administrative assistant to the
9 mayor for three years, coming out of a newspaper background
10 here in Newark for the previous seven years. My associ-
11 ation with the city dates back about ten years. Before
12 that I came out of a newspaper background on Long Island
13 and New York City. I am a graduate of New York University,
14 the army, and went into the newspaper business and was
15 very pleased to be there; covered the campaign in 1962;
16 was impressed by the mayor; and three years ago he asked
17 if I would join his staff when I thought I had enough of
18 observing and I wanted to do a little participating.

19 I have had more than my share since that time.

20 Q You joined the administration some time in 1964?

21 A That's right. It was early in 1964.

22 Q Since that time what have been your job assign-
23 ments and your work with the administration?

24 A As administrative assistant to the mayor my
25 duties have primarily been in the area of the federal

1 program. Further it has been my responsibility to produce
2 the Model Cities proposal which we have submitted to you
3 gentlemen as part of your record, and since the riot I
4 have been assigned by the mayor to coordinate our own
5 investigation of the riot, material which preceded it,
6 the riot itself and the post-riot conditions.

7 Q Does the Model Cities study that you submitted
8 to this Commission set forth the Newark story?

9 A I think it does, and I think it does it very
10 well. It is a good, lengthy document. It has been used
11 to indict us. It was submitted in May, and it is quite a
12 forthright presentation of our problems. I think it has
13 been widely quoted. I think we have all seen the newspaper
14 accounts which say Newark is first in crime, first in this
15 and so forth.

16 This is a paragraph taken out of the Model Cities
17 document. It is 500 pages which documents Newark's problems
18 with what we think are appropriate responses to those
19 problems.

20 Q Are you also taking part in the administration's
21 investigation of the civil disorders?

22 A Yes, I am. As I have said, I am coordinating
23 or being the essential information point for gathering of
24 our own riot study. We are undecided now as to whether
25 we will publish it, but as of now, our own hope is to

1 publish a report from the mayor on the riot.

2 Q Any timetable on that?

3 A We are hopeful of having it before the end of
4 this year. If we can rush it, we will fight you for
5 publication on it.

6 Q Could you, starting with the election of this
7 administration in April of 1966, tell us what your views
8 are on what the climate was in the Negro community immedi-
9 ately preceding the election and at election time, which
10 would be April, 1966?

11 A I think that is interesting only because in the
12 investigation committees by and large get started and
13 about the time of the riot or a little before that. We
14 were lucky in that we have used Oliver Quayle, a very
15 fine pollster who does polling for President Johnson, I
16 guess carrying him sad news mostly, and for Mayor Lee of
17 New Haven, and he is quite well known.

18 We hired Mr. Quayle and his company to survey the
19 community for us, and as a result he prepared two rather
20 comprehensive reports on the mood of the people and the
21 mood of Negroes, attitudes towards the police-community
22 relations and so forth. We have those two reports as I
23 think a fair enough jumping off point to what the mood was.

24 MR. MEYNER: What dates?

25 THE WITNESS: December, 1965 and the second

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Adonizio's strongest issue. We have never
one was in March, 1966.

MR. MEYNER: They are the two dates that
he submitted his polling report?

THE WITNESS: No, when they were polled.

The reports were somewhat later. The polls were
conducted in March and December.

By Mr. Robinson:

Q According to those polls the mood and views of
the Negro community at that time toward the administration
were what?

A According to Mr. Quayle's report we were in very
good shape with the Negro community, but we were in trouble
with the white voters.

Q Could you expand on that?

A Yes, by quoting from page 40 of the December
document. I want to suggest to you, gentlemen, that we
thought that just prior to the election that we were in
reasonable rapport with the Negro community, whatever that
means. The Negro community is as variegated as any other
community.

MR. MEYNER: When you say election, that
is April of 1966?

THE WITNESS: Right.

MR. MEYNER: How did Richardson do?

On page 40, the observation is: "Handling
of the race problem is undoubtedly Mayer

1 Addonázio's strongest issue. We have never
2 recorded any mayor as having such a favorable
3 rating on the issue. We believe he would get the
4 most mileage out of it using the theme, 'Peace
5 In Our Town'.

6 We rejected that advice, I think, rather
7 wisely, but throughout the report and the sub-
8 sequent report in March we recognized that our
9 biggest problem was in disaffection of white
10 voters. We felt the mayor had done too much for
11 the Negro community. The Negro community had a
12 University used, which has a few black students at the
13 whole series which indicate whether or not there is a
14 level of disaffection or animosity in your community, a
15 middle level, and so forth.

16 We used in the study all the persons we
17 thought would be candidates. Mr. Gibson, who
18 was the Negro candidate who ran third, was
19 relatively unknown. As a result we used George
20 Richardson as the stalking horse. We thought
21 that was fairer. He was more widely known.

22 Gibson was in and out of the race at that time.

23 We wanted a widely known Negro, someone
24 who had a militant look.

25 MR. MEYNER: How did Richardson do?

THE WITNESS: Very poor. He ran in the

1 too fast, Central Ward and lost.

2 things were moving. MR. MEYNER: In the poll I mean.

3 integration, now THE WITNESS: Very poorly. He was back in

4 So I the pack with Bontempo, way back.

5 as our fact By Mr. Robinson:

6 thing Q Did the survey show whether there was any unusually

7 high level of discontent in any segment of the community

8 at the time of the poll? A The middle. We were having a

9 reason. A We used the same type of questioning which the

10 Lemberg Center for the Study of Violence at Brandeis

11 University used, which has a few stock questions of the

12 whole series which indicate whether or not there is a high

13 level of disaffection or animosity in your community, a

14 middle level, and so forth. persons were concerned with the

15 real We had a fair city. Negro and white attitudes change.

16 Did the whites think things were going too quickly and, if

17 so, that indicates a mood of anger on whites. If Negroes

18 feel too disproportionately that things are going slowly,

19 it also is an indication of the mood of the public.

20 These are the questions we used. We used the same

21 questions in our report, and by and large we had a large

22 middle ground group. Most Negroes felt things could be a

23 little faster, but a very high percentage felt reasonable

24 progress was being made and had hopes for better progress.

25 The white community thought things were going a little

1 too fast, but most also felt, more the Negroes, of course,
2 things were moving along well enough. This is a matter of
3 integration, new housing and so forth.

4 So I would suggest that the community looked very much
5 as our famous bell-shaped curve, with most Negroes feeling
6 things were fair enough but we could do more; most whites
7 feeling we are doing too much, but it is still okay. So
8 that we had a big bulge in the middle. We were facing a
9 reasonably content community worried about the deeper
10 problems in Newark -- housing, education and so forth --
11 rather than backlash race riot violence. This is not
12 saying we had a content community that thought things were
13 going along fine. That is not what this shows.

14
15 What it shows is most persons were concerned with the
16 real issues in Newark -- housing, education, jobs. But
17 the bitter issues like police brutality were not significant.
18 I can tell you some of the issues that were volunteered by
19 the community as what they thought to be pressing. It is
20 particularly interesting in terms of police brutality.

21 Q With BISHOP DOUGHERTY: May I ask a question?

22 A When you speak of the white community, is that
23 of the desec taken without differentiation?

24 Q Would THE WITNESS: No. results of the election

25 showed that your BISHOP DOUGHERTY: There was some dif-
ferentiation?

1 A THE WITNESS: Yes. White, Negro, Italian,
2 Irish.

3 MR. MEYER: Can we have the reports?
4

5 THE WITNESS: I think I can make them
6 available to you for whatever use you think would
7 be useful.

8 By Mr. Robinson:

9 Q The Quayle reports?

10 A Quayle has a little proviso that anything which
11 is made public, the whole report must be public. There
12 are some parts of the report which I don't think are
13 pertinent. I think we can get Mr. Quayle's agreement. We
14 paid for it. I see no problem in providing this for the
15 use of the Commission, none at all.

16 Q Is it fair to say when the administration was
17 elected at the last election in April of 1966 that it was
18 reasonably well satisfied with its relationship with both
19 the white and the Negro community?

20 A I think I would say yes.

21 Q With no alarming signs?

22 A I would say that is absolutely true. The results
23 of the election so indicate.

24 Q Would you explain how the results of the election
25 showed that your feeling that you were doing well with the
 Negroes and whites was borne out by the election?

1 A There was a Negro candidate who was --

2 MR. MEYER: I think your present question
3 presupposes something that is not there. He has
4 said that they weren't doing so well with the
5 whites and they were doing better with the Negroes.
6 You are giving him a question which says they
7 were doing well with both.

8 MR. ROBINSON: I think I asked him whether
9 they were reasonably well satisfied with their
10 relationship with both the Negro and white
11 community.

12 THE WITNESS: When we came to the election
13 I think we could have done a little better with
14 the Negro community and Gibson ran a little
15 stronger than we expected, and we were surprised
16 as to how well we had rolled over some of the
17 white candidates. We were a little surprised in
18 both ends. As a result of the survey we expected
19 very strong Negro support and some real white
20 problems. In fact, we held onto the Negro vote,
21 but we had a little trouble; whereas, we rolled
22 over the white candidates. We rolled over the
23 Negro candidate, too, but he got more votes than
24 we expected.

1 in position By Mr. Robinson:

2 Q Were there any alarming signs at the beginning
3 of the new administration in April of 1966?

4 A I wouldn't say alarming. I would say to me, and
5 this is a personal view, the campaign by Mr. Gibson and
6 the increased awareness by Negroes of political possibilities
7 in Newark played a large role in development of relation-
8 ships between the city government and the Negro community
9 in the subsequent year. Some of those were good, and I
10 think others were quite destructive.

11 Q Up until that time of the election in April of
12 1966 --

13 A I want to say again, if I may, for me personally
14 that election and what came out of it is very pertinent to
15 this Commission, not in terms of who was elected, but I
16 think in terms of understanding the Negro's perception of
17 himself in Newark and the possibilities which were here
18 and the awareness that -- the mayor's strength is
19 traditionally a coalition of Italians and Negroes in Newark.
20 He was elected in 1962 with CORE and so forth, and he had
21 a real liberal reputation as you gentlemen who served in
22 public office know, that you come to balance off your
23 support sometime and lose on both ends, but those extremes
24 of whites who thought we needed an Italian and the Negroes
25 of plotting with James Farmer, and counterplotting,
who thought he was going to be the super liberal. He was

1 in position by 1966 where the extremes on both ends had
2 been dropped off, but in the election it was clear for the
3 first time to many young Negro politicians particularly --
4 I think the run against the mayor was kind of a test.

5 "Let's see how well we do. Let's begin to learn for the
6 next one." I don't think there was any hope of winning,
7 but that there would be a run-off, and there was.

8 But I think a great many persons were encouraged and
9 discouraged. It cut into the community a good deal and
10 established a whole series of new relationships. So I
11 think the mood of the city can be dated back to that
12 campaign. youth of Negroes now. But it began to be a new

13 It was a poor campaign, a very destructive, a very
14 personal, a bitter kind of thing. I don't think it was
15 very helpful for the city at all. There were no real
16 issues in that the civil rights package had been negotiated
17 by and large in Newark. The police-community relations
18 situation, which is getting so much play, and this is
19 interesting, had been a crisis in Newark in 1965 in the
20 summer. I think some of you remember where there was a
21 shooting by a patrolman named Martinez of a Negro named
22 Long. There is a confused story of about how the man was
23 shot, and it led to the policeman being suspended by the
24 mayor. That led to police picketing and then a summer full
25 of picketing with James Farmer, and counterpicketing.

1 It was the height of the drive for a police review
2 board. Out of that came a plan for police-community
3 relations which appear to have defused that issue.

4 I think the 1966 campaign was interesting, although
5 there were candidates and the police review board did not
6 figure as an issue in the campaign. Here was a mayor who
7 was clearly going to be elected running against some old
8 political persons who had reached the end of the road, and
9 confronting the new or emerging Negro voting strength,
10 which is still, and will be for some years, not the over-
11 whelming majority as a result of the youth, the dispro-
12 portionate youth of Negroes now. But it began to be a new
13 era in politics. It had significant meaning for Newark.

14 Q How would you summarize the significance of the
15 moving forward with progress and what is especially
16 election insofar as the Negro community was concerned, the
17 election of 1966?

18 A Someone once said that since that time it has
19 been in a constant state of election, and I think there is
20 a lot of truth about that. They talk about well, the
21 liberal groups or individuals and the mayor is going to be governor or county chairman or chairman
22 of the board of something in 1970. He certainly wouldn't
23 run again, and the shape-up, the recognition suddenly that
24 in Newark there was no other politician or political
25 personality of even near comparable stature who would run
for mayor which suddenly opened it up to almost to everyone.

1 I think the campaign for 1970 began the day after the
2 election in 1966. I think political maneuvering and
3 political in-fighting helped narrow the city government's
4 ability to maneuver in the year leading to the riot. Each
5 person sees himself as the next mayor. It is incredible.
6 The list stretches to Penn Station.

7 I think that has been a very significant thing in
8 affecting public issues in Newark.

9 Q You have testified that at least in April of 1966
10 the administration was reasonably well satisfied with its
11 relationship with the Negro and the white community.

12 A No major issues developed during the campaign
13 and our survey indicated a community which we believed was
14 moving forward with progress and had an essentially pro-
15 civil rights city government. That is the finding throughout.
16 He was Mayor Lee's pollster. He finds Addonizio with a
17 higher rating than Mayor Lee of New Haven.

18 Q Up until April of 1966 had any so called militant
19 liberal groups or individuals come into the city from the
20 outside?

21 A Nineteen sixty-six?

22 Q Up until that time.

23 A To trace militancy or super militancy or extremism,
24 which we have today, would probably start back in 1963-64.
25

1 Q What happened then?

2 A Well, I think again prior to 1962 Newark was not
3 a red hot civil rights town. The mayor's election in
4 1962 I think for the first time brought Negroes and
5 Italians to a position of political strength in this town.
6 I guess Barringer High School was the first major issue.
7 It was under construction when Addonizio took office.
8 Some members of his administration, most particularly
9 George Richardson at that time, and others began to be
10 concerned with hiring practices at Barringer. There was
11 picketing and scuffling, and that led to formation of
12 apprentice training centers. I think out of Barringer
13 began the first moves with George Richardson again for a
14 police review board, and most significantly I think was
15 the establishment of something called Newark Community
16 Union project in 1963-64 with Tom Hayden.

17 Q What is that group?

18 A I think Tom Hayden is more important than the
19 group. I think some of you may know him. He was a founder
20 of Students for Democratic Society, one of the -- what can
21 we call them? One of the dieties of the New Left. He
22 selected Newark as a place where he thought he would like
23 to work and develop a New Left revolution.

24 I think he is a young gentlesan, tough doctrinaire
25 kind of kid. He has a national following. He is able to

1 attract to himself a great deal of national attention. I
2 think he became pertinent starting in 1964.

3 Q Did he come into the community from the outside,
4 or is he a Newarker?

5 A He came from Michigan by way of the South. He
6 worked in the South after leaving the University of
7 Michigan.

8 Q So far as your investigation or intelligence
9 shows, did he bring with him or accumulate a group which
10 is known as the SDS?

11 A They travel under a number of names. I bring
12 them up only as the first of a number of groups which
13 began to develop, because I think he is the pertinent one
14 and is a good example of the kind of thing that took place.
15 I think he came with some young SDS people. They even go
16 by the name of NCUP, Newark Community Union Project. They
17 were an offshoot or a link with SDS and SECC, but never
18 quite overtly. Tom Hayden was a dramatic person in the
19 New Left business to more or less establish Newark as his
20 turf. So that there was no need for an SDS or SECC label.

21 For something: MR. MEYNER: Students for Democratic Society
22 is SDS?

23 MR. ROBINSON: Yes.

24 THE WITNESS: He is one of the philosophists,
25 difficulty and we really wanted to get to him through some

1 one of the gurus of the New Left. He was Tom
2 Hayden in New York; went into the Clinton Hill
3 neighborhood, involved himself with community
4 organizing about a year before the poverty agency
5 came along. I think their film is called "The
6 Troublemakers." Sometimes there was trouble;
7 sometimes they were helpful.

