

(Witness excused)

(Whereupon, a short recess was taken.)

Whereupon, **DENNIS A. WESTBROOKS**

duly affirmed to tell the truth, testified as follows:

EXAMINATION

By Mr. Fortunato:

Q Your address?

A 60 Somerset Street, Apartment 3A, Newark, New Jersey.

Q How long have you resided in Newark?

A As of June 8, 1967.

Q And before that?

A I was in Chester, Pennsylvania, which is near Philadelphia.

Q Your occupation?

A Clergyman.

Q How long have you had that occupation?

A Well, as of June 8, 1967.

Q What were you doing in Philadelphia?

A In school.

Q Do you have an incident to relate to us as to what you observed during the riot in terms of law enforcement officials or officers?

A A couple, I guess, and particularly those which

1 involve myself, if that is what you are interested in.

2 Q I am interested in that which you have personal
3 knowledge of and, if you will, relate as best you can the
4 particular day of the week and the time. Wednesday, July
5 12, was the Smith cabdriver incident, and July 13 was the
6 gathering at the Fourth Precinct. July 14th was Friday.

7 A My first encounter with anything to do with the
8 disturbances was, I guess you would say, the second night,
9 depending on when you mark the first night of the rebellion.

10 Q Do you mean Thursday night?

11 A Yes. I usually stay over at the office pretty late
12 some nights, and it was around Thursday night about nine or
13 ten o'clock --

14 Q Where is your office?

15 A On Broad Street, which is up five or six blocks
16 from where I live.

17 Q Where is your church located?

18 A I am a minister in an apartment house. I am not a
19 pastor as such. It is a new form of ministry.

20 Q By whom are you employed by?

21 A I am employed by the Newark Council of Churches in
22 cooperation with the Presbytery of Newark.

23 Q Where is the Presbytery of Newark?

24 A On Mc Carter Highway, 910-12 Mc Carter Highway.

25 Q But if I understand you correctly, you physically

1 work out of your apartment where you live.

2 A I work out of an office in the housing project.

3 Q This is --

4 A Scudder Homes housing project which is in the
5 Central Ward area.

6 Q I take it that is your assignment from the Council
7 of Churches?

8 A Yes. I was somewhat aware of what was taking place
9 in the city but not totally or completely aware. For example,
10 I, of course, heard second-hand through news and other people
11 about the incident on Wednesday night about the cabdriver.
12 On the second night, or the first night in my case, on the
13 way home I happened to see and view some of the things
14 taking place, the throwing of bottles and breaking of stores
15 and this sort of thing which I had heard and for the first
16 time I had seen was taking place.

17 I stood around and watched a while, but I was only
18 about halfway home when I decided to go up along Belmont
19 Avenue. On Belmont and Montgomery, I believe it was, to
20 my surprise I ran into a blockade of policemen. There were
21 about 50 at least, maybe 100, but they were blocking off
22 that area of that street.

23 Q Can you tell us about what time at night this was?

24 A This about nine or ten o'clock in the evening.

25 As I said, my first encounter was when I ran into this

1 blockade of policemen. Before I could get to the intersect-
2 ion where they were standing, about three or four came out
3 of the crowd and approached me and challenged me as to who
4 I was and where I was going. I told them I was on my way
5 home. Of course, at the same time they were very aggressive
6 in their approach. Before I could get who I was, one
7 policeman began to direct me in the other way, that is,
8 physically turn me around and send me in the other direction.

9 I questioned him and said, "Why do I have to go back
10 that way? I am on my way in that direction and I would like
11 to go that way." He said I couldn't go that way. Before he
12 gave me a chance to get my name out he proceeded to push
13 me in the other direction. I didn't resist his pushing,
14 but I did proceed to maintain my ground where I was.

15 Then two or three other policemen decided to assist
16 him in making me go in the opposite direction. A couple of
17 them began beating me with their club, forcing me to go the
18 other way.

19 Q Will you be more explicit as to the beating with
20 the club?

21 A This was the method to get me to go the other way
22 because I insisted on going this way. I had every reason
23 to go home this way. They felt I shouldn't. So in order
24 to get me to go they felt they had to beat me to get me
25 out of the way. I was beaten, and I did get some blows on

1 the shoulder and the arm by trying to ward off some of the
2 blows of the two or three policemen.