8 His was the first effort at close-in
9 community organizing or what we might call the
10 young revolutionary move.

11 By Mr. Robinson:

12 Q Did the administration establish a communication
13 with this group, or attempt to?

14 A Yes. I think in the first couple of years with
15 NCUP that the city did fairly well. They were a group
16 meeting, arguing and shouting and arranging picketing.
17 There was another group which is moving along in the new
18 militancy of Negroes and the poor. I think Tom Hayden
19 later refined his tactics. He found when he came in he
20 was then in a situation like everybody else. He came in
21 for something; we gave it to him. He was in a way co-
22 opted. As they began to adopt different organizing tactics
23 in the last year he just wouldn't come, refused.

24 I arranged a dinner when we felt we were in a little
25 difficulty and we really wanted to get to him through some

1 lawyer friends in Weehawkin. When he found out I was going
2 to be there he wouldn't come. He sent someone else. He
3 said he could not have any contact at all.

4 Q Did the SDS group have demands of the administration
5 which were met?

6 A I think a good organization organizes around
7 small demands like stop light. There was a big drive for
8 several years, traffic lights. A good organizer needs an
9 issue around which to organize and a good neighborhood
10 organizer needs a good issue in the neighborhood. I think
11 Tom Hayden is a good organizer. I think he and his people
12 concern themselves with small neighborhood incidents, but
13 Newark is a small neighborhood itself. So that every issue
14 had unusual impact.

15 They were not lost in a neighborhood. I think when
16 the NCUP group became involved in stop lights, it meant
17 picketing at city hall or in the mayor's office and things
18 like that. There is no way in a city small as Newark for
19 the mayor to avoid being directly involved in situations
20 where in other cities it might be handled at a different
21 level. Everybody wants to see the mayor direct. It is a
22 small enough city where you can make that kind of demand.

23 Q What size group was Hayden and the SDS able to
24 assemble as its active membership?

25 A I don't want to give the suggestion that this

1 city was turned upside down by Tom Hayden. What I want to
2 suggest is that they are a fair example of the developing
3 militancy; that you can follow that story through them as
4 well as any group. I think it is in that context that I
5 need to respond to this. I don't want to suggest that we
6 have some support of a scapegoat in the corner and he is
7 the man; if it wasn't for him everything would be fine.

8 What I am suggesting is they are very pertinent to
9 Newark. I think the increased militancy, anger and
10 alienation can be traced through that group. They were
11 active with maybe 50 persons affecting maybe 100 or 150
12 persons, depending on the situation. I think they became
13 involved in the poverty program not right away. They kind
14 of edged into it unsure as everyone else was, what it was
15 all about, whether it was a threat to them or whether a
16 potential tool.

17 I think in the campaign of 1966 it was also pertinent
18 for them. They became very actively involved in the
19 campaign of 1966 along with new groups. All the groups --
20 UCC -- you have got a whole series of initials to develop.
21 The UCC is a brand new organization. It dates back to
22 1965, late 1964. The BICC, Business Industrial Coordinating
23 Council, one of the major groups you are concerned with,
24 kind of a combination between big business and civil rights,
25 that is a group dating from 1963 and 1964. SDS, Area Boards

1 1, 2, 3, 4, 5 -- you have heard these.

2 The thing most pertinent about them is how new they
3 are. In my opinion, because I happen to work for and believe
4 in the mayor, only after the election of 1962 did this
5 whole series of organizations develop.

6 I think the interesting thing, going back to SDS, is
7 when they came into the election they were playing the
8 election game, a Democratic end. They supported the
9 candidate in the Central Ward, George Richardson, against
10 Councilman Turner. He lost. I think the militants had
11 hoped that possibly Richardson could beat Mr. Turner. That
12 didn't work.

13 I think the run for mayor was a coming together of
14 people to run a Negro citywide. I think it was about time.
15 I think that was an interesting effort, and they learned
16 from it and there were certain problems. Other arrange-
17 ments had to shape up.

18 The most frustrating experience took place in the
19 South Ward where Earl Harris, who was a former administrative
20 aide to Addonizio, who had gone to be a Republican Free-
21 holder and then left the city government ran against
22 Councilman Lee Bernstein. At that time, Lee Bernstein
23 seemed to be the most unpopular of the councilmen and the
24 surveys indicated there was an excellent chance to beat
25 Mr. Bernstein and the South Ward is the ward in transition

1 now. It turns out the most Negro votes. There are more
2 Negroes voting in the South Ward than in the Central.
3 It was a direct clash between Earl Harris, who took a very,
4 very militant pro-Tom Hayden kind of situation where Tom
5 Hayden's group and some of the Area Boards worked very
6 hard for Earl Harris. I think they had a real shot here;
7 this was a chance to really do it. It didn't work. Lee
8 Bernstein, who was seen as the most unpopular and essentially
9 non-civil rights person who had a running feud with the
10 anti-poverty agency, won election in the South Ward. I
11 think the dismay and alienation which developed out of
12 that was pertinent because it was only after that that
13 Tom Hayden began to talk about the need for violence in
14 Newark.

15 Q After 1966?

16 A That was the first time.

17 Q So there was no talk of violence before the
18 election of 1966?

19 A Many persons predicted violence for Newark for a
20 long time, but I don't think in Newark that it was a
21 pertinent, a major, moving issue. I think the militants
22 or the extremists, and to me Tom Hayden is an extremist,
23 not a militant, began to talk in terms for the need for
24 violence after the election in 1966 because of the
25 frustration they found. You scratch every militant and you

1 end up with a guy with a frustrated will.

2 Q From 1963 up until the election of 1966, what
3 incidents or people or events would you point to or would
4 the administration point to as significant indicating the
5 changed mood?

6 A What changed the mood of what I describe as a
7 nice happy, peaceful people moving forward, and your
8 question is: How did that change?

9 Q Yes. Really. The Negroes have for long been

10 A I am not suggesting a happy, contented people.
11 What I wanted to suggest was a community which understood
12 its problems or felt some progress was being made, that
13 more people than not felt progress was being made. I
14 think the alienation began with -- how to say this -- I
15 don't believe in the conspiratorial theory of history or
16 particularly of this riot in Newark, but I think more
17 persons became convinced after the election in 1966 that a
18 riot was necessary. It was becoming a legitimate form of
19 social protest all over the country. We had riots in the
20 summer of 1964, the first one, and everybody was kind of
21 horrified; and in 1965 again.
22 We found community organizing wasn't the answer. A
23 lot of young people said, "We will organize this community;
24 nothing to it. We will pool all the Negroes together and
25 then we are all going to get elected. Certainly the poor

1 will have a fist and we will have gone."

2 It is hard to organize anybody. I think as community
3 organizing stopped as a viable tool or did not appear to
4 be producing the results that a lot of the kids wanted,
5 there was increasing talk about well, maybe what we really
6 need is something violent. It was a matter of escalation.
7 Riot. Riot is a good thing as said SDS. There are three
8 reasons: (1) It was good because it separated black and
9 white. This is healthy. The Negro knows he has then
10 seen the face of the white racist during the riot, and he
11 recognizes he must look to himself for salvation. This
12 is good, wonderful, because the Negro understands that in
13 the clutch whitey is going to get him, kill him, shoot at
14 him, and if he is going to make it in America, he is going
15 to have to make it on his own. This is essential says
16 Tom Hayden.

17 It also has its psychological value for the liberal.
18 Tom Hayden has made no secret his enemy is the white liberal.
19 The white liberal who has constantly espoused good causes
20 like, "I want to help the Negro," when threatened and when
21 people are being killed, he looks into the mirror one
22 morning and says, "You know, maybe I don't like Negroes
23 so much as I said. In fact, maybe I am not so damned
24 liberal after all."

25 This is good, too, for the new young lefters because

1 this forces the white man to look into his own bigotry and
2 do something about it. We have two pluses so far. The
3 Negro recognizes he has to solve his own problems, and the
4 white man recognizes his own bigotry. This is healthy.

5 No. three, a riot produces unusual strain on what they
6 like to call the racist structures and accentuates or
7 accelerates social change. So I think it is very clear to
8 me that the young revolutionaries, many of them militants,
9 who ought to have known better, began to adopt, if not
10 the belief, the feeling that there was something to this
11 business of rioting and violence; that somehow things did
12 move more quickly. "In Newark look what happened.

13 Addonizio got elected again. It wasn't sensible he should
14 have been elected so easily. Why didn't Negroes vote for
15 Gibson? How in the world did Lee Bernstein beat Earl
16 Harris?"

17 Tom Hayden's analysis was clear. The community was
18 too dumb and too, you know, stuck or trapped in its belief
19 in the white liberalism. I think last winter in a public
20 meeting he said, "I can't see how the city can continue
21 without violence. It needs a violence to wake it up."

22 Q In addition to this activity of the young militants
23 you have described --

24 A Again I want to impress you I am using him as
25 the example, not as the guru for our town.

1 Q After the administration took office in April of
2 1966, in your opinion did the tax rise contribute to the
3 changing need of the community?

4 A Well, I think we better start back a little
5 further. I think the most pertinent campaign which began
6 to unsettle the community was the medical school. I think
7 that is clear. It is clear to me. I would like to talk
8 about that. We have heard so much about it. Some of you
9 people may have been involved in it.

10 The medical school was to be built or to be moved out
11 of Jersey City to Madison. We in the city government had
12 a committee, a kind of a half working committee of doctors
13 for some years to move the thing to Newark, whenever the
14 Governor did decide he was going to take it out of Jersey
15 City, and we thought it would come to Newark. Then it
16 came to our attention that a report had been prepared
17 insisting that Madison was the only site for it on the
18 grounds 150 acres was necessary. To some of us who had
19 been looking around for a role for Newark, there are times
20 when you say, "Why is Newark there?" I think every city
21 that wants to survive and shape up a better life has to
22 look into itself and say, "What is this city here for?"
23 We think it is a major subcenter in the New York metropolitan
24 region and that to be a real city it has got to hold on
25 tight to those regional facilities, those things which have

1 an impact regionally, which give it the reason for being
2 here, give people a reason to come here.

3 This now means commercial development, office building
4 construction, because you can't hold onto industrial firms.
5 They are going out and they will continue. If Newark is
6 to remain, you have got to concentrate on office buildings,
7 commercial development. You have got to develop universities,
8 medical schools, that airport, a seaport. These are the
9 things which are going to keep Newark around and keep it
10 busy and viable.

11 When that medical school looked like it was going to
12 move, it was a threat to the future of the city. Further-
13 more, it was to us a clear insult to Negroes and to the
14 Newark community because no matter how we tried to find
15 out what influenced that decision to go to Madison, it all
16 boiled down to one thing: The trustees did not want to
17 build that medical school in a Negro area, period. They
18 wanted a nice looking campus put out in Madison in rolling
19 hills, which is a lovely place, and they envisioned quite
20 a splendid and gorgeous 150 acres.

21 We said it is incredible. Here is the first commitment
22 to medical education. It is just insane to build this
23 thing out in Madison. One, we need it in Newark, and,
24 two, it is pertinent in terms of medical services to the
25 long-range development of North Jersey that it be built

1 in the city.

2 MR. MEYNER: Was it necessarily an insult
3 to the Negro, was it an insult to law enforcement
4 as it exists in the city because in the course of
5 things that I have heard I have been told that
6 nurses and doctors and people who have to operate
7 at all times of the day and night are fearful
8 that in some city areas they don't get the neces-
9 sary police protection and help. This isn't
10 true just of Newark, but I have heard it of
11 other cities. Could that have been the reason
12 rather than the fear of any Negroes?

13 THE WITNESS: I think there is a lot of
14 truth in the feeling that people don't want to
15 be downtown in any city for any reason, but I
16 think that often translates fear of Negroes.

17 MR. MEYNER: I don't know whether it is
18 fear of Negroes. People have been amazed that I
19 walk downtown to Penn Station at eleven o'clock.
20 It doesn't bother me. I have never had them
21 say it is Negroes. It is just that I am in the
22 heart of the city when there isn't police
23 protection.

24 THE WITNESS: I was going to read it, but
25 you will have it in your staff minutes -- the

1 overriding thing found in this survey was crime
2 in the streets, safety in the streets, more
3 important than housing, more important than
4 education and jobs. People felt in Newark that
5 crime in the streets was the prime issue.

6 MR. MEYNER: Maybe the trustees felt that.

7 THE WITNESS: We found an interesting
8 phenomenon. We looked to our crime statistics.
9 Negroes have fair reason to want better police
10 protection, which they do. It was the over-
11 riding issue. They are getting assaulted and
12 raped and mugged and robbed. When a Negro says,
13 "I am afraid to walk on the streets and I want
14 police protection," he is speaking out of a fear
15 of what is happening to him on the street
16 everyday.

17 When a white in some of our better patrolled
18 or safer or less high crime areas complains, I
19 suspect he is saying something else. I think
20 he is suggesting a general fear -- there are
21 racial overtones to that kind of a thing. I
22 think so.

23 In any case, a question came up about
24 whether or not we were right to demand whether
25 the medical school be put in the center of a

1 defensive ghetto area. There are many reasons for it,
2 personally Governor. I think you are right. No doubt they
3 were worried what would happen to them down there.
4 I think they didn't want to be surrounded by a
5 decaying ghetto. I think that is all there was
6 to it. I think it is a sensible complaint, but
7 there are other overriding considerations.

8 They were taking an immense amount of land
9 which would transform the ghetto. That was our
10 hope.

11 By Mr. Robinson.

12 Q At any rate, it was the judgment of the admini-
13 stration to fight to have the medical school located in
14 Newark?

15 A That's right.

16 Q What was the feeling of the opinion of the
17 administration of the Negro community toward having the
18 medical school in its midst?

19 A When we started to drive for the school we thought
20 we had unanimity in Newark on the need for it. It was
21 essentially fought on a black-white issue. I must confess
22 we rather leaned heavily on that issue because it is a
23 potent one for the trustees to handle in the battling that
24 went on, and it was quite intense. Do you follow me?

25 When put to them on that matter, it left them rather

1 defensive. I think it was in fact a fair issue, and I
2 personally feel that it was a major consideration.

3 BISHOP DOUGHERTY: In these considerations
4 about the site of the medical school was there
5 ever a distinction between the 50 and 150 acres?
6 Did that come into it early?

7 THE WITNESS: Here is the way the thing
8 went: We got a copy in advance of the report
9 they were going to make which said, "Newark is
10 a wonderful place. We would love to go there.
11 It has all the wonderful facilities and so forth,
12 but, however, we have this recommendation: That
13 there be 150 acres. As much as we would love to
14 come to Newark, we have got to have these 150
15 acres; therefore, we are barred from Newark.
16 Although we would love you and we would like to
17 come, we have the professionals," which you go to
18 when you are in a hole, "and they said 150 acres.
19 Obviously we wouldn't come to Newark no matter
20 how much we wanted."

21 We got a copy of the report and said, "we
22 have been undone here." We all sat down with a
23 map and looked around at the area we wanted them
24 to go into, which was Fairmont Urban Renewal
25 Project. It worked out to 20 acres, if we pushed

1 it, 30 acres, which we felt was more than suf-
2 ficient for a medical school; still do. It was
3 clear we were hung on their 150 acres as a
4 stipulation, but we did have this rather glowing
5 account of all the advantages of Newark.

6 So we thought we would surprise them in
7 this and then we drew a 185-acre area which we
8 considered to be the worst slum area. It included
9 Fairmont and surrounding areas, which was clearly
10 in need of renewal, and we were going to proceed
11 with the renewal in any case for that area.

12 We asked for a special meeting with them,
13 and at the meeting we confronted them with our
14 offer of 185 acres. At that same meeting they

15 had arranged to release their report and 150 acres,
16 so we were at an impasse. Their report which

17 said Newark is a wonderful place, but we need

18 150 acres and, therefore, we can't come -- they

19 were confronted with Newark's countermove of

20 185 acres. "What excuse do you have?" That is

21 when the battle was joined.

22 It became unclear. We, I think, in our

23 hearts always felt they were using the 150 acres

24 to get out of Newark.

25 MR. MEYNER: You probably felt in offering

1 1966. For the 185 that you could settle for less.

2 better than mine. THE WITNESS: We certainly felt so. We
3 say that felt in the end they would come down to 20 or 30
4 Newark to acres in Fairmont, or in a battle we might have
5 January of to give up some more acreage. We never felt
6 began the they would ask for 185. We felt it was a ploy on
7 their part.

8 By Mr. Robinson:

9 Q Was that 185 over the first location?

10 A No. We had offered them five acres, 10, 15, then
11 25 acres. We had never gone over the 25 acres in Fairmont.
12 We started small, and they continued to insist on large
13 acreage. There had been negotiation and the committee had
14 come through and had a look at Newark.

15 Q To what extent in making these offers of locations
16 to the trustees of the medical school had the administration
17 involved the Negro community and its leaders?

18 A We had not at that point.

19 Q When were the Negro leaders first brought into
20 the medical school project?

21 A The Negro leaders got us into trouble right away.
22 I think the battle began in that meeting when we presented
23 the 185 acres.

24 Q What was that date?

25 A I would have to check it. It was in the fall of

1 1966. Mr. Lofton has a timetable of it. It is probably
2 better than mine. Let's say in blocks of time we would
3 say that the battle to convince the school to come to
4 Newark took us the last six months, and that beginning in
5 January of 1966 and beginning in January of this year
6 began the counterwave of opposition in the Negro community.

7 Q Stopping there, there was a six-month period --

8 A A little less than six months.

9 Q (Continuing) -- when you were attempting to
10 persuade the trustees to bring the medical school to
11 Newark?

12 A Yes.

13 Q During that period did the administration detect
14 any Negro dissension toward the project?

15 A Not a single voice raised against that school
16 during the fight to get that school here.

17 Q Was there any voice raised in favor of it?

18 A Countless organizations, groups.

19 Q Negro?

20 A Yes.

21 Q So the administration believed in negotiating
22 for the school on that vast acreage and that the Negro
23 community was behind it, is that correct?

24 A Yes. We felt we had a unanimity in Newark that
25 we had never had before.

1 BISHOP DOUGHERTY: Was it about the essence
2 of the question, namely, the coming of the medical
3 school and can you distinguish from the acreage
4 involved? WITNESS: Yes. When we got into

5 THE WITNESS: I think that is what happened
6 eventually. In the fight for the school there
7 was a good deal of vagueness. We had over 185.
8 They continued to insist on 150. We continued
9 to suggest they ought to settle for 20. It was
10 that kind of thing, so we were not clear.

11 MR. MEYNER: Somewhere along the line you
12 guaranteed 50 and promised another 100? We had

13 THE WITNESS: No. Here is the way that
14 developed: When they were finally at the edge
15 of it, they came back with this conclusion and
16 calling our bluff. They said, "All right, we
17 will come to Newark on the following provisions:
18 you give us assurance within three months that
19 you will be able to produce 50 acres within one
20 year, and, two, that you give us assurance that
21 we can pick up an additional 100 acres on our
22 call." were 55 acres more than they wanted?

23 MR. MEYNER: That was the deal about March
24 or April of this year? for a long time while

25 THE WITNESS: No, no. and bring up the

1 MR. MEYNER: When was that finally --

2 THE WITNESS: November-December.

3 MR. MEYNER: Last year?

4 THE WITNESS: Yes. Then we got into
5 contract negotiations which were finally concluded
6 in March or April or early this spring.

7 MR. MEYNER: You needed some legislation?

8 THE WITNESS: Yes. This was later when
9 they came back to us with this proposal. Fifty
10 now. We had to have it by March. I think it
11 was in December.

12 Do you follow what had happened? We had
13 made a move to counter their demand for 150 acres,
14 and they came back to us and said, "Put up or
15 shut up." That is when we recognized the ball
16 had been passed to us. Our support turned around
17 and said, "Now put it up." That was our problem.
18 We said, "Okay. Where do you want this?"

19 CHAIRMAN LILLEY: Maybe I am not listening.

20 At a stage you had a counterproposal of 185 acres
21 to their 150. Why did they continue to argue if
22 there were 35 acres more than they wanted?

23 THE WITNESS: They didn't argue; they backed
24 off into absolute silence for a long time while
25 we continued to berate them and bring up the

1 community artillery and the press asking that
2 very question: "How can you still say you are
3 going to Madison when Newark is offering you 185
4 acres?"

5 MR. MEYNER: But counter to that there was
6 always the suggestion, "Well, you are giving us
7 the 185 acres, but do you have the legislative
8 authority and the federal grant?"

9 THE WITNESS: That is what they put to us
10 and said, "Okay, do it." We said, "Where do you
11 want us to do it?" Here is when we began to
12 realize we had some problems.

13 By Mr. Robinson:

14 Q What month?

15 A December of 1966.

16 Q Again, up to this point the Negro community
17 appeared to be behind you?

18 A I think there was a community drive. I think all
19 of us remember it. Do you remember a call from Newark
20 Legal Services project talking about the possibility of
21 bringing action to block the medical school from going to
22 Madison? I think it was the general feeling we were going
23 to go to court if they went. The community had not been
24 heard from by and large.

25 BISHOP DOUGHERTY: But had the exact location

1 in the city been set?

2 THE WITNESS: No. When they finally called
3 us up and said, "We will come if you produce 50
4 acres now and 100 later," they then identified
5 precisely the 50 acres they wanted. I have the
6 map. This happens to be a map of the riot area.
7 The red dots are looted stores in the riot area.
8 You can see it was quite widespread, particularly
9 in Clinton Hill.

10 By Mr. Robinson:

11 Q Would you kindly identify the map? Tell us what
12 it is.

13 A This is a map of the City of Newark and its urban
14 renewal projects with indications of riot area damage.

15 MR. ROBINSON: Could it be marked?

16 (EXHIBIT NO. C-23 WAS RECEIVED IN EVIDENCE.)

17 THE WITNESS: The community was battling
18 without a complaint up to this point.

19 MR. MEYER: All the propaganda agencies were

20 THE WITNESS: I think it was a good drive,
21 well done.

22 This is the Fairmont Project (indicating).
23 All of these are urban renewal projects. Newark
24 has the fifth largest urban renewal program in the
25 nation, bigger than Detroit's, which is interesting.

1 Urban The Fairmont project in which we hope to
2 put the medical school. This was always the heart
3 of the area. We said, "Here, this is where you
4 go." They countered and selected this acreage.

5 By Mr. Robinson:

6 Q The trustees?

7 A Yes. They said, "This is the 50 we want first."
8 To us this was a slap in the face. This was cleared
9 acreage.

10 Q Ready?

11 A Ready. They selected the acreage across the
12 street.

13 MR. LEUCHTER: Why?

14 THE WITNESS: It is a question we put to
15 them, Why? It was our opinion they were attempting
16 to get out of the situation in which they found
17 themselves, which was an aroused public demand
18 they come to Newark. This was their answer:
19 "Okay, we will come. You put it up."

20 What they wanted was across the street
21 from cleared land. This to us was insanity and
22 enraging because they knew this was not an urban
23 renewal area. They knew that the urban renewal
24 process is three years and perhaps five. This
25 old Third Ward has been in execution ten years.

1 Urban renewal is a slow process. They knew we
2 could not get this acreage; they felt we could
3 not assure them by contract within three months
4 that this land would be available within a year.

5 By Mr. Robinson:

6 Q What reason did the trustees give for wanting
7 that land across the street?

8 A Since we were going to give them 150 acres, they
9 surely wanted to start in the middle.

10 MR. MEYNER: If you just told us it takes
11 so long to get it, maybe they better have
12 assurance of 100 acres knowing some of it would
13 be vacant.

14 THE WITNESS: Of course. They knew this
15 was here and we would give it to them. They
16 knew they wanted where they were going to get
17 76, 50 plus 25 or 26, and they had a better
18 chance of picking up acreage. They are all very
19 astute men and very able men. I think they knew
20 what was going on. If it did not prove to be so
21 tragic, I would call it a gain.

22 The 50 acres -- our answer to that also
23 helped confuse and concern the community a great
24 deal. We recognized urban renewal was impossible.
25 We could not in three months get assurance from

1 anybody that we could produce the land in a year.

2 It was impossible.

3 So we went back to the drawing board and
4 did what many cities do and what we do in terms
5 of schools, which was to approach it through
6 condemnation. It became a matter of controversy
7 of whether we had a clear right to condemn this.
8 So we went to the State Legislature. In a way
9 it was good for us because we wanted the State
10 Legislature on record as supporting the medical
11 school in Newark. So it had multiple value.

12 We hoped to get special legislation from
13 the state clarifying our right to condemn the
14 land. At the same time it would cost about
15 \$15 million to buy it, which the medical school
16 knew in advance. We didn't have any bonded
17 capacity left. In fact, we had only dubious
18 authority to buy the land for this purpose. So
19 we went to the state for special permission to
20 float a bond issue outside our bonded indebtedness
21 limit so that we could provide for the medical
22 school in three months, with the assurance that
23 the land would be available through straight-
24 forward condemnation and through a special bond
25 issue.

1 Q Furthermore, it had the effect of putting
2 to the rest of the State Legislature squarely on our side be-

3 A cause they would have to approve both measures.
4 reason be They did at a public hearing.

5 districts. By Mr. Robinson:

6 Q This was in what month?

7 A We were into early this year, I believe.

8 Q Again had any dissension begun in the Negro
9 community?

10 A I think the first murmurings began shortly after
11 the middle of January, maybe a little earlier.

12 Q What were those murmurings?

13 A Those murmurings were the Democratic leader
14 coming into the mayor and expressing his discontent.

15 Q Who was -- local school board member?

16 A Eulis Ward.

17 Q So far as the administration is concerned, to
18 your best recollection, was this the first dissension
19 expressed by any representative of the Negro community in
20 Newark toward the medical school project?

21 A I think some Negro groups, particularly the Urban
22 League, had indicated the desire to hold the thing to 50
23 acres. Eulis Ward's arrival at city hall in January
24 announcing he was going to be opposed to it was the first
25 overt opposition.

1 Q What public reasons did he give for being opposed
2 to the medical school project?

3 A He gave a variety of public reasons, but the
4 reason he gave to us, he didn't want to lose two voting
5 districts.

6 going MR. MEYER: He was the ward leader?

7 THE WITNESS: Yes. He had already given up
8 a district and a half or two districts for the
9 county project and was getting increasingly
10 concerned. I think he had other concerns, too.
11 I think he was interested in the project just
12 generally.

13 By Mr. Robinson:

14 Q Does the administration point to this as the
15 beginning of the medical school controversy?

16 A Yes.

17 Q Will you describe its course of events as it
18 developed?

19 think MR. LEUCHTER: Don made some reference to
20 the public hearing in Trenton. What month was
21 that? Was that in January around this time?

22 by MR. LEUCHTER: Right.

23 MR. LEUCHTER: Was there any opposition at
24 that public hearing?

25 THE WITNESS: No.

1 MR. LEUCHTER: Nobody came to oppose it?

2 THE WITNESS: Negro groups came to support
3 it.

4 MR. MEYNER: It was more likely February
5 or March because the legislature doesn't get
6 going until then.

7 THE WITNESS: It was later in the spring.
8 I am not very good at keeping dates. It might
9 have even been later than March. The initial
10 efforts against the medical school did not catch
11 fire. It was essentially Eulis Ward making the
12 first announcement with some people from our
13 own Human Rights Commission getting involved
14 to kind of keep an eye on it.

15 The mayor moved to get Ward in rather
16 quickly, and we had some conferences with him
17 but he was adamant. They had their first public
18 hearing or public meeting in January, and I
19 think at that time some of the persons who had
20 been very familiar to us became prominent.

21 MR. MEYNER: Was that 50-acre site occupied
22 by some homes owned by Negroes?

23 THE WITNESS: Yes.

24 MR. MEYNER: Quite a few?

25 THE WITNESS: It is 90 percent rental.

1 Press: MR. MEYNER: But there were some owner-
 2 occupied occupied homes?

3 THE WITNESS: Yes.

4 MR. MEYNER: And were the rentals reasonable?

5 THE WITNESS: We think it is the worst
 6 familiar neighborhood in Newark, but there are some
 7 had been standard dwellings there. There were some people

8 kind of who fought very hard to keep their homes. I

9 was interested think the best example is Louise Epperson who

10 people who became a co-chairman with Eulis Ward of the

11 think Mary Stop the Removal drive. She figured primarily

12 keeping was a figurehead, but she is a good example of

13 when it is the genuine concern about it. I think there are

14 many a lot of persons involved who had no genuine

15 Hills kept concern, but it was a matter of a political

16 enters the issue.

17 of the UCC it is Remember, I have given you the background

18 poverty of where we are going in 1970 and who is going to

19 were going to be in the forefront and who isn't. This medical

20 are times school issue was very pertinent in this matter.

21 or the no So one good friend of mine came up to me and

22 others. said shortly after the protest began, "We have

23 I got you now. We have finally got an issue."

24 effort by I considered his line prophetic.

25 By Mr. Robinson: to influence the United Community

1 Q Preceding the first public hearing in Newark as
2 compared to the one held in Trenton earlier, how had the
3 issue developed if at all significantly?

4 A Well, we first set up a little committee. I
5 think Harry Wheeler, Earl Harris -- all the names you are
6 familiar with through your work -- and George Richardson
7 had been just defeated. Tom Hayden's bunch. Bob Curvin
8 kind of got attracted towards Ellis Ward's protest, which
9 was interesting because it was a coming together of some
10 people who had not always been alongside each other. I
11 think Harry Wheeler played quite an important role in
12 keeping the appearance of a committee going for the moment
13 when it did not catch fire with press releases and meetings.

14 They had a public hearing which went well in Trenton.
15 Bills kept getting by. The United Community Corporation
16 enters the picture in January. At that time in the life
17 of the UCO it was somewhat chaotic and, I think all anti-
18 poverty agencies in cities are chaotic. I think they
19 were going through a particularly difficult time. There
20 are times in that agency when the extremists or militants
21 or the most vocal persons have greater influence than
22 others.

23 I think that in January and February there was some
24 effort by the same group which was arranging the medical
25 school protest to attempt to influence the United Community

1 Corporation in taking a position against the medical school,
2 although I think we have letters from Dean Heckle commending
3 our drive. He was then the president or chairman.

4 We now had a change. Within the organization there
5 was some effort at this. Mr. Woolford was the new director
6 of the agency, who was kind of caught in the middle in
7 that the agency had taken more and more unto itself the
8 role of public defender, interested in the poor, and so
9 forth, and was essentially the major public voice outside
10 the city government in Newark and remains today.

11 Poverty and race are the two overriding subjects in
12 Newark. That's all there is. I think an agency which
13 functions in the area of poverty and, therefore, race in
14 Newark just by itself, by its mandate takes on a very
15 important role in Newark. I always considered it quite a
16 presumptuous agency. I still do.

17 Q Is it fair to say that the growing dissension
18 toward the medical project was being organized in these
19 days before the first public hearing?

20 A Oh, of course.

21 Q Had it taken any public aspects at all, or was it
22 in an organizational stage?

23 A Yes. Mr. Woolford's efforts to get out. We had
24 an impromptu public hearing when we saw some opposition
25 developing. In the past the mayor would call everybody in

1 and talk about it. So he did that again.

2 Q Whom did he call in generally?

3 A The ministers and whatever, some CORE people,
4 NCAAP, the usual civil rights people.

5 Q In an attempt to head off this?

6 A That's right. There was a meeting which became
7 a public meeting in Room B-21 of city hall which at times
8 became quite ugly. It was the first appearance of a
9 really violent kind of reaction. It was led primarily by
10 LeRoi Jones, the playwright.

11 Q He was present at the meeting?

12 A And using for the first time things like "We
13 niggers aren't going to take this anymore" and so forth
14 and this type of thing. It got to be a pretty good
15 shouting match between the mayor and Jones in which he
16 demanded Jones apologize, which he did, and then left to
17 the cheers of his following.