3 Finally I broke the hold of one and I ran down the
4 street about twenty or thirty yards. I was taken by
5 surprise in all of this. I couldn't understand what was
6 happening. I stopped there. While I was running one
7 policeman, or some of them threw a stick, threw a couple
8 of rocks. I stopped to pick up this particular stick.
9 When I got home I found out it was a broken bat. This was
10 thrown at me when I decided to run.

11 When I stooped down to pick up a stick, one of the
12 policemen said, "Hey, he has got a gun. Let's go get him."
13 One rock cut me on the leg and the stick missed, but I
14 did stop to pick it up. When they chased after me I outran
15 them. That was my first encounter. The whole thing took
16 me by surprise. It happened so fast I didn't really know
17 what was happening.

18 Q Did you at any time at this first encounter tell
19 them who you were?

20 A I never got a chance to. Like I said before, they
21 were pushing and shoving, the best thing I had to do was
22 escape the blows of the clubs and protect myself from being
23 hurt. The only way I finally got away, I broke their hold
24 and I ran, outran them so they didn't chase after me any
25 further.

1 That was bad enough in itself. That is nothing compared
 2 to what took place the night following where, with the
 3 mayor's permission, a group of ministers were allowed to go
 4 over to City Hospital to be around just to serve in whatever
 5 capacity they could.

6 Q Before that, did you receive medical attention?

7 A Yes. I went to the hospital. I was X-rayed. I
 8 was there for about a couple of hours and I was released.
 9 I did go. I went on my own. This is the extent of what
 10 treatment I received, and that was it. I was told to go

11 back home, which I did. But, of course, the second night
 12 brought on a completely different type of experience
 13 altogether which I would like to explain to the Commission.

14 Q Please do.

15 A After having met with the mayor, I think it was on
 16 Friday afternoon, a group of ministers and clergy, he gave
 17 us permission to go to the hospitals or precincts to be
 18 around and to observe and help in whatever way we could.
 19 We had our transportation over, the

20 We went outside to get into the wagon and everything
 21 else, but when we got out there they told us I couldn't
 22 go because they had a prisoner and they had to take him
 23 to the precinct and I couldn't ride in the back with
 24 him and I couldn't ride up in the cab. They said they
 25 would be back to get me. So I decided to wait outside

1 Q Was this permission oral?

2 A This was oral, and it was supposed to have been
3 directed down through the various channels, through the
4 guards and police and all the rest so they would know.
5 Four ministers did decide to go up to the City Hospital.
6 I was one of the four. We stayed up there, say, from
7 about six o'clock in the evening until about six
8 o'clock the next morning. Around about midnight after
9 I'd been up at the hospital for three or four hours --

10 Q This is midnight, July -- one of the precincts --

11 A Friday. What is that, the 13th? conversation

12 with Q The 14th. So this would be Friday night or
13 Saturday A.M., is that correct? Right away when I asked

14 A Right. After having been at the hospital for
15 about three hours, I decided that I would like to go
16 over to the precinct now, and we had permission to go
17 to the precinct. We had our transportation over. Two
18 black policemen had promised to take me over. So I was
19 going to go over with them. drive off.

20 We went outside to get into the wagon and everything
21 else, but when we got out there they told me I couldn't
22 go because they had a prisoner and they had to take him
23 to the precinct and I couldn't ride in the back with
24 him and I couldn't ride up in the cab. They said they
25 would be back to get me. So I decided to wait outside

1 for them to come back.

2 While I was out there I was in conversation with
3 another black policeman who was stationed at the hospital.
4 Then this wagon of policemen came up --

5 Q Were you alone at this time?

6 A I was not with any other minister, but there
7 were other people outside the hospital, policemen,
8 Guardsmen, a couple of hospital employees, too. I was
9 in conversation with another policeman out there. A
10 wagonful of policemen had come up from one of the precincts--
11 I don't recall which one -- and I got in a conversation
12 with them, and most of them were white. I asked them
13 what precinct they were from. Right away when I asked
14 them they refused to tell me -- who are you? Why do
15 you have the need to know? They wouldn't tell me. I
16 was questioning to find out whether or not I could go
17 with them back to the precinct. This didn't turn out
18 right. It created a little argument, and finally they
19 were called and they had to drive off.