18 Essentially, it was still a pro-medical school
19 meeting in which many Negroes, Dr. Birch stood up and
20 supported the medical school in the face of this quite
21 serious extreme kind of business around a small group with
22 LeRoi Jones.

23 Q How soon after that was the first public hearing?

24 A Before we go to the public hearing we need to
25 know how the UCC took a stand. To get out from under it,

1 Wolfe appointed a special investigating committee headed by
2 Fred Means, a former chairman of CORE.

3 MR. MEYNER: Wolfe is who?

4 THE WITNESS: Director of the Anti-poverty
5 Agency. He was under pressure from inside the
6 agency to take a stand on it. To get out of it
7 he named a committee headed by the former head
8 of CORE. It reported back in late February, I
9 believe, and reported a pro-medical school finding
10 in which he said UCO ought to support the medical
11 school unlimited acreage with housing in the
12 rest of the acreage, with housing on the rest,
13 which we thought was a good report. It was what
14 we wanted. It expressed our feeling of the way
15 the thing ought to be.

16 MR. MEYNER: But you had made a deal for
17 150 acres.

18 THE WITNESS: That is true, but we felt
19 they would have to prove their need for the other
20 100. We were in a little public bind on that.
21 I would say they still are. Fred Means's com-
22 mittee reported back a pro-medical finding. They
23 had done a neighborhood survey. We had done a
24 very quick public opinion survey in the 50 acres.
25 Many persons considered it a loaded questionnaire.

1 I don't think it was loaded as much as it was
2 amateurish. We did it quickly.

3 "Do you want to go?" "Would you go if you
4 went to a better neighborhood?"

5 We sent out 100 inspectors to do this when
6 we saw there were problems. Also to test for
7 ourselves. We felt people wanted out. People
8 said there was going to be trouble. We sent out
9 a bunch of people, and they came back and said
10 85 percent of the people want to move. We felt
11 secure. This looks like another political ploy
12 on the part of persons we know so well, and this
13 isn't going to be very pertinent because if
14 85 percent wants to move, that is pretty good.

15 The UCC said it was a loaded survey. Harry
16 Wheeler contended that. The UCC used its own
17 survey, which took a long time to report, but
18 when it did it said 80 percent of the people
19 wanted to move. It is February. Means reports
20 back to the Anti-poverty Agency and says pro-
21 medical school with limitations. There is a
22 furious battle at the Board of Trustees, and
23 they overturned the ruling and vote to oppose
24 the medical school by 24 to 22 with many of the
25 24 persons voting as proxies for some of our more

1 militant friends who had positions on the board
 2 and various area boards, which have a given
 3 percentage of the board.

4 Maybe it was our error. If we had been
 5 more alert or concerned, but we thought we missed
 6 the Means recommendation and others in the Anti-
 7 poverty Agency had told us they were sure it would
 8 go by smoothly.

9 By Mr. Robinson:

10 Q So before the first public meeting in Newark UCC
 11 was on record as opposed to the medical?

12 A I think the Legal Services Project, to be
 13 perfectly blunt, had been involved in it before because
 14 a timetable of opposition had been drawn prior to the
 15 meeting in which the Board of Trustees voted opposition.
 16 It was jointly headed by -- the heading on the material
 17 which is available calling for a timetable of opposition
 18 has on the top, "Committee Against Negro Removal" and
 19 "Neighborhood Legal Services Project." The first date on
 20 the timetable was the day after the meeting at which the
 21 UCC voted opposition. So I think there has been a shape-up
 22 of opposition prior to the UCC decision on the medical
 23 school.

24 Q Were you present at the first public hearing
 25 that was held on the issue?

1 A The first one was an aborted public hearing. I
2 was not present.

3 Q Do you have an investigation which can tell us
4 what happened at the first public hearing that was aborted?

5 A It was a raucous one, a very significant one in
6 the riot mood early in the spring where there had been a
7 formation of a new group called the Black Liberation Front
8 or Black Liberation Center, which was established on South
9 Orange Avenue primarily by three persons -- a boy named
10 Phil Hutchins. I better not call him "boy." Can we call
11 him "man"? A man by the name of Phil Hutchins, who was
12 Tom Hayden's top lieutenant, a SNGO organizer working with
13 Hayden for some time. He used to be a background figure,
14 but after the shooting of Evers, Tom Hayden needed a black
15 front, and I think Phil Hutchins provided it.

16 I think Hayden was forced a little further into the
17 background as a result for black leadership on all levels.
18 Hutchins was identified with Tom Hayden's group and still
19 is. He announced he was kind of leaving Area Board 3, or
20 the United Community Corporation or various other things,
21 and was establishing the Black Liberation Center. He
22 went along with a young man by the name of Clinton Hobson
23 Bey who had recently come to Newark from Mississippi. I
24 think the Moorish Science Temple, which is across the
25 street from where the Black Liberation Center was helped to

1 bring Mr. and Mrs. Bay up from Mississippi. They found
2 them during their work down there.

3 I understand Derek Winans is another character actor
4 in the Newark drama, also played a role in bringing the
5 Beys back. In the spring.

6 So we have now Phil Hutchins, Clinton Hobson Bay and
7 a young man by the name of Fullilove. He is the son of a
8 Dr. Fullilove who used to be the head of the Essex County
9 Medical Association. It seemed an unusual pairing. I
10 think Fullilove also indicated he was a SNOC-identified
11 person. He always seemed to be the least pertinent of the
12 three. I believe it might have something to do with the
13 fact his mother was secretary-treasurer of an organization
14 called Jack and Jill which put up cash to pay for the
15 center.

16 MR. MEYER: To pay for what?

17 THE WITNESS: New Jersey Jack and Jill
18 apparently put up the money to pay for the rent
19 for the Black Liberation Center.

20 MR. LEUCHTER: What is the New Jersey Jack
21 and Jill?

22 THE WITNESS: Kind of a middle-class
23 organization to help teenagers; quite decent as
24 an organization, quite straightforward.

25 By Mr. Robinson:

1 Q These men you listed were the founding fathers
2 of the Black Liberation group?

3 A So they announced.

4 Q This was in and about what month of this year?

5 A In the spring.

6 Q How do they fit in with the first public hearing?

7 A They set up the Black Liberation Front. A month
8 or so later appeared a new man, a Black Liberation army
9 man, man by the name of Allan Osborne who came to Newark
10 identifying himself as Colonel Hassan. He was a rather
11 dramatic figure for a little provincial town like Newark,
12 wearing a beret, a military uniform and rank. He set up
13 shop, and I think what is essentially an uncomfortable
14 liaison with the Black Liberation Center.

15 Colonel Hassan MR. MEYNER: Who was this?

16 to contribute to THE WITNESS: Allan Osborne a wig salesman
17 from Washington, D. C.

18 A MR. MEYNER: White or Negro?

19 Q THE WITNESS: He is Negro. He heads what
20 of any sort he calls the Black Man's Liberation Army. I
21 would like to introduce some of the material that
22 the Black Liberation Army or Allan Osborne's
23 group circulates. I think it is the typical
24 kind of extremist stuff with heavy emphasis on
25 anti-semitism.

By Mr. Robinson:

Q When you say he came into town, did he move into town and run a day-to-day operation?

A With a beret and military uniform and lapels and medals and said, "I am here to fight the battle for the medical school. We will fight in the streets, in the cellars; we will not move." I think I have a police account of his first meeting at the Black Liberation Center rally. That was some weeks after he arrived.

CHAIRMAN LILLEY: I believe we will take a ten-minute recess.

(Whereupon, a short recess was taken.)

By Mr. Robinson:

Q I believe before the break you had told us that Colonel Hassan in full uniform had arrived and had started to contribute toward the growing dissension of the medical school project, is that correct?

A That's correct.

Q Did he and his aides distribute any literature of any sort?

A Yes, I think that the community began to take a good deal of literature in the neighborhood, which sources were not always clear -- "We won't go. Fight. Come to rallies," and so on.

I think he also circulated his material, which we

1 would make available to the community. It was notable
2 only for its anti-semitism and extremism.

3 Most of you know Newark. In many ways it is about
4 the size of a neighborhood in New York. About the size of
5 East Harlem. A lot of people know each other. All the
6 people we have been discussing are known as friends as
7 well as public enemies. They may be public enemies but be
8 friends. I think that is unusual in a city like Newark.
9 I am trying to set for you what this little, foolish man,
10 Allan Osborne, a wig salesman, what an absurdity really,
11 what an impact he must have had and apparently did have on
12 the community in Newark. It is really interesting.

13 In art they talk about how one color affects the next.
14 Red looks deeper when set against a given green, and when
15 you have changed the green, you have changed the red,
16 although you have not touched the red.

17 To understand what happened in Newark you have to
18 understand that situation. Colonel Hassan -- Allan Osborne
19 -- in another time, in another mood would have been seen
20 as the buffoon in absurdity that he is, but I think in the
21 increasing tension in the mood that was passing over Newark
22 I sense through the winter we were in trouble. I think
23 many people talked about it even before the medical school
24 issue developed. Somehow something was wrong with Newark
25 since there had not been a riot. It used to be a thing of

1 pride -- we didn't riot. There was a riot in Jersey City.
2 We would never riot.

3 In the summer of 1966 people began to say or feel,
4 "Well, you know, what is wrong here? Why shouldn't there
5 be? We are not doing so well." Through the winter for
6 the most time many people were talking about, "I don't know
7 how long Newark can avoid this." When the medical school
8 issue began to develop and tensions began to increase
9 during the spring, this quite grotesque wig salesman from
10 Washington, D.C. arrives. You can only understand him in
11 impact on the community when you understand this mood, this
12 underlying mood in Newark which was moving toward the
13 climax, which came in July.

14 Q Did he bring with him a group of any sort?

15 A He more than two or three people. I am not sure
16 whether they came with him or adopted him. Essentially
17 he is a hustler.

18 Q MR. MEYNER: What is his background?

19 THE WITNESS: An ex-convict, primarily
20 passed a few bad checks. I think essentially
21 he was a hustler.

22 Q MR. MEYNER: What were his activities up
23 to the time of the first public meeting at which
24 I understood he took part in an incident?

25 THE WITNESS: He became the leader in close

1 coordination sometimes, and I think his connection
2 with the Black Liberation Center was awkward
3 for them. I am not sure whether all was quite
4 together. I don't think it was all togetherness.
5 He more or less took over.

6 This account here, "We ain't going to move"
7 rally was May 21, which was typical of the Black
8 Liberation Center rallies.

9 MR. MEYNER: You are reading from what?

10 THE WITNESS: A police account of a rally
11 at the Black Liberation Center May 21.

12 MR. MEYNER: Summarize it.

13 THE WITNESS: It is a complete account of
14 the meeting. The speakers were Clinton Hobson
15 Bay, who was brought here by Derek Winans. He
16 acted as narrator. The first speaker was Bob
17 Curvin, who works for Rutgers and has been a
18 CORE leader.

19 One thing, if I may caution you as you go
20 forward in the study, as to who is CORE and who
21 isn't, I think CORE was prominent, or at least
22 let me give you my evaluation of it -- CORE was
23 in its early days in Newark, 1963-65, most
24 important for the young leadership it developed
25 among certain aggressive and intelligent, almost

1 what we might call intellectual civil rights
2 leaders. Fred Means, and I include Bob Curvin
3 although he remains the most militant and out-
4 spoken, and several others -- each became
5 thoroughly identified with CORE, each serving
6 a year as director. As a result of their
7 activities, they speak now, no matter what voice,
8 sometimes as the head of an educator's group,
9 sometimes as a private citizen. I think Bob
10 Curvin now heads the Community Action group at
11 Rutgers. They are always identified as former
12 CORE chairmen. I think CORE itself is no longer
13 a viable organization. They were in rather
14 desperate straits last year, and when it got
15 time to elect a chairman -- Walter Stevens has
16 been the last chairman, and he decided to go to
17 work for A. Philip Randolph. It had been an
18 unsuccessful year with him as chairman. It was
19 a general feeling in CORE -- I used to feel quite
20 close to CORE and what it liked to do. I think
21 there was a feeling of maybe it was time to
22 elect a less intellectual type.

23 MR. MEYNER: How extensive was the membership?

24 THE WITNESS: About fifteen.

25 MR. MEYNER: At any one time?

1 THE WITNESS: CORE could produce in 1964-
2 65 a good number of persons. The membership was
3 never particularly pertinent. They could produce
4 a good number of persons. I think they were good
5 for 150-200 persons.

6 MR. MEYNER: It was white and Negro?

7 THE WITNESS: Yes. It was the pre-Black
8 Nationalist kind of organization. It was widely
9 supported.

10 MR. MEYNER: Toward the end did they lose
11 some of that?

12 THE WITNESS: It came apart in the last
13 two years. Probably Fred Means, that year, which
14 was two years ago, when the Black Nationalist
15 thing shaped up, CORE became a little less
16 pertinent to white liberals. I think under Mr.
17 Stevens it was even less so. With the election
18 of a fellow named James Hooper in the last year
19 in his only election only 15 persons voted. This
20 was supposed to be a contested election. As an
21 actual membership kind of thing it had practically
22 gone out of existence. But the power of CORE
23 to speak through the press remains undiminished,
24 although essentially there is no organization.

25 Bob Curvin speaks for CORE, and we see the

1 pertinent. letters "CORE" and they are magic to the press
2 he speaks of and many of the public. He still speaks through
3 as far as that public voice. Fred Means can do the same
4 thing.

5 would have to be. Walter Stevens just left his job and came
6 stated that back. He probably will soon be able to speak for
7 was afraid CORE. that violence was what they were going to

8 have to use in MR. MEYNER: Where did the Proctors go?

9 Q Is this THE WITNESS: The Proctors were really
10 among the leaders, too, prior to Carvin, are
11 intelligent still in town. Ray went to Sweden for a while,
12 but then he came back and is in town. They
13 "We should have been quiet. They can also speak for CORE
14 as can Andy Washington or six or eight or ten
15 people identified with CORE in their heyday.
16 They still do speak for CORE, and sometimes it
17 is very hard to decipher who it is because I
18 think organizationally it doesn't exist. Each
19 has a strong individual is still around and still
20 a little bit pertinent.

21 By Mr. Robinson:

22 Q To get back to the summary of the police report --

23 A Bob Carvin was the second speaker identified as
24 a CORE man. The third speaker was a minister, a new
25 minister in town. He is not identified here or he is not

1 pertinent. Mr. George Richardson, New Frontier Democrat,
2 he spoke of the power to vote and Negro laxity in Newark
3 as far as voter registration.

4 If they expected to get anything for themselves, they
5 would have to take and give some physical beatings. He
6 stated that violence was the only thing that our structure
7 was afraid of and that violence was what they were going to
8 have to use in Newark.

9 Q Is this a quote of what he said?

10 A No; this is an account of what he said by police
11 intelligence officers.

12 Kenneth Gibson spoke in a quite moderate manner, said,
13 "We should attend the medical school meetings, voice
14 opinions. We can go to law, to court, but the main thing
15 was we continue to fight until our last hope was exhausted."

16 Ellis Ward spoke, and according to this account made
17 no more comments. The rest of his comments were about the
18 same as the other speakers.

19 The last speaker was Colonel Hassan. We began to pay
20 a little bit more attention to this person. Colonel Hassan
21 told the people gathered there, "You did not need a large
22 amount of people to cause a demonstration." He demonstrated
23 this by having the people yell louder and louder until the
24 building shook with vibration. Then he told them this
25 would not only work indoors, but that a small group of

1 twenty-six men under a man named Castro went into the hills
2 of Cuba and Battista, the ruler, laughed. At the final
3 end it was Castro who did all the laughing.

4 He told them that a small group, those present, could
5 start destroying the white man's precious property and
6 cause the white man to want to stop and talk it over.

7 From this meeting on he went onto dominate the public
8 hearings through his most aggressive behavior at the first
9 aborted public meeting.

10 Q Stopping there, does the police report show how
11 many were present at the meeting?

12 A It does not, but I can tell you their meetings
13 never drew more than 75 or 100 persons and often were
14 much smaller.

15 Q Was this the beginning of the public militancy
16 of Colonel Hassan for the medical school project?

17 A He had arrived in April.

18 Q What was his next public participation in the
19 medical school project?

20 A At the first aborted hearing.

21 Q The date?

22 A It was in May or June.

23 Q Will you describe what happened there?

24 A First let me tell you how we got to having public
25 hearings. I have described for you how we got into the

1 need for condemnation to move ahead swiftly. At the same
2 time we really did not want to spend \$15 million in city
3 funds. We wanted to recoup from urban renewal -- the
4 pressure was on to move quickly, so we moved quickly what
5 we thought we could. We thought it would make good sense
6 to recoup through the slower process of urban renewal if
7 we could bring in a more legal procedure. We checked with
8 the Federal Government, and they were agreeable to it.

9 At that point we instituted the slower moving process
10 of urban renewal.

11 MR. MEYNER: Through HUD?

12 THE WITNESS: Through HUD. We submitted
13 a normal urban renewal Part I, Part I request.
14 This now becomes a parallel operation. This is
15 often confused in the public mind. I think you
16 gentlemen who have followed the situation can
17 begin to understand how unsettling this must
18 have been to the community to see this furious
19 battle over 50, 185, 150 acres; then to see,
20 well, it is going to be condemnation; it is not;
21 it is urban renewal; it is 50 acres by March.

22 It became increasingly difficult. The
23 community began to lose its reference point in
24 regard this matter. I think that is an important
25 comment as we rushed down the last six or seven

1 This is months, especially toward the end. I don't think
2 we understood whether we were right or wrong or
3 what happened. You need a reference point to
4 know whether you are going backward or forward.
5 I think the community lost its reference point
6 starting with January and rushing through to July,
7 particularly around this issue and others which
8 developed during the year.

9 It was hard to judge any longer what was
10 going on. There seemed to be an excitement in
11 the air. We seemed to be going somewhere which,
12 while threatening, was also exciting because it
13 meant somehow striking change. There was a lot
14 of activity, a lot in the air.

15 Furthermore, it was hard to tell who was
16 telling the truth, who was the leader, who wasn't.
17 It was an amazing time. We seemed to be clearly
18 rushing downhill in these months leading up to
19 the riot.

20 BISHOP DOUGHERTY: Off the record.

21 (Discussion off the record.)

22 A: I want MR. MEYNER: What means of support did this
23 development Osborne or Colonel Hassan have while he was in
24 Newark?

25 THE WITNESS: That's a question which we

1 This is not have pursued without satisfactory answer.

2 So we scheduled MR. MEYNER: Did he live well?

3 THE WITNESS: He lived at the Black
4 Liberation Center rather frugally, but he did
5 use taxicabs wherever he went. He had some money.

6 He constantly alluded to the fact that he had
7 plenty of money, but it always looked something
8 like a bluff on his part. I don't know where
9 he got his money. I don't know where the Black

10 Liberation got their money.

11 By Mr. Robinson: as state law required it.

12 Q Is he still in town today?

13 A He is in and out. We haven't seen him for a

14 while. Absolutely. I might say that I think the phrase

15 Q Do you know where he was during the riots?

16 A He was not around when it began, but he was here
17 on Friday during the riot and then gone again. He has not
18 been pertinent in Newark since the riot.

19 Q You were telling us about the first public meeting
20 in Newark on the medical school which came apart because
21 of the colonel's activities.

22 A I went back to tell you there was a parallel
23 development, the need for the urban renewal. This opened
24 the need for public hearings because the state law insists
25 there be public hearings before an area is declared blighted.

1 This is not a federal requirement but a state requirement.
2 So we scheduled public hearings.

3 Q By this time that you scheduled public hearings
4 was the administration aware that it was a red hot issue?

5 A We were aware that among many leadership types
6 and political types it was becoming and was a thorny and
7 sticky issue. We were convinced that the community showed
8 no real evidence of community unrest or concern; that the
9 community stood firmly for the medical school.

10 Q But you had no way of avoiding public hearings?

11 A That's right. The state law required it.

12 Q Certainly in retrospect you would have tried to
13 avoid them if you could have?

14 A Absolutely. I might say that I think the phrase
15 "blight hearing" and the whole business of state blight
16 hearings is a very awkward one and a difficult one. It
17 could use some study. There needs to be some other
18 approach to neighborhoods that are blighted. Even the
19 title "Blight Hearing" is inclined to raise the backs of
20 a community. A community doesn't like to be known as
21 blighted.

22 Q In arranging for these public hearings, aware
23 of the red hot nature the hearing would take, what pre-
24 cautions or steps, if any, did the administration take to
25 avoid controversies at the hearings?

1 A There is no way to avoid controversy at a public
2 hearing. I think at the first hearing we were hopeful
3 that the majority of what might be called -- I hate to
4 continue the phrase "Negro leadership" as if there was a
5 white leadership, but that many of the people who were
6 supporting the medical school would come and make a strong
7 case for the medical school. We still felt reasonably sure
8 in terms of the community. As we went into the medical
9 school we felt that the opposition essentially run by
10 Eulis Ward, by the NCUP kids, by certain United Community
11 persons, if not the corporation itself, and Mr. Osborne --
12 he became a new problem for us because he was rather
13 dramatic, and the public was interested when he first got
14 his name in the paper. We still felt that the general
15 community, the community which doesn't speak but which goes
16 about its business and acts -- sometimes the business can
17 be quite violent, as we discovered in July -- we still felt
18 that the community was essentially sound and could be held,
19 although we were worried, but not overly. We were con-
20 cerned, but not overly concerned.

21 CHAIRMAN LILLEY: About the public hearings

22 Mr. Gibbons has a question.

23 MR. GIBBONS: Did you or anyone in the
24 administration make any effort to have present
25 at the public hearings supporters of the

1 their own administration's point of view from the community?

2 would be a short. THE WITNESS: We had witnesses scheduled
3 thing who from the community, yes.

4 was the speaking. MR. GIBBONS: Did they speak?

5 of Colonel Hassan. THE WITNESS: Not the first meeting. The
6 and a good first meeting was aborted when Mr. -- Colonel

7 Hassan arrived with a couple of captains or
8 lieutenants.

9 By Mr. Robinson:

10 Q How many showed up at the first meeting?

11 A It was reasonably crowded.

12 Q A couple of hundred?

13 A Less. But that is a fair crowd for a public
14 hearing.

15 Q What happened at that meeting?

16 A We had the playwright, Mr. Jones, as I recall,
17 and Colonel Hassan and some others. Colonel Hassan and
18 a couple of his lieutenants with uniforms established
19 themselves down in the first row, and they got into a
20 shouting thing. Clinton Hobson Bey started off by throwing
21 some eggs at the Planning Board as they came in. He was
22 escorted from the meeting. Then Hassan went to some good
23 shouting and jumping. There was some anti-medical school
24 sentiments expressed by speakers and argument over whether
25 or not the city speakers would speak first and present

1 their case followed by the opposition, or whether there
2 would be a sharing of time. None of it was pertinent. The
3 thing which is most memorable about the aborted hearing
4 was the smashing of the reporter's equipment by a lieutenant
5 of Colonel Hassan. Colonel Hassan's upsetting of a map
6 and a general attack on equipment.

7 Q Physical attack?

8 A Yes.

9 Q Were these men arrested?

10 A Removed, escorted from the hall, but they were
11 not arrested.

12 Q Do you know why they were not arrested?

13 A Our indication is that the police commander at
14 the scene felt that the situation was volatile, too
15 volatile for that type of thing at that hearing. He was
16 content to remove them at that time.

17 Q And the hearings ended?

18 A The hearings were ended when the reporter was
19 smashed. There was no way to continue with the hearing,
20 so they were suspended.

21 Q The whole meeting took about how long?

22 A I can't say. An hour and a half.

23 Q What was the next significant event in this issue?

24 A This was a meeting which was volatile, loud and
25 screaming crowd. No more than 150 persons we had used to

1 confronting in most super militant or extreme situations.
2 I would say that between 100 and 200 is a maximum crowd
3 which can be generated by a good militant group which has
4 a good issue in Newark. That is for your own guide. Most
5 of our previous experiences in the streets and picketing
6 here and there generally indicated a groups of between 50
7 and 100 persons or 150 persons. Maybe 200 people.

8 There was no great community outpouring except we
9 were indoors. One hundred fifty outside is one thing'
10 150 people in a hearing is quite another.

11 Q What was the next significant event in the school
12 project?

13 A There was a suspension of those hearings, a good
14 deal of confusion as to when the hearings would continue.
15 I think the corporation counsel had agreed with some of
16 the militant leaders who were there that the hearings would --
17 the first decision would be that the hearing would be on a
18 Thursday, but there was an outcry from the militants that
19 that date coincided with a board meeting of the United
20 Community Corporation. Since many of the persons identified
21 with the most vocal critics were UCC board people, it would
22 be impossible for them to be at two meetings at once. The
23 UCC was at a particularly critical time in its history
24 because it was busy suspending its leaders and unsuspending
25 them. Tyson had left. Rabbi Prince had left to go up

1 and become a political public relations man apparently.
2 Dean Heckle was preparing to resign, and there was con-
3 fusion. They had moved to suspend their director and their
4 assistant director and their community action man. It was
5 a key meeting in the history of the UCC, and they didn't
6 want it to coincide with our public hearing.

7 That As I say, this body of men is the same body of men.
8 That's important for your understanding. This group which
9 is coming together now playing the same vocal, militant
10 role at hearings, at poverty hearings, at whatever. So
11 it was impossible for them to have a meeting the same night.

12 As a result we had to accommodate them by arranging
13 to have it another night so the forces would not be split.
14 The corporation counsel agreed it would continue on a day
15 which did not coincide with the UCC meeting. This was
16 announced.

17 The next day there was a unilateral decision by the
18 Planning Board I think with the help of some councilmen
19 to change the date back to the date which coincided with
20 the United Community Corporation. As the result there was
21 some confusion over it.

22 It was brought to the mayor, and he felt if they had
23 made a commitment to the militants, that it would not be
24 held on the same day, it should not be. In the interim
25 there had been two different public announcements. There

1 was confusion. The corporation counsel finally ruled that
2 the best thing all around, and to play fair with everyone,
3 was we would consider the first meeting as fairly aborted
4 and start again and readvertise the entire matter so there
5 would be no grounds for legal attack on the proceedings
6 as to whether or not they had been properly advertised.
7 That led to a delay which I think was unfortunate but had
8 to be done, a delay of two weeks or three weeks to the next
9 hearing. We had to readvertise the whole series.

10 Q Between the first meeting and the next meeting
11 two or three weeks later what change in the mood of the
12 community did the administration recognize?

13 A Hassan's smashing of the equipment was quite
14 striking, to make a pun, electrifying for many persons,
15 certainly for the newspapers. They played it rather well,
16 but I don't suggest their sensationalism had anything to
17 do with it. We had seen an increase in the level of verbal
18 aggression, and now we began to see the first indicator
19 of direct and physical aggression.

20 I think every study of a riot, and there have been
21 many, indicates if there is one thing which is clear in
22 a riot situation it is that there is generally a high and
23 increasing level of aggression in the community prior to
24 a riot. That seems to be one of the few things which is
25 common to all riot situations. Certainly the level of

1 verbal aggression was increasing rapidly.

2 MR. MEYNER: Without any corresponding
3 attempts to suppress it?

4 THE WITNESS: There were attempts, Governor,
5 but it was very difficult. There were a multiple
6 number of things coming along.

7 MR. MEYNER: Couldn't you arrest or bring
8 charges against a person that throws eggs?

9 THE WITNESS: There are many felt that very
10 strong action --

11 MR. MEYNER: Couldn't you do the same thing
12 with respect to someone who damaged a recorder?

13 THE WITNESS: It has been a very contro-
14 versial matter as to whether or not there should
15 not have been a very, very strong reaction to
16 that action.

17 MR. MEYNER: I realize it is hindsight.

18 THE WITNESS: I think the answer to that
19 was the opinion of a very efficient police officer
20 who had been involved for three or four years in
21 civil riots and disturbances. The corporation
22 counsel was there and it was their opinion that
23 an arrest was not pertinent at that time. I
24 think they felt that the man wanted to be arrested,
25 and I think that they felt they would prefer just

1 also has to remove him. I have no opinion. They made a
2 standing decision there. There are many who argue he
3 SSS and he should have been arrested.

4 to keep track. I thin other matters became pertinent, too,
5 a corps of as the level of aggression began to increase.

6 have been The first warm weekend there was sudden picketing
7 persons who at a meat market.

8 five in the mid MR. MEYNER: That would be in April?

9 group of 150. THE WITNESS: It was very early. We were

10 all rather surprised. I think we were caught

11 Meat Market a little bit by surprise. It was earlier than

12 the usual outdoor picketing season, if you can

13 It was very call it that. Is that a bad phrase.

14 surprised By Mr. Robinson:

15 fails Q to Will you describe the Clinton Meat Market

16 picketing?

17 A The UOC had a program for small business
18 development, and it was called SBDC. The SBDC appeared
19 to be the spearhead of the picketing of a store on Clinton
20 Avenue. It was joined by a couple of area boards,
21 particularly Area Board 3.

22 To further confuse you, Area Board 3 is Tom Hayden
23 again in different guise. Newark Community Union Project
24 or Tom Hayden's outfit is also Area Board 3. Because of
25 some indecision they moved in and became Area Board 3, which

1 also has the name People's Action Group, a good Chinese-
2 sounding phrase. It also now will occasionally call itself
3 SDS and occasionally SECC, so it is very difficult sometimes
4 to keep track, but essentially I think it is the same group,
5 a corps of organizers with an outer corps of those who
6 have been attracted to it and a further outer corps of
7 persons who move with it and sometimes not, making probably
8 five in the middle to twenty or twenty-five and to a total
9 group of 150, 200.

10 Q This is the group that organized the Clinton
11 Meat Market?

12 A I think they participated. Bob Carvin was there.
13 It was very early in the season. Everyone was kind of
14 surprised by it. The police made a number of arrests for
15 failure to move from the sidewalk.

16 Q Was there any violence?

17 A Not violence but arrests. I think there was
18 some feeling on the part of those who were picketing that
19 the police had been too hasty. That is not a feeling we
20 share. I think those sentiments were voiced.

21 Q Was this before Colonel Hassan destroyed the
22 recording equipment?

23 A It was about the time the Black Liberation
24 Center was shaping up. I think before the destruction of
25 the recorder. But what is interesting about this series

1 of picketing was an indication against a store called
2 Your Southern Store Up North. It pointed up an issue
3 which can be sensitive, which was a store which was
4 gouging or allegedly gouging ghetto residents.

5 It also had certain anti-semitic overtones which had
6 not been known in Newark. Also it was surprising in that
7 an anti-poverty agency was so closely identified with that
8 type of thing.

9 Q Was that store ultimately looted during the
10 rioting?

11 A I don't really know. The store was closed.

12 MR. MEYNER: What sort of a store was it?

13 THE WITNESS: A meat market-grocery store.

14 MR. MEYNER: You mean it went out of
15 business before the riots?

16 THE WITNESS: As a result of picketing it
17 was put out of business. It was a display of
18 reaction. It was interesting in that this was
19 the demonstration that determined picketing by
20 a threatening group could close a store.

21 MR. MEYNER: Were there other instances
22 excepting the ones you have described, up to the
23 time of the complete medical school hearing?

24 THE WITNESS: Let's see if I can sketch
25 some of the things which are beginning to be

1 pertinent here. The major public issue remains
2 the medical school. We are rushed into June.
3 We have had the Clinton Hill picketing because
4 of the involvement and arrests and the tension
5 which produced it. We have the UCC incomplete,
6 almost total confusion with the suspension of
7 its top officials, and the re-instatement of its
8 top officials and the election of a new president
9 all proceeding in the chaos.