20 I am still outside, and one policeman in this group
21 stayed behind. Then he questioned me as to why I was at
22 the hospital. He said I had to leave. I told him no,
23 I had to stay here, I was with the group of ministers.
24 He pushed me off the platform out into the runway of the
25 driveway, the emergency driveway leading up to the

1 hospital. I still insisted that I had to stay at the
 2 hospital, and he insisted that I had to leave. Because
 3 I wouldn't leave he said all right -- he sent one of
 4 the policeman in to go get the police captain or
 5 lieutenant because "we are going to get rid of him."

6 This is where it all started. I said, "I said, "I at
 7 The police -- I believe it was a captain, the one
 8 that did all the pushing and shoving -- he was a
 9 police captain --

10 Q I can't hear you. pushed me. While I was
 11 A He was a police captain, I think, a captain
 12 or lieutenant. the time were backing him up to get me

13 Q Did you see any cars that would indicate this?

14 A No. I say he was a captain because he was in
 15 charge or in command at the hospital. A policeman went
 16 after him. He came out of the hospital where we were
 17 standing, and right away, without asking any questions
 18 or anything, he proceeded to remove me from the premises.
 19 He came busting out of there and saying, "All right, you,
 20 get out." and shoving me, and I told him I couldn't

21 Q About what time was this?

22 A Around midnight. He came pushing and shoving,
 23 not asking very many questions because I don't know what
 24 he was told inside, that there was somebody outside
 25 causing trouble. They pointed me out. He came after me.

1 He immediately started pushing and shoving me off the
2 premises of the hospital. We were standing in the
3 emergency driveway.

4 Q Did you identify yourself to him?

5 A Yes. This came later. He pushed me and told
6 me to leave. I told him who I was. I said, "I am
7 Reverend Westbrooks. I have permission to be here from
8 the mayor." He said, "I don't give a f-u-e-k who you
9 are. Get out of here." All the time he grabbed my arm,
10 twisted behind my back. He pushed me. While I am
11 being shoved he kicked me in the back, and two or three
12 policemen all the time were backing him up to get me
13 out of the hospital or off the premises.

14 I was just near the sidewalk almost out in the
15 street, and he pushed me clear from the doorway all the
16 way out into the street, which is quite a distance.
17 About fifteen yards or more. He used his club pushing
18 me, shoving me, and I couldn't resist him because if I
19 had he would have busted my head. Nonetheless he kept
20 pushing me and shoving me, and I told him I should be
21 inside. I practically begged with him and pleaded with
22 him to let me go inside simply to be identified and he
23 will see that I have a legitimate reason for being here.
24 He wouldn't do this. So finally when he got me
25 out in the street he found out I wasn't going to go home

1 and he threatened me. He said, "Either you get out of
2 here or go to jail."

3 The shooting was not going on at that time, but,
4 as you know, the hospital was fired upon during the
5 process. There was a whole lot of shooting going on.

6 I said, "I can't go home." I am living twenty or thirty
7 blocks away, which I would have had to walk at this time
8 of the night. I didn't think it was safe or sane to do
9 go. When he threatened or gave me an ultimatum to go

10 home or go to jail, I said I would go to jail. Finally

11 he said, "Okay." Then he grabbed me in the back, in the
12 collar. I had a tie on and everything. He grabbed me in

13 a choke hold back here and collared me and pulled me back
14 up into the hospital. On the way up when we got under a

15 streetlight I looked at his badge number because I was
16 told or I know from past experience that for identifi-

17 cation purposes the badge number of the policeman is
18 the proper thing to do. He saw me trying to get his

19 badge number. He says, "Here, you want my badge number?"