10 ~~before~~ The weekend prior to the riot there was
11 an incident at the East Orange-Newark border
12 which was pertinent. There was what appeared
13 to have been a Muslim meeting or group or party
14 or whatever at a house on the other side of the
15 Newark line in East Orange. The East Orange
16 police had a great deal of difficulty with the
17 group through the night and finally got in a
18 free for all with the group on the porch of the
19 house, and while the fight was going on the
20 Newark police were standing by across the street
21 as the result of the interplay which had been
22 going on through the night, and they were called
23 when they were losing the fight. The Newark
24 police got involved in subduing the group. I
25 think that led to certain complaints of brutality

1 at that time. It was a pretty good fight
2 apparently.

3 CHAIRMAN LILLEY: Was it common for the
4 municipalities to exchange police help that way?

5 THE WITNESS: It was not common at all, but
6 this took place right on the city line.

7 MR. JAFFE: Could you pinpoint the date of
8 that?

9 THE WITNESS: I believe it was the weekend
10 before the Newark riot.

11 MR. JAFFE: Why were the Newark police
12 there?

13 THE WITNESS: The East Orange police had
14 summoned them.

15 MR. JAFFE: How long did they wait?

16 THE WITNESS: A long time.

17 MR. JAFFE: About how long?

18 THE WITNESS: Over a half an hour. I have
19 listened to Mayor Kelly describe the story and
20 listened to the East Orange policemen describe
21 the story. The Newark police did not come across
22 until two officers had been thrown from the
23 porch, and Mayor Kelly's phrase was, "Thank God
24 for the Newark police." He credits the Newark
25 police with strong action to stop what he thought

1 was going to be a situation getting out of hand.

2 MR. JAPPE: How many policemen from Newark
3 were involved?

4 THE WITNESS: I am not sure. It was not a
5 large number.

6 MR. JAPPE: Would you say ten?

7 THE WITNESS: I am not sure, but it is my
8 understanding they had a squad there.

9 MR. JAPPE: How many Negroes were involved?

10 THE WITNESS: Again I am not sure. It was
11 a group of Negroes, eight, ten. The original
12 fighting involved three or four on the porch.

13 MR. JAPPE: Then a group congregated?

14 THE WITNESS: I am not clear. I can't
15 testify on things I don't know clearly myself.

16 MR. JAPPE: Do you know whether the Newark
17 police made any arrests?

18 THE WITNESS: I believe they did. That
19 was another issue. I think we must get to one
20 other which developed, which was the school issue.

21 By Mr. Robinson:

22 Q When did that first develop?

23 A That was late in June.

24 MR. LEUCHTER: This year?

25 THE WITNESS: All of this is this year in

1 the months just prior to the riot. That was the
2 moving and Parker-Gallahan issue.

3 By Mr. Robinson:

4 Q Before we get to that, how would you describe
5 the mood of the Negro community as the administration felt
6 it right after the Colonel Hassan egg-throwing incident
7 and the destruction of the court reporter's equipment?

8 A With the opposition of what we considered to be
9 the main public voice in Newark, which is our anti-poverty
10 agency, and with the anti-poverty agency appearing to be
11 in chaos, or at least appearing at that point to be strongly
12 moved by a minority but very vocal and extreme group, we
13 were very concerned.

14 Q From that time after that first aborted meeting
15 until the second meeting two or three weeks later, what
16 steps was the administration taking to calm the situation
17 or cool it?

18 A There was no reaction to the medical issue for a
19 long time. There was a lot of shouting and jumping among
20 the leadership, but I don't think it affected the community.
21 I think however, the constant pounding began to touch on
22 two issues which were more pertinent to the community than
23 the medical school, and that was relocation and housing in
24 general. Generally housing. Secondly, this business of
25 nobility, which I think may be pertinent to a life in

1 urban centers now, the business about "Enough with this
2 moving and what about housing?" It was a matter of widely
3 screaming about everything in Newark, everybody shouting,
4 "Down with this. This isn't any good. This guy is a
5 phony. This guy is a fink," a lot of confusion. The
6 community was unsettled and trying to find out what was
7 going on. But as it went on certain deeper tap roots were
8 tapped. Two of those pertinent to us and were pertinent
9 to the community and eventually unsettling to the community
10 was the business of housing because that was a community
11 wide interest.

12 I don't think it is only the ghetto dweller -- I hate
13 that phrase. It is difficult to pinpoint what is and what
14 isn't the ghetto. Newark might be seen as the downtown
15 or ghetto for Essex County, but the business of housing was
16 important. We knew we were in trouble when the community
17 began to perceive of the situation this way: You are for
18 the medical school and against housing.

19 When we began to get that sense, there were people
20 beginning to evaluate the pro-medical people in terms
21 of being against housing, and we recognized we were in
22 trouble because we thought that housing was our top priority.
23 But that message began to get swallowed up as we moved to
24 April-May.

25 You asked what about steps. I wanted to set the

1 background. We began to be concerned at our identity with
2 an aggressive housing program was being lost. People said,
3 "I am in favor of a medical school, but let's have housing."
4 It began to be the old thing -- priorities, one, two,
5 three, four, five. We think the medical school is good,
6 but maybe it should be two instead of one.

7 city How do you suggest in a city like Newark with the
8 immense and staggering problems that there are no one, two
9 three priorities? Your priorities are all across a broad
10 front, you know. They can't be identified top to bottom
11 or left to right. You have many priorities all at the
12 same time. How do you get across to a community that you
13 are deeply concerned with housing and relocation as you are
14 with getting a medical school, that one does not cancel
15 the other? To persons who are taking only a part-time
16 concern it is sometimes hard to understand. It is much
17 easier to understand you have sacrificed housing for the
18 medical school, which was not true. Certainly the housing
19 program has gone more slowly than most people would like to
20 see it go. is at that point that urban renewal fails.

21 Certainly private investment has not been what people
22 wanted. Certainly FHA has created an immense problem to
23 us, and I hope this Commission would come up with some
24 representation of FHA's clear mistreatment of the cities.

25 Every single lot you see on this map today is accounted

1 for by a developer who has submitted plans and funds to
2 hold that land, but he simply cannot get FHA mortgages to
3 build housing. We have done the job when we cleared these
4 lands. That is our job, to take the land, clear it and to
5 offer it to a redeveloper. We have done the job.

6 Often people say, "You have got an empty lot. The
7 city has failed to build housing." The city is not in the
8 business for building houses, can't do it. It is against
9 the law. The city doesn't have the funds or responsibility.
10 Its job is to clear the land and make it available right
11 down to the developer and to get a developer. We have got
12 developers.

13 Now, the developer must go to the FHA and say, "Look,
14 the Urban Renewal Authority has done this. We have cleared
15 the land. Please give us the funds for support for the
16 financing." It is at that point that urban renewal fails.
17 It has difficulty in Newark, although I think this is by
18 and large a most successful urban renewal program.

19 In most cities, particularly cities that are marginal
20 markets, it is at that point that urban renewal fails.

21 MR. LEUCHTER: Because of FHA?

22 THE WITNESS: Because of the inability of
23 the private developer to get financing from FHA.

24 MR. LEUCHTER: Why? Because they don't
25 have funds?

1 THE WITNESS: Because FHA prefers to under-
2 write projects which have greater soundness than
3 housing in center cities. It has been explained
4 to me by an FHA underwriter that no matter what
5 the public policy is stated by Secretary Weaver,
6 that when you get down to it in your civil service
7 job they judge you by what you have underwritten.
8 If you have underwritten two failures, you are
9 bounced. You are out of a job. It is a banking
10 system. If you underwritten two failures,
11 there is some serious doubt as to your qualities
12 or qualifications as an underwriter.

13 MR. MEYNER: Aren't there two other factors,
14 the future prospects of the city and the tax
15 rate, law enforcement?

16 THE WITNESS: Of course. These are the
17 things which make an underwriter wary of under-
18 writing a project in the city. It isn't that
19 FHA underwriters don't want to help the city.
20 He is afraid to. In his underwriting judgment
21 they are not good risks.

22 By Mr. Robinson:

23 Q Was this concern of the administration communicated
24 to the people?

25 A We think it was as evidenced by the mayor's first

1 four years and his re-election.

2 Q In what way?

3 A The support.

4 Q Especially in these critical months?

5 A During that time I think we were losing that
6 reference point.

7 Q Were you attempting to communicate the admini-
8 stration's views?

9 A We went this far when we recognized we were in
10 trouble. The National Committee Against Discrimination
11 in Housing is well known nationally and highly respected
12 and a very liberal organization, I think the finest
13 organization in terms of fair housing and support of
14 aggressive housing measures that you will find in the
15 United States of America. We, in an effort to re-establish
16 a reference point for the community, at the mayor's
17 direction reached out for the National Committee Against
18 Discrimination in Housing. Mr. Danzig is an old friend of
19 Mr. Rutledge and Mr. Wood and the Human Rights commissioner
20 had been in touch with them for several months, and we
21 asked them to come to Newark. We told them we needed a
22 reference point. The community was becoming confused and
23 doubtful about our housing program and we needed some
24 independent body to come to survey our plans and progress
25 and to clearly, once and for all, state where we were in

1 housing, what needed to be done and whether or not we
2 were doing a fair job.

3 They came. Rutledge and Wood were the top officers of
4 the national committee.

5 Q What month?

6 A June 6th. I will never forget that particular
7 day because I participated in that meeting.

8 BISHOP DOUGHERTY: Was that Ross and Wood?

9 THE WITNESS: Jack Wood and Ed Rutledge.

10 We had dinner with them at the Trest Restaurant.

11 Mr. Danzig, Mr. Schiff and myself spent from
12 about six o'clock to about one o'clock in the
13 morning begging, shouting, arguing, cajoling
14 to get them quickly into Newark that week and to
15 take as hard a look as they wanted to, no holds
16 barred. "You come and look, judge for yourself,
17 judge for the community."

18 We felt that people couldn't know whether
19 we were going forward or backward. We recognized
20 we were not getting the message over, that we
21 were also in favor of housing. We needed
22 somebody to say, "You are not doing a job in
23 housing." We still feel we are doing as well
24 as any administration can do given the problems
25 here.

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It is a very bitter, sometimes happy,
sometimes sad meeting. It went on for hours,
over dinner, coffee and drinks and then later
dinner again. Wood and Rutledge were dubious
and said, "Well, we would like to, before we
commit the national organization to this kind of
thing which looks deep and involved, have a look
at the rest of the community to see whether or
not it is possible for us to make a statement
which would hold up in the community, whether
we could really be of any value." We said,
"Okay." Then we went forward with a couple of
meetings with "the community" to assess the
community.

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MR. GIBBONS: This organization headed by
Rutledge and Wood, the National Committee Against
Discriminating in Housing, isn't that the organi-
zation which has published the pamphlet, "How
the Federal Government Builds Ghettos"?

21
THE WITNESS: Yes.

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MR. GIBBONS: Of all the sources in the
world why would you look for approval there for
the Newark problem when that pamphlet is as
clear an indictment of this type of housing you
have been doing as you could get?

1 THE WITNESS: We felt since we were in a
2 situation where the extremely militant were un-
3 settling the community we had to go to a very
4 militant organization for support.

5 MR. GIBBONS: How could you expect to get
6 support from them because they have a pamphlet
7 saying that the high-rise urban approach is
8 no good?

9 THE WITNESS: Because we felt our present
10 housing program could bear scrutiny by the
11 National Committee Against Discrimination. That
12 indicates how much we believed in the housing
13 program we had. We recognized the dangers.

14 MR. GIBBONS: Whom did you think that
15 committee was referring to in that pamphlet?

16 THE WITNESS: Not Newark.

17 MR. GIBBONS: They had to be referring to
18 places like Newark.

19 THE WITNESS: What was done in the fifties
20 is not pertinent to an administration in the
21 sixties. We were prepared to be judged. You
22 consider that unwise. We considered it a
23 situation which, if we had passed their rigorous
24 examination, would prove conclusively to the
25 wildest extremists that our program must have had

1 some validity. Do you follow?

2 MR. GIBBONS: You could certainly prove
3 that you didn't discriminate against Negroes
4 in allocating housing units in the public housing
5 projects.

6 THE WITNESS: That is not what we asked
7 them to do. We asked them to evaluate our total
8 housing programs.

9 MR. LEUCHTER: Can you tell us what this
10 was? My understanding from what you just said
11 was there had been no public housing construction
12 since the mid-fifties. What was the administra-
13 tion's housing program?

14 THE WITNESS: First, Newark has on a per
15 capita basis the largest public housing program
16 in the country.

17 MR. LEUCHTER: But all constructed up to
18 the fifties?

19 THE WITNESS: The high-rise projects which
20 many persons are critical of were constructed
21 prior to this administration. This administration
22 had a policy of no more high-rise, big ghetto-type
23 construction. That is why we felt rather secure.
24 We had a program which was opposed to high-rise
25 public housing projects.

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MR. LEUCHTER: Was there any construction of any kind?

THE WITNESS: Yes. We had 2,000 units of public housing under construction at the time they were invited.

MR. LEUCHTER: But low-rise?

THE WITNESS: Scattered elderly housing, special projects. We had run into a problem with the council in public housing. We supported low-rise, large-family units. They were opposed to any public housing at all on the grounds that Newark had already more public housing per capita than any city in the country, and we should have time to absorb that. We had been in a fight for some time. That is a matter with the council. We were not afraid to have the administration judged on its plans which had been submitted to the council. The council could be judged for its rejection of that, but the administration is not the council; we are the administration. They are the legislature.

So if the legislature was to be judged, that would be their problem. We were interested in the administration's efforts to provide low-rise public housing for large families.

1 Furthermore, the 2,000 units of high-rise
2 construction for the elderly is of quite a
3 different type than had been developed in the
4 fifties. These are quite good architecturally,
5 include balconies, and there are many amenities
6 which were not included in the projects of the
7 fifties.

8 CHAIRMAN LILLEY: You alluded earlier to
9 the fact that there was vacant land on which there
10 is no building in the city.

11 THE WITNESS: That is the story we wanted
12 to tell, that we had developers. They will
13 build housing. Where is the FHA? The mayor has
14 been opponent of FHA.

15 CHAIRMAN LILLEY: In these houses that have
16 been knocked down, is there any coordination not
17 to knock a house down before, no matter how long
18 it takes, you see what is going to take its place?
19 I don't mean necessarily in the mayor's office,
20 but wherever this might reside. Apparently there
21 is lots of vacant land and you wonder who is
22 matching the knocked down with the built up.

23 THE WITNESS: The match-up comes from the
24 FHA. Urban renewal is a marriage between the
25 public sector and government action. It goes on

1 the theory that if you would give a developer a
2 large enough piece of property in one cohesive
3 chunk, something he couldn't do himself because
4 he would be involved in negotiating, here you
5 would do it through condemnation. If you have
6 cleared the land, he has no problems. It is
7 immediately available for him. If you give it
8 to him at a write down, one-third of its real
9 cost, that the attraction would be so great that
10 he could make a profit there. In addition, New
11 Jersey provides a little tax abatement for him.

12 The essence of urban renewal is to give a
13 large enough piece to make it attractive for a
14 developer; clear the land; then offer it to him
15 at a rate much cheaper than it would be for him
16 to build in a surrounding area, and then have
17 him build.

18 The government action is to select a blighted
19 or slum area, to clear it or properly relocate
20 all these persons living there. There are
21 federal standards for that. It is a slum removal
22 program. So when you find slums, you are suppose
23 to remove them.

24 It is traditional to judge the success of
25 the program by the number of units removed because

1 you have eliminated a substandard dwelling. You
2 presumably have relocated a person in a standard
3 dwelling because that is the Federal requirement.

4 CHAIRMAN LILLEY: Who does that?

5 THE WITNESS: It is done by the Newark
6 Housing Authority, which is our public housing
7 agency, and urban renewal agency. It has two
8 hats. So that agency is responsible for selecting
9 project sites, for clearing a site, for building
10 public housing, which is not part of the urban
11 renewal function. Public housing can be built
12 on urban renewal sites, but it also can be built
13 on any other site. There is a great confusion
14 over that. They are not linked programs. They
15 often come together but not necessarily. Public
16 housing can be built anywhere in the city. It
17 need not be in an urban renewal area.

18 MR. MEYNER: But all of these properties
19 that have been cleared have been purchased at
20 fair appraisals by the Housing Authority with
21 funds appropriated by the Federal Government?

22 THE WITNESS: That's right.

23 MR. MEYNER: Is there a percentage that the
24 municipality contributes?

25 THE WITNESS: Yes. The city must pay in

1 most cases 33 percent of the cost.

2 MR. MEYNER: Either in cost or equivalent?

3 THE WITNESS: Right.

4 MR. MEYNER: The equivalent sometimes makes
5 it possible to acquire it, at much less than the
6 one-third?

7 THE WITNESS: That's right. In Newark,
8 because of our peculiar equipment or because of
9 our continuing unemployment rate, it is designated
10 as an economic development administration, high
11 unemployment or high impact area. As a result
12 our cost in urban renewal has been only 25 percent.
13 Generally you can make it up with a school. We
14 build a school; that would be our share. Newark's
15 share of the program is beginning to be a problem.
16 We have a share of \$60 billion.

17 By Mr. Robinson:

18 Q Did this national group evaluate your housing?

19 A Yes. You see why we needed the national committee?
20 Because it was so strident and militant an operation that
21 we felt only approval by them would convince the community
22 that we were being fair. We felt we had good plans. A
23 lot of them had not been acted upon, but we think it was
24 not our fault. We had council problems. We had FHA problems.
25 but we think that the overall program was a good one.

1 Public housing was constructed in Newark before large
2 school clearance. The public housing was supposed to be
3 the reservoir for relocation.

4 Q Did the group agree to re-evaluate?

5 A They appeared at two public meetings which
6 appeared to have been dominated by Mr. Wheeler, Elis Ward
7 and others who were in the same group which had become now
8 a more cohesive-working conglomeration of diverse persons.
9 They appeared to have dominated the meeting, and it appears
10 to me they appeared to have scared the hell out of the
11 National Committee. They sent us a letter quite late in
12 the game, in July now or late June, which said, "Thank you
13 for your offer to come and evaluate your housing program.
14 We think that you are right and we would like to do the
15 job, but we are convinced that we can't come under your
16 banner and that perhaps we can get a grant somewhere or
17 another day to come and look at you."

18 In plain English they turned us down, I take it because
19 they felt that the situation, if they got into it, would
20 be somehow damaging to their reputation.

21 Q So that this step of the administration attempt
22 to cool the situation failed, correct?

23 A Yes. It was rebuffed by the National Committee.

24 Q Were there any other steps taken in these last
25 crucial months preceding the riots?

1 A To cool the situation. We tried to straighten out
2 our anti-poverty situation by cooperating and participating
3 in the election of a new president and in the re-instatement
4 of their top officers.

5 Q Was the anti-poverty agency before it was recon-
6 stituted by this new election what you would regard as
7 anti-administration?

8 A That is a difficult question to answer. I think
9 many times the agency is driven by groups within it,
10 sometimes in combination, sometimes singly, to take a very
11 decidedly anti-administration policy. The director, Mr.
12 Wolfe who had come in January, was fired for a number of
13 reasons, but essentially a lot of opposition was able to
14 be shaped up against him because he took what some people
15 took to be a pro or cooperative approach to city hall. So
16 he was fired for cooperating with city hall.

17 Q That was when?

18 A Just prior to the riot. He was suspended in June,
19 but he was finally fired in the midst of the riot, or asked
20 to resign.

21 Q Did the attitude or role of the UOO group in the
22 opinion of the administration affect adversely the opinion
23 of the Negro community?

24 A Yes. I think it was the major voice.

25 Q In what way?

1 A In every way. To understand the United Community
2 Corporation you have to understand its role in Newark. I
3 think it is the dominant and only pertinent public voice.
4 Every situation in Newark involving race or poverty involves
5 a confrontation with the United Community Corporation which
6 takes upon itself a quite immense mandate, which is it
7 speaks for the poor and civil rights groups and everybody
8 else. It is the only voice in public affairs in Newark,
9 I think a tragic situation for the city. No matter where
10 you turn, the situation turns up confronting its own
11 anti-poverty agency.

12 Q How did that happen?

13 A It is a private non-profit corporation permitted
14 under the act. I think it was formed out of the mayor's
15 office in 1964. Dean Heckle, Rabbi Prince, Monsignor
16 Dooling and others, some who had been active in the Southside
17 Project came to the mayor's office and suggested this
18 approach of a private non-profit corporation and asked for
19 seed money. The mayor agreed and supported the formation
20 of the agency and provided seed money over the opposition
21 of the city council. City council was opposed from the
22 start, or many members were, contending that the agency
23 should be a city agency.

24 MR. MEYNER: You are talking about the
25 anti-poverty or the UCC?

1 THE WITNESS: That is the anti-poverty
2 agency.

3 By Mr. Robinson:

4 Q So it was set up independent of the administration,
5 is that correct?

6 A Yes, with the mayor taking a strong stand that
7 it ought to be.

8 MR. MEYNER: It has to be under the federal.

9 THE WITNESS: No. You were offered an
10 alternate. You had your choice at that time.

11 MR. MEYNER: What was the other choice?

12 THE WITNESS: It could be any government
13 or non-profit private corporation. The govern-
14 ment could have in many cities, and in most major
15 cities the government held on pretty tightly.
16 Bob Wagner held a death grip on the poverty agency,
17 was in a bitter fight with the OEO regulations
18 regarding how it would be done. I think Mayor
19 Daley in Chicago had a pretty strong grip. I
20 think Mayor Lee was very much on top of his
21 agency in New Haven. Yorty was involved in a
22 pretty good fight.

23 MR. JAFFE: You said it could be a govern-
24 ment corporation under the OEO?

25 THE WITNESS: Yes.

1 MR. JAPPE: The basic philosophy was
2 participation of the peer through it. How could
3 it be a government participation in which the
4 government would only operate it?

5 THE WITNESS: By the government peraitting
6 maximum participation of the peer. New York City
7 is a prime example. The government action agency
8 is the Human Resources Administration. Programs
9 must go through the city government.

10 MR. JAPPE: I thought it handles things
11 like Welfare.

12 THE WITNESS: Are you asking did it have
13 to be a private non-profit corporation? The
14 answer is no.

15 MR. JAPPE: I am just asking.

16 THE WITNESS: Could it have been a city
17 agency? Yes.

18 MR. JAPPE: If it were a city agency, how
19 would it be structured?

20 THE WITNESS: It would have to be structured
21 in a manner which would permit feasible maximum
22 participation of the peer.

23 MR. JAPPE: In running it?

24 THE WITNESS: How do you mean, running it?
25 Maximum feasible participation of the peer is one

1 of the more hilarious phrases.

2 MR. JAFFE: What would be the difference?

3 THE WITNESS: Some mayors found that there
4 would be one man on a board of fifty. Others
5 saw it to be forty-nine out of fifty.

6 MR. LEUCHTER: Would it get any OEO money
7 under that setup?

8 THE WITNESS: I think most community action
9 agencies were able to get OEO approval in one
10 way or another after they brought the boards into
11 some sort of acceptable balance, mostly one-third
12 and one-quarter poor. I think the general
13 yardstick is the responsibility for decision
14 making ought to be in some way vested in some
15 board of some sort, depending on your local
16 initiative, which has at least one-third persons
17 who are representative of the poor if not the
18 poor themselves. I think that is the general
19 guide now. I don't think it was then.

20 I think the phrase "maximum feasible
21 participation of the poor" is one of the more
22 famous phrases and seen quite differently by
23 different people. Dean Willard Eccle appears to
24 be the only person in America who understands
25 that. To him it meant the total participation of

1 government, the poor. I don't know that anybody else has
2 to good come to as clear a conclusion as he has.

3 things which you. The question you asked is: Could it have
4 been something other than a private non-profit
5 electricity corporation? And the answer is yes, most
6 emphatically it could have been. It should have
7 taxes and been.

8 we put it By Mr. Robinson:

9 Q In other words, in retrospect, the administration
10 regrets having created this child and given it complete
11 autonomy, is that correct?

12 A At this point I have to lapse into a personal
13 opinion.

14 Q We will take that.

15 A My personal opinion is that any community action
16 agency should in some manner or other, depending on the
17 local situation, know that it is clearly working with or
18 through a city government agency. I think that definitely
19 the city government should be involved in poverty activities
20 in its own city. I presume the goodwill and good intentions
21 of the city government. Certainly ours does have it. I
22 think it is a terrible error to divorce a city government
23 from the ability to help the poor. After all, what is
24 the city government? City government in Newark is only
25 thirteen years old. Presumably it is a new and modern

1 government, but in truth what does it look to? It looks
2 to good administration, good business practices, all the
3 things which people think of as city government.

4 We fix the sewers when they break. We insure the
5 electricity turns on and when you turn a tap, the water
6 comes through; that we send out tax bills; that we collect
7 taxes and we guard the streets, and when there is a fire,
8 we put it out.

9 The city government is rather well constructed to
10 handle these problems. But in the new social needs of what
11 people want, they don't judge the city government in terms
12 of what water runs through. They expect the water to come
13 on when you turn a tap, although we found out that some-
14 times can be a problem; and that the lights are going to
15 come on and the sewers are going to be cleared and the tax
16 bills are going up. People expect this.

17 City government is not particularly oriented to handle
18 the problems which are pertinent to a city these days --
19 poverty, housing. Housing is in the hands of a private
20 authority in a sense divorced directly from the control of
21 elected officials. Poverty is in a similar situation.

22 These are the things people care about. Who is
23 moving the city forward in terms of poverty, housing,
24 education, jobs, development. These are the things city
25 government does not normally do. The new role of city

1 government is just becoming clear. City governments have
2 been in effect at the back of the parade sweeping up. The
3 confetti is down and horse dung is about and we sweep it
4 up.

5 But I think people look to the city government to be
6 at the head of the parade, and I think any action which
7 the city government can take to get back at the head of
8 the parade is a good and progressive one. Any federal or
9 state program which acts to get around or to force city
10 government back to the back of the parade is a poor one.
11 That is my yardstick for judging programs.

12 I think the OEO mania in the early days, to break
13 the grip of big government or centralized government, may
14 have been pertinent in Los Angeles, in New York, in
15 Chicago where perhaps a super big job is an issue and
16 where neighborhood groups have lost their voice. I think
17 that is pertinent. I think in smaller communities like
18 Newark we may be in a situation where centralization has
19 some very strong points going for it.

20 Every city is an individual problem and a different
21 approach may be effective in each one.

22 Q In what way has the administration seen the
23 attitude of the Negro community change as a result of
24 this divorce between the anti-poverty agency and the
25 administration? How did it contribute to the worsening need?

1 solid A It was the prime factor -- if not the prime
2 factor, the prime ship upon which actors stood and shouted
3 and yelled.

4 Q What did this UCC do?

5 A In the lengthy public hearings on the medical
6 school there were eighty speakers. The largest single
7 group of speakers were officials or employees of the anti-
8 poverty agency, and virtually all persons who spoke were
9 in one way or another connected with our anti-poverty
10 agency.

11 Again I don't want to set the anti-poverty agency
12 as the cause of the Newark riot. I think it made a
13 contributing factor. I think all groups did. Certainly
14 we did. I can't exonerate the anti-poverty agency, but
15 I can't convict them for the murder alone. They were not
16 the solitary actors in this business. They played good
17 and solid roles in the conditions which led to the riot,
18 but so did many others, some of them, by the way, in
19 positions of government. Government made mistakes as we
20 went through this situation.

21 Q I understood you to say that in your view govern-
22 ment made some mistakes in this situation.

23 A We were unable to stand up to the publicity and
24 assault on us in regard to the medical school. We were
25 unable to convince the community that we in fact had a

1 solid housing program, that we would be able to relocate
2 the 500 or 700 families in the medical school area. How
3 do you explain the community upset by the problem of
4 relocation, that relocating 700 families is not a major
5 problem? school issue.

6 MR. LEUCHTER: Could you in fact have
7 relocated?

8 THE WITNESS: Of course. Seven hundred
9 families is nothing, very minor, considering the
10 extent of the relocation program in Newark. We
11 relocate between 1,000 and 1500 families in a
12 year and have for years.

13 By Mr. Robinson:

14 Q Can you explain this to the committee?

15 A The failures are repeated statements that we
16 could do this and they were lost in the gale of publicity
17 concerned, and outrage. Remember, we were in times when
18 people were breaking up recorders, were shouting and
19 screaming that blood was going to run in the streets;
20 Italians must die; Jews must die; and we are going to
21 fight to the death. Part of your record will certainly
22 be the nine volumes of statements made at the public
23 hearings.

24 Q These declarations you just made were statements
25 from the public hearings?

1 class Negro community was able to stay out of the medical
2 school issue, didn't really respond to it. So while we
3 had a shaping up of a conglomeration of many groups, I
4 think essentially it still had not touched the most stable
5 and solid of Negro groups. I am not at all sure that was
6 true after the Parker-Callahan issue developed. Once again
7 here was an issue in public where we were in a most awkward
8 situation. Remember, the community, whatever that word
9 means, the community, but the general grasp of what is
10 happening in the community is something which is sensed
11 as well as really understood. People do not know all the
12 details of everything. They get the general sense of what
13 is happening, a headline look of what is going on. In
14 general it is sufficient for effective government, but it
15 can also lead to chaos, what appears to have happened here.

16 Here was the problem. A position known as secretary
17 to the Board of Education was held by a man named Arnold
18 Hess, who is a former deputy mayor of the City of Newark,
19 who served as secretary to the board for years, twenty
20 years or more. It is a position -- well, we come to the
21 split right away. Perception of the position was most
22 important. We perceived the position of secretary to the
23 board to be just what it says, secretary to the Board of
24 Education; takes the minutes of the meetings; arranges all
25 the little duties that a secretary does for a boss. If a

1 board member needs a car, sees to it that a car gets up
 2 there. If the bills have to be paid for a trip to Atlantic
 3 City for a convention, he sees that it is done. He does
 4 what a secretary does for its boss.

5 We saw the problem as essentially one which was closer
 6 to office management. Of course, you do relate most of
 7 the secretaries to the Board of Education to minute taking,
 8 to a quasi-political position.

9 MR. MEYNER: But isn't he all over the
 10 state essentially the business administrator of
 11 the Board of Education?

12 Q THE WITNESS: What is a political post.

13 A MR. MEYNER: I didn't say that; you are
 14 saying that.

15 THE WITNESS: The answer is yes. Essentially
 16 the business administrator for the school board.

17 MR. MEYNER: And that can be political or
 18 not?

19 THE WITNESS: That's right.
 20

21 By Mr. Robinson:

22 Q Is it a statutory office at all?

23 A No.

24 Q Not defined in any legislation or ordinance?

25 MR. MEYNER: It is in the statute.

THE WITNESS: There are no qualifications

1 for the job.

2 MR. ROBINSON: Are his duties defined in
3 the statute?

4 MR. MEYNER: Yes.

5 BISHOP DOUGHERTY: How about his salary.

6 THE WITNESS: That is a matter of local
7 option.

8 MR. GIBBONS: What is it?

9 THE WITNESS: Twenty-five thousand dollars
10 in the case of Hess, somewhere in the twenties.

11 By Mr. Robinson:

12 Q Any power over the letting of bids?

13 A He is analogous to the business administrator.

14 He is a key post.

15 MR. GIBBONS: He deals with architects and
16 contractors?

17 THE WITNESS: Yes.

18 MR. LEUCHTER: You would say he is a little
19 more important than your general concept of
20 secretary?

21 THE WITNESS: I was going to proceed. I
22 make him to be a quasi-political being, which
23 means he is a key man in terms of the political
24 business and the business side of the Board of
25 Education.

1 MR. MEYNER: Let the record indicate one
2 member considers him a business administrator.

3 THE WITNESS: I consider the post an
4 important one in terms of the business of the
5 board. I think most people consider it important.
6 I think Mr. Hess has in his years there clearly
7 been the man to whom the board looks in these
8 matters. He is an important man. To deny that
9 is ridiculous. It is a key, important post with
10 the emphasis on business and politics.