20 I says, "Yes." He says, "Here it is," and shoved his
21 chest into my face. "Eat it." All the time his

22 language was very, very abusive with four letter words
23 and all the rest. He grabbed me, dragged me into the

24 hospital. While he was pulling me in several other

25 policemen on the side were hollering out, "Shoot him,

shoot him," this type of stuff.

Finally he got me inside the hospital where I managed to get the attention of one or two ministers in the hospital who immediately came out and identified me and demanded that he let me go.

Q How did you get their attention?

A They were in a waiting room. I just knocked on the window frantically while the policeman was pulling me in. Finally they came out. They saw that the policeman had me in the back of the neck like this. The whole time on the outside I was completely at the mercy of the policeman and he refused to let me explain or give any reason why I should be there. He started to remove me physically as this is the only way I was going to go. I told him I couldn't leave.

In order to get me from the doorway out into the street he had to push and shove and kick and do everything short of shooting, I guess, anything to push me out into the street, which he did. The whole time I just said -- I never offered any resistance. In other words, when he pushed me I moved and all the rest. I was able to come in on my feet, but at the same time being collared in the back of the neck and practically being choked, I was brought into the hospital.

Then when I got inside the hospital the ministers

1 case out. They identified me, demanded that he let me
2 go. He let me go. Then, of course, people wanted to
3 know what happened. I told them. While we were in the
4 crowd in the hospital I was a little hysterical at the
5 time, and I think he was still by me at the same time.
6 I managed to just do something like this (indicating)
7 and he accused me of attacking him, hitting him.

8 Anything that I did he tried to make it as though it was
9 a direct attack upon him. Of course, he denied
10 everything that went on outside, and I had immediately
11 asked for protection of the guardsmen while I was in
12 the hospital, and I was given this by the hospital
13 administrator. There was a time when you gave a statement
14 of who or who is -- you.

15 A I don't know his name. Weinberg or something.

16 Q Dr. Weinberg?

17 A Right. Even he accused me of using the
18 hospital as a civil rights platform while I was inside
19 because I told him what happened, that the policeman
20 pushed me and shoved me and tried to put me out on the
21 street, and how he dragged me into the hospital. He
22 heard me out, but he did accuse me of that.

23 Finally they gave me the protection of a National
24 Guardsman while I was cooling down a little bit. I came
25 out about a half hour later. That was the last of that.

1 Everything that had taken place outside -- there were
2 only a few witnesses to that, that was some black
3 policemen and National Guardsmen and one hospital
4 administrator, but they couldn't do anything. They just
5 stood by and watched while the police captain did all
6 the pushing and shoving, and two or three people helping
7 him.

8 Q I take it you observed the badge number?

9 A Yes.

10 Q What was the number?

11 A I don't remember what it was, but I do have it
12 in writing. I was. I told him. It made no difference.

13 Q Did there come a time when you gave a statement
14 of what occurred to you?

15 A Yes, I did there, to the legal services.
16 That is included in it. I was because I had been in the

17 Q Would the badge number 1599 refresh your
18 recollection?

19 A Yes.

20 Q You also indicated in the statement that there
21 were two other badge numbers you saw.

22 A They were policemen who were there. There
23 were black policemen who witnessed this, who didn't have
24 anything to do with the pushing or shoving. As a matter
25 of fact, when I was talking with this one policeman

1 outside, who was a black policeman, he said I had to
2 leave, too. But when I told him I couldn't leave, he
3 didn't push or shove me. He said, "All right, we will
4 get down off the platform," and that was it. But the
5 white policeman came out and said I had to leave and he
6 saw fit I was going to leave by physically taking care
7 of the situation by pushing me and hitting me. That was
8 the way he dealt with me in getting me off the premises
9 of the hospital.

10 That leads me to believe all the more that I think
11 it was simply a matter of color because he wouldn't
12 believe who I was. I told him. It made no difference.
13 There wasn't anything I could do.

14 Q Did it make any difference to the Negro
15 policemen who you were?

16 A They knew who I was because I had been in the
17 hospital all night, in and out. They knew who I was.
18 They kept their hands off me. I gave nobody reason to
19 put his hands on me, not even the policemen for that
20 matter. I was no threat to anybody around there. I had
21 no weapons. I never raised a hand against a policeman.
22 This policeman wouldn't listen to anything I had to say.
23 Every time I told him he would deny. When I told him I
24 was a minister, he would say, "Yes, minister, I know."
25 Very abusive in his language. That was it.

1 Q Do you have any recollection of the badge
2 numbers of these two other policemen that you speak of?
3 A None because, like I say, there was this one
4 who was doing most of it, if not all of it.

5 Q You did see their badge numbers at one time?

6 A Yes, I saw them at one time.

7 Q The reason why I say that, there is an
8 indication here in the statement that there are two
9 other badge numbers that you were able to identify.

10 A I got those after everything had happened
11 because, like I say, I had known these black policemen
12 because I had been there for three or four hours. I
13 went back afterwards and got their badge numbers.

14 Q What do you mean by afterwards?

15 A After everything had happened, about one or
16 two o'clock when everything had calmed down. I never
17 even saw that policeman, but the others, they were on
18 duty at the hospital. They were there all night. As
19 a matter of fact, I had been in conversation with some
20 of them earlier. I thought things were pretty well set
21 there, that nothing would happen. Like I say, outside
22 the hospital this one particular policeman decided to
23 take matters into his own hands.

24 Q Did you stay at the hospital all night there?

25 A Yes, I stayed until morning.

1 Q While you were at the hospital both before and
2 after the incident did you observe shooting at the
3 hospital?

4 A Yes. There was shooting because lights were
5 put out, blacked out, and we all had to get on the floor
6 and this type stuff. I heard it. Let's put it that way.
7 I couldn't very well observe it, but I knew what was
8 going on. This was a known fact, that we were being
9 shot at, but I can't say I saw it.

10 MR. GIBBONS (presiding): Justice, do you
11 have any questions?

12 JUDGE WACHENFELD: No.

13 MR. GIBBONS: Mr. Lofton?

14 MR. LOFTON: Reverend, you indicated this
15 effort in the community was done in cooperation
16 with the mayor?

17 THE WITNESS: He gave us permission at
18 this meeting we had with him Friday afternoon.
19 This was one suggestion made by one of the
20 ministers, and he approved it. This
21 information was supposed to have been handed
22 down throughout the whole command of the
23 National Guard and the police so there would
24 be no question about it.

25 MR. LOFTON: How did you get to the

hospital? ...

THE WITNESS: I drove my own car over. I followed another minister over. We drove the private cars over.

MR. LOFTON: In this effort were you furnished with any kind of special identification by the city so that you could identify yourself to various law enforcement contingents in the area?

THE WITNESS: No. If we ran into a blockade, we would tell them who we were. If we were convincing enough, I guess we would get through. We were allowed to go through the blockade. I simply followed another minister over. He stopped at the blockade. I saw him talk to the guard and then the guard waved both of us through. I imagine he told the same thing I am telling you, that we were ministers and we were allowed to go through.

MR. LOFTON: What was the purpose of the ministers being at the hospital?

THE WITNESS: One, to observe, to be of any service. Like at the hospital, some of us simply would talk with a victim as they came in or maybe we ran a few errands.

1 MR. GIBBONS: To comfort the sick.

2 THE WITNESS: Just general like that.

3 There was certainly need for it. For example,
4 when the parents of a child came in, the
5 child was shot and killed, and we were there
6 and tried to help them.

7 MR. LOFTON: You indicated this was on
8 Friday night?

9 THE WITNESS: Yes.

10 MR. LOFTON: Was this a continuous effort
11 after Friday night, for example, Saturday
12 night?

13 THE WITNESS: Yes, but I didn't go back
14 Saturday night. It was supposed to be
15 continuous throughout the whole period.

16 MR. LOFTON: What I was interested in
17 was whether or not after your experience on
18 Friday night there was any kind of reporting
19 back to anybody in the City Administration
20 with respect to the experiences in terms of
21 whether or not the effort being expended by
22 the ministers was accomplishing anything and
23 what were there experiences in attempting to
24 carry out the idea about what was going on.