11 MR. MEYNER: And everyone of the board
12 members is named by the mayor?

13 THE WITNESS: That's right.

14 MR. MEYNER: And many of them look to him
15 for guidance?

16 THE WITNESS: I wonder about that. I think
17 they look frequently in the day-to-day business
18 more to their secretary than they do to their
19 mayor. I think for major policy matters they
20 might look to the mayor, but in day-to-day
21 business they don't.

22 BISHOP DOUGHERTY: Is the title misleading?

23 THE WITNESS: I think so. I think a better
24 title might be business administrator or general
25 manager, although we have a business administrator

1 in the school system. There is a business
2 person; political manager. There is a superintendent of schools
3 ran for of for business, and an assistant who takes on a
4 basis. I good deal of the same duties. He also has as
5 He ran as his duties a professional status in preparing
6 In 19 the budget. It was at this point where we get
7 place in into the problem. I think when Mr. Hess indicated
8 named to the desire to resign --

9 or recommended MR. MEYNER: Was it resign or retire?

10 exist. I think THE WITNESS: Retire. (Continuing) -- that
11 caliber, a councilman, Mr. Callahan, was suggested or
12 manager. recommended as a person who would fill the job.
13 But I think he fulfills in every way, and I still
14 fact he think so, our perception of the job as a good,
15 despite as you call it, Governor, business administrator
16 life, he or business manager for the Board of Education.
17 In fact, I think it was an excellent choice.

18 By Mr. Robinson:

19 Q Give us his qualifications.

20 A A long-time labor leader, treasurer of the union;
21 was a civic leader who participated in the drafting of the
22 report which led to the change of government in Newark;
23 was on the Charter Commission and was on the Change of
24 Government Committee; elected a councilman with the first
25 new government; also served with the county as a purchasing

1 agent for a long time, and generally highly regarded as a
2 person; political perhaps, and that he was a Democrat who
3 ran for office occasionally, although on a non-partisan
4 basis. I don't believe he ever sought office as a Democrat.
5 He ran as a non-partisan.

6 In 1953-54 when the change of government was taking
7 place in Newark, Mr. Callahan was highly thought of to be
8 named to the commission which wrote the form of government
9 or recommended the form of government under which we now
10 exist. I think he is a man of high qualification, high
11 caliber, particularly if you perceive the job as business
12 manager.

13 But Mr. Callahan has one great handicap. Despite the
14 fact he taught labor relations at St. Peter's as a lecturer,
15 despite the fact that he had a 40-year career in public
16 life, he was, alas, only a high school graduate.

17 I have always felt this to be most unfortunate but an
18 insurmountable problem of Callahan versus Parker. I
19 challenged it very early and objected to judging a man by
20 the fact that he is a high school graduate when his high
21 school graduation was in 1920. I think it was more
22 important to ask what has he done with his life for 47
23 years? than to inquire what his grades were in civics in
24 1920.

25 That was our problem. Mr. Callahan came in at the

1 council recommendation. The mayor supported Mr. Callahan.
2 No one seemed to feel that it was a racially sensitive post.
3 Following published reports that Mr. Callahan was going to
4 get the job, certain community groups, Negro groups, sug-
5 gested the mayor's own budget officer Wilbur Parker, a
6 member of the mayor's cabinet, a man that the mayor brought
7 into the city government himself, and chief budget officer
8 of the City of Newark. We were a little dismayed because
9 he was a member of the mayor's own cabinet and he had not
10 asked for the job.

11 I believe the first published reports of Mr. Callahan's
12 recommendation were in the Tuesday or Wednesday paper.

13 Q What date?

14 A In June. Mr. Parker then in a rather casual
15 manner met the mayor in the hall and said, "I would like
16 to speak to you this afternoon." The mayor said, "Fine."
17 Wilbur came in and said, "You know, Mayor, a lot of groups
18 are going to be advancing my name. I want you to know
19 that I didn't participate in supporting or developing this
20 support, but I am interested in the job and if you haven't
21 made a commitment, I would like the job." The mayor said,
22 "Love to do it."

23 I think the mayor ^{has} immense regard for Parker. He is a
24 member of our cabinet. He said, "I made the commitment to
25 Callahan and the council, and the board has already met

1 informally. It is kind of late in the game." Parker said,
2 "Well, okay," and left. I don't think he was alienated
3 from the mayor. I don't think he is now. He participates
4 regularly.

5 When the community got hold of it in the next week we
6 were in a problem because it appeared to be a clear cut
7 case of discrimination --"Wilbur Parker, honor graduate of
8 Cornell University, versus high school graduate." "Hack!"
9 What to do about this problem? We were waylaid. There
10 was no way out. Our perception of the job was that what
11 was needed was a good strong man with business and political
12 sense. We thought Callahan filled the bill. However, the
13 community groups who were involved in the struggle for
14 Parker presented the job quite differently: (a) It was a
15 budget job, and this was directly concerned with our
16 problem; that we needed a budget officer, ergo, Wilbur
17 Parker for the job, and look at this, an honor graduate,
18 and you have only got a high school stiff.

19 So we were in a little bit of a problem. How do you
20 go back and explain to the community that (a) this is not
21 a budget job but a business manager's job? Wilbur would
22 make a tremendous budget officer as he has for us. I
23 sincerely doubt that he is a man to be business manager
24 for the Board of Education. I think he is a technician and
25 a fine one, a man concerned with his field as a public

1 school issue but
2 accountant, as a public budget officer. I think he would
3 have great value over in a different position, although as
4 chief budget officer of the city at a much lower salary;
5 but the Board of Education budget in the end passes through
6 him for review before it is incorporated into the city
7 budget.

8 But we were hung up on this situation of what appeared
9 to the community to be a clear case of injustice, a Negro,
10 Wilbur Parker, who is a Certified Public Accountant, the
11 state's first; an honor graduate from Cornell, against a
12 man who was easy to characterize as a high school graduate
13 with no qualification and to be more or less a political
14 hack. That was our problem. The problem was very clear.

15 Q Who pushed the issue in the beginning? How did
16 it become a public issue?

17 A It is much harder to decipher. I think the
18 middle class or what we call leadership groups, ministers,
19 frontiersmen, whatever, the clubs that would essentially
20 represent the leadership or middle class, now this was
21 something they were hung up on. Here was something they
22 could legitimately hear and see. Here was a highly
23 qualified Negro for a job that clearly suited him, and
24 what is this business of Jimmy Callahan? Why an Irish
25 politician? What deal is this? And so forth. I think
many groups who declined to become involved in the medical

1 school issue but felt an uneasiness about Newark felt they
 2 needed to participate in the growing militancy and to
 3 advance what they believed in the best interest of the
 4 city and felt free to join in the Parker issue and at the
 5 same time the same mass of militants who were screaming
 6 about the medical school then simply moved into this issue,
 7 but they had somewhat wider support.

8 Q So at this point is it fair to say you had the
 9 whole Negro community against you?

10 A No.

11 Q Who was left out? What group, if any, was left
 12 out of the dissension that had now grown full blown against
 13 the administration?

14 A We always perceived this to be against these two
 15 issues rather than the administration. The two elected
 16 Negro officials continued to support both Mr. Callahan
 17 and the medical school.

18 Q Did they have any following in the Negro com-
 19 munity?

20 A They got elected a year earlier, so we consider
 21 that a following. We who live by election are inclined
 22 to believe that is a fair barometer of the way the community
 23 feels.

24 Q I am speaking of a year and a half later.

25 A We presumed them to be a representative of the

1 Negro community. They were strong supporters of both
2 moves. It was an issue which added to the boiling pot at
3 that time.

4 CHAIRMAN LILLEY: I would like to ask a
5 question here. We would like to ask you to come
6 back. Obviously Mr. Robinson hasn't gone through
7 everything, so we would like you to come back at
8 a time convenient for you to return.

9 THE WITNESS: I would.

10 BISHOP DOUGHERTY: The implications of the
11 dimensions of this Callahan-Parker thing
12 increased in awareness of the administration?
13 Did they think it was a retrievable situation?

14 THE WITNESS: We retrieved it by getting
15 Hess to withdraw his retirement.

16 By Mr. Robinson:

17 Q When was that publicly announced?

18 A We were pressuring him for some time. It was a
19 difficult situation. There was a feeling of: Do you back
20 away from a commitment because there is screaming in the
21 community when it is clearly in your view the proper
22 appointment? How do you explain to a man whom you actually
23 believe to be the best man for the job that he is not
24 going to get the job because he is white and because the
25 black community doesn't want him? How do you broach that

1 to a man who has been in public service for 40 years?

2
3 MR. LOFTON: With respect to the school
4 board controversy isn't it a fact that Mr. Hess
5 himself aggravated the situation by making a
6 statement at one of the board meetings, and I
7 think I quote him, that the deal was that before
8 he would resign the agreement was, and he didn't
9 say with whom, but I presume the mayor, he would
10 be retained on the board for a year or two years
11 as a consultant to the next secretary to the
12 board, and that was the only way he would resign,
13 is that correct?

14 THE WITNESS: Yes, that's true. He felt
15 that no matter who the replacement was -- I
16 think he takes a rather inflated view of his
17 value -- he would have the benefit of serving a
18 year with him. He felt after twenty years he
19 had to take everyone to cycle at the board, a
20 view which I always found most unusual.

21 MR. LOFTON: Don't you feel as though it
22 further aggravated the situation?

23 THE WITNESS: I think it does among those
24 who were aware of the niceties of the situation.
25 I wonder if the community was aware of that finer
point. To me it always seemed a very odd thing.

1 I think the view of us was if he is going to
2 retire, then retire. Mayors don't use training.
3 What the hell! That was his view.

4 MR. LOFTON: At that particular Board of
5 Education meeting in which he was in attendance --

6 THE WITNESS: There were some board meetings
7 which were in effect replicas of the public
8 hearings of the medical school, two or three of
9 those quite loud and raucous.

10 By Mr. Robinson:

11 Q Did Colonel Hassan show up?

12 MR. LOFTON: In fact, was it not that the
13 president of the Board of Education, Harold
14 Ashby, made the statement there at which Mr. Hess
15 made this statement about the deal, and I quote
16 his language: That he saw no reason for Mr.
17 Hess to be retained as a consultant at \$25,000
18 a year, and that when the president of the
19 United States goes out of his office, he doesn't
20 have to be retained, so he didn't see why Mr.
21 Hess had to be retained?

22 THE WITNESS: I would certainly concur
23 wholeheartedly with Mr. Ashby on that.

24 MR. LOFTON: You don't consider that to
25 have been an aggravating aspect?

1 THE WITNESS: I am sure it could have been.
2 I think the whole issue was the matter of a
3 community looking, a Negro community which was
4 concerned, upset, troubled by what the drift is,
5 the talk of violence to be suddenly confronted
6 by what appears to be a clear, blatant case of
7 discrimination.

8 MR. MEYER: In other words, there are
9 times when a public official can't win?

10 THE WITNESS: That's the story. This was
11 the matter of a qualified Negro in a job which
12 looks tailor-made if you believe the story that
13 he is a budget officer, against a high school
14 graduate. It was an affront or could be per-
15 ceived as an affront.

16 MR. LOFTON: Don't you put that in the
17 same context where you have nine members of the
18 Board of Education, so the whole picture is
19 rounded, seven of whom are white and two Negro
20 at that time?

21 THE WITNESS: One was a representative of
22 what is called the Spanish-American community.

23 MR. LOFTON: And the superintendent of the
24 Board of Education also being white?

25 THE WITNESS: Yes.

1 MR. LOFTON: And the counsel to the Board
2 of Education also being white?

3 THE WITNESS: Yes, and the mayor also being
4 white, and seven members.

5 MR. LOFTON: And 76 percent of the school
6 children being black?

7 THE WITNESS: That is a figure I have often
8 heard, plus the Puerto Rican.

9 MR. LOFTON: These were the kind of things
10 that were articulated at these meetings.

11 THE WITNESS: There was a tremendous drive
12 underway to get Negroes at higher positions at
13 the Board of Education. I think it is a job
14 which the mayor full supports. If you recall,
15 he was appointing a Negro the first assistant
16 superintendent of schools. The drive for more
17 Negroes in higher administrative posts was on,
18 which we felt was our drive.

19 MR. GIBBONS: Isn't it true that the seat
20 of power in the Board of Education so far as
21 changing the complexion of the city school
22 system was the secretary's office?

23 THE WITNESS: Absolutely not. How in the
24 world could the secretary's office do that? The
25 secretary of the Board of Education to change the

1 racial characteristics or the racial stance of
2 the board?

3 MR. GIBBONS: I think it entirely likely
4 that you would have seen a few more Negroes
5 around the place.

6 THE WITNESS: I see, but you are suggesting
7 in a somewhat ungentlemanly manner that somehow
8 that is not the policy of the board. I think I
9 have to ask you to explain yourself in clear
10 language.

11 MR. GIBBONS: In clear language the Negro
12 community wanted more Negro faces in the Board
13 of Education employees.

14 THE WITNESS: The secretary of the board
15 does not hire teachers.

16 MR. GIBBONS: He hires other people.

17 THE WITNESS: His office staff. The office
18 staff has too many Negroes. That was the
19 complaint, that too many Negroes are in low-level
20 clerical staff positions and not enough in the
21 teaching staff.

22 You keep sailing as if there is some secret.
23 If so, reveal it.

24 The secretary of the Board of Education
25 does not hire teachers. He plays no role, or if

1 there needs to be a change in the attitude of
2 essentially a white middle class school admini-
3 stration to a lower black school system or
4 situation, that's a responsibility which clearly
5 by law, and in every other way, is in the hands
6 of the members of the Board of Education and the
7 superintendent of schools.

8 Arnold Hess deciding whether or not a car
9 picks up Harold Ashby at the airport or whether --
10 I don't understand.

11 MR. GIBBONS: Is that a description of the
12 job of secretary, picking up Arnold Hess at the
13 airport?

14 THE WITNESS: You continue to smile. I
15 would like you to say how you feel that a
16 secretary to the Board of Education can change
17 the essential stance of the Board of Education
18 and its school system toward Negro students.

19 MR. GIBBONS: I don't know the Board of
20 Education has an essential stance.

21 MR. MEYNER: I think to get to the bottom
22 of it, there might be a feeling that he has
23 certain power with respect to buying textbooks,
24 certain power with respect to arranging trans-
25 portation; that he has certain power with respect

1 to supplies and rental of space.

2 THE WITNESS: But how does that change the
3 racial composition of the board?

4 MR. LEUCHTER: I don't think we ought to
5 beat around the bush in terms of articulating the
6 problem. All of us who have any connection with
7 school boards in any part of the state I think
8 realize that the secretary of the board is the
9 seat of political power in the school system and
10 this is essentially what the position is. The
11 power is there in that position and this was a
12 desire on the part of the Negro community to get
13 itself at long last in a position of political
14 power.

15 Would you say that is accurate or inaccurate?

16 THE WITNESS: I would say that the leader-
17 ship that was driving and produced Parker's name
18 had that in mind. I would say the general com-
19 munity did not perceive that, that way at all.
20 I think the general community perceived it as an
21 affront to a qualified Negro who thought he should
22 get the job.

23 MR. GIBBONS: I think it was much more
24 thoughtful than that.

25 THE WITNESS: Do you think an inarticulate

1 ghetto dweller knew or concerned himself with the
2 niceties of the secretary's position? This was a
3 and Rotary blatant example of discrimination.

4 hereby certify MR. GIBBONS: If you really want to know
5 of my state what I think about the inarticulate ghetto dweller,
6 I think he is far less inarticulate and uninformed
7 than a lot of people in political life than we
8 give him credit for.

9 November 1, 1957.

10 THE WITNESS: That is the kind of a liberal
11 statement we would all support, and I certainly
12 support it. But the fact remains I am willing
13 to bet if we were willing to expose Mr. Parker's
14 name to a survey of the Newark community we
15 would probably just get a bare majority of who
16 knew who he was.

17 I might say my background is in communi-
18 cation, and I am prepared to challenge your
19 background.

20 CHAIRMAN LILLEY: This will be a convenient
21 time to recess, and we will have you back on
22 Friday. Thank you.

23 - - -
24
25