25 THE WITNESS: I don't know of any record.

1 MR. LOFTON: I have no further questions.

2 MR. GIBBONS: Reverend Westbrooks, at
3 the outset of your testimony you referred to
4 the disturbance as the rebellion. In the
5 black community is that description of the
6 events of last July fairly common?

7 THE WITNESS: I would say so because --
8 well, you can call it a question of semantics
9 or not, but it is a little deeper than that.
10 Riot implies a negative kind of thing and
11 rebellion does not.

12 MR. GIBBONS: Mr. Hayden in his book
13 refers to events as a rebellion. I would like
14 to find out if possible whether or not you
15 are just reflecting what Mr. Hayden called it
16 or whether you are reflecting what the black
17 people in the community called it.

18 THE WITNESS: I imagine both, but like I
19 say, I think being a citizen of Newark and
20 living in the area, I don't wish to be
21 associated with criminal acts and all the rest.
22 To call the whole affair a criminal act is,
23 of course, not accepted by the community. I
24 think more criminal was the action and behavior
25 of your law enforcement officers, criminal, or

1 anything like that. This is my particular
2 case.

3 MR. GIBBONS: Is there a general feeling
4 in the black community with which you work
5 that what took place was noncriminal?

6 THE WITNESS: Yes. There was a feeling --
7 I mean you can justify --

8 MR. GIBBONS: Off the record.

9 (Discussion off the record)

10 MR. GIBBONS: Can you tell us whether
11 you think these acts were heroic acts in the
12 feeling of people?

13 THE WITNESS: I think the people's
14 feelings are we are getting what is our due.
15 For a person to lift a piece of clothing or
16 merchandise from this particular store to me
17 was not interpreted as theft. "I should have
18 had this all the time and now I have the
19 opportunity or chance to get it. I have been
20 cheated for so long. Now justice is being
21 done and I am getting what I deserve."

22 JUDGE WACHENFELD: So if in your manner
23 of thinking we had another riot tomorrow, or
24 a rebellion, whichever you care to call it,
25 in which the colored people participated, you

1 think they would be justified?

2 THE WITNESS: Look at it this way: As
3 being one stage in the whole negro or black
4 revolution in this country. You can talk
5 about bloodless revolutions and bloodshed and
6 all the rest. To me it is just one stage or
7 one step. It may not be one that we like or
8 accept or condone or wish to have, but
9 nevertheless it happened and if it happened
10 tomorrow, I could not say that my people are
11 lawless and are criminally inspired to
12 disregard law and order or justice. I think
13 that is one of the stages or steps in the
14 whole process. Naturally we don't want to
15 see this type of thing happen, but --

16 JUDGE WACHENFELD: If you are going to
17 justify it, why shouldn't it happen today or
18 the day after tomorrow?

19 THE WITNESS: Because we don't like to
20 see, at least I don't like to see lives being
21 taken, people killed, and things like that,
22 but if it is going to bring about a change in
23 the social order for the better, if this is
24 what it takes, that lives have to be lost,
25 then I am saying this would be inevitable.

1 MR. GIBBONS: Reverend Westbrook,
 2 assuming that you accept the thesis that the
 3 civil disturbance was to at least that extent
 4 justified as part of a revolutionary movement,
 5 don't you also have to accept the thesis that
 6 the repressive measures which you have
 7 described as criminal activity on the part of
 8 the police are the inevitable result of a
 9 revolution? Doesn't the state have as a
 10 first duty its own survival?

11 THE WITNESS: No, because I felt at that
 12 time, and I am a commissioned officer in the
 13 United States Army, and we have been told
 14 that as chaplains we can't even be taken as
 15 prisoners of war. We are in this category
 16 where we are kind of a neutral.
 17 I got the feeling here during the riots
 18 or rebellion in the city that even as a
 19 minister that made no difference. My color
 20 made the big difference. I would stop along
 21 the street and say, "May I go up the street?"
 22 I didn't know what streets were blocked off.
 23 The policeman said, "Keep to your left, you
 24 f-u-c-k-ing," stuff like that. There is no
 25 justification for the behavior on the part of

1 policemen under fire or not, to believe it,

2 but in my case there was nothing there to

3 provoke the policeman to do what he did. I

4 am saying they don't have any right to do a

5 lot of things they did just because we were

6 undergoing civil strife and all the rest.

7 MR. GIBBONS: I don't think so either,

8 but I don't think so because I think in terms

9 of a lawful, orderly society. But if you

10 translate this disturbance from a civil

11 disorder, which became lawless and hence

12 unlawful, to a black revolution, don't you

13 think that just by putting it in those terms

14 you are polarizing the situation and making

15 him react to you as a black man rather than

16 as a fellow citizen because you have put it

17 in terms of a black revolution?

18 THE WITNESS: That may be true, but it

19 seems to me a law enforcement officer, be he

20 a policeman or anything, I don't care where he

21 fits into the order, a certain -- I mean I

22 look -- at least I did -- I look up to

23 policemen. I respect policemen. I have been

24 told you can't trust or respect a policeman in

25 Newark. I was told that before I came. I

1 said, "I will have to see it to believe it,"
2 but now I feel the way most people feel.

3 No, I can't trust him or respect him
4 because I was treated in a way which was very
5 unbecoming and all the rest, and on the part
6 of some law enforcement officer who represents
7 not only himself but the whole structure.

8 MR. GIBBONS: But don't you see by putting
9 this in terms of a black revolution you are
10 going to perpetuate that situation? The
11 chance of improvement together is going to be
12 lost if we try to justify lawlessness on
13 either side in terms of revolution.

14 THE WITNESS: Well, it makes a difference
15 what side you are on. If you have a gun and
16 a rifle in your pocket, you hold the cards.
17 This was what was happening. We were being
18 victimized. When I see boys pushed and shoved
19 by policemen with rifles and guns and all the
20 rest, what can you do?

21 I am saying this power or authority was
22 abused in many cases. Our only thing we
23 could do was run for our lives, which I had
24 to do, which this story could very well have
25 been the other way. I honestly feel that if

1 I had really done what my conscience told me
2 to do at the time I wouldn't be here to tell
3 you because it was that bad. The reason I
4 am here I would like people to know this. I
5 would like to be able to shout it loud and
6 clear what happened because that is the only
7 way this can be realized by the people. If
8 you could have seen me that night, they thought
9 I was out of my mind when I came back into
10 the hospital because I was very hysterical.
11 I hadn't lost my control, but they thought I
12 had. They were ready to give me a shot of
13 something, some sedative to cool me down. I
14 said no, "no, I have complete possession of my
15 faculties at this point," but I probably
16 shouted that number 1599 one hundred times
17 because I realized for the first time -- I was
18 really in a bind. I narrowly escaped with my
19 life, and I am saying simply because I used my
20 head in a sense.

21 I have seen people, and I saw this during
22 the riot -- if you raise one hand of resistance
23 at a policeman, that was it. In other words,
24 if I had threatened to hit a policeman for
25 pushing me or something, I could have forgotten

1 about it, or if I had tried to run away from
 2 him, I would have been cut down. I merely
 3 stood my ground, and I had to suffer whatever
 4 the consequences were and let the chips fall
 5 where they may. Fortunately I got out of it
 6 alive. I am able to sit here and tell you
 7 about it, but I will tell you the experience
 8 in this case I would hate to go through again,
 9 and I say the conditions between the police
 10 and the citizens in this city now are no
 11 better.

12 As I sit here now I reluctantly go to
 13 the police for help. Being up there where I
 14 live now, we are on our own. We have to do
 15 for ourselves, the people. This is the way
 16 things are. There is no law, there is no
 17 order up there. You are on your own and the
 18 police are not on your side, at least from
 19 all outward indications.

20 MR. GIBBONS: Well, in the context of
 21 being on your own is the feeling of the
 22 community one of desiring to be on its own to
 23 maintain and restore law and order, or is it
 24 a feeling of wanting to continue the revolution,
 25 as you call it?

1 THE WITNESS: No, we want things to be
 2 better. We want law and order in our
 3 community. It is too big a problem for us to
 4 do it ourselves. I feel personally -- it is
 5 my opinion as a citizen and taxpayer we can
 6 demand protection, we can demand these things
 7 that are rightfully ours that other people
 8 get.

9 MR. GIBSON: But not if in fact you are
 10 in a revolution.

11 THE WITNESS: Well, that is a period of
 12 time when all logic and all reason and
 13 everything breaks down. Like I say, not all
 14 of it breaks down, but it is -- you don't --
 15 for example, if a riot -- I will use the word
 16 "riot" -- broke out tonight, I would be the
 17 last person to get out on the street and say,
 18 "You people go back home. Don't do that."
 19 I would be the last person to do that for the
 20 simple reason nobody would listen to me. I
 21 wouldn't see much point in it in the first
 22 place. Okay, while it is happening, it is
 23 happening. When things subside or calm down
 24 or quiet down, all right, then you go from
 25 there. You don't get out in the middle of the

street and in the middle of traffic and say, "Stop."

MR. GIBBONS: For instance, if this commission were to come out with a report saying that in fact this was a revolution and that the revolutionary spirit still exists, it would be very hard for a state whose first duty is survival, because it can't do anything for its citizens unless it survives, to justify anything except repression. This is to me the worst direction in which we can move.

THE WITNESS: Repression on the part of the state?

MR. GIBBONS: On the part of the state, because if it ceases to exist as a state, it can't do anything for social problems.

THE WITNESS: When you say repression, are you saying the problems are with the people and, therefore, you solve the problem?

MR. GIBBONS: You don't solve the problem, but you keep the state in existence.

THE WITNESS: For a while until you get an outburst.

MR. GIBBONS: That would be until you

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1 get an outburst, but the very concept that this
2 is a revolution and that the people consider it
3 justified and will continue to consider it
4 justified is alarming and dangerous because
5 it can only bring repression.

6 MR. LOFTON: I feel compelled to ask you
7 this, Reverend: Do you feel that along the
8 same lines that Mr. Gibbons raises if the
9 Commission characterizes this, and I am not
10 suggesting that it should, as a rebellion, if
11 that is in fact the way that it is looked
12 upon by the majority of the black community
13 in the area where you live, and recognizing
14 the natural concomitant, and I certainly
15 agree with Mr. Gibbons that would be the
16 natural concomitant, being repression, but
17 if it is an objective appraisal of the
18 situation, do you feel if the Commission
19 characterized it as a rebellion or revolution
20 that this would then heighten the approach
21 of the state to alleviate those conditions
22 that create the state of mind in one segment
23 of the community that feel it necessary to
24 engage in something that they call a rebellion
25 or a revolution? I think the way of looking

1 In other words, what I am trying to say
2 is if that is the feeling of the black
3 community, I think that the state ought to
4 know that is the feeling of the black community
5 and give more urgency to the problem of
6 alleviating those conditions that produced
7 that state of mind because if we don't alleviate
8 it, obviously there will be that kind of
9 repression and then we will be propelled into
10 a racial holocaust. Not that the Commission
11 would attempt to justify the acts of the
12 people in the black community, assuming the
13 black community characterizes the disorders
14 as rebellion I mean.

15 THE WITNESS: To me you don't repress
16 revolutions or rebellions; you repress riots.
17 You accept revolutions; you attempt to make
18 the necessary changes that would change the
19 appearance of things or change the problems
20 that exist. So I think if you feel that
21 repression is the only viable way of action
22 here --

23 MR. GIBBONS: I don't.

24 THE WITNESS: I think you are looking at
25 it as a riot, and I think the way of looking

1 at a revolution is that you try to effect
2 I, change. You kind of have to let things --
3 and not run their course, but you can't stop
4 something that is going to happen. You can
5 hold it back like rushing water, but its
6 natural course will be to get going.

7 So in time or when a hole breaks through
8 it is going to do one thing and that is overflow.

9 I see Newark the same way. I see
10 onrushing water. I think we are eventually
11 heading for -- I hate to visualize it because
12 I would find myself in a very difficult
13 position if this thing did come to white
14 against black. There would be a whole lot
15 of people caught in the crossfire. I am not
16 saying where I will be. This is not a happy
17 thing to look forward to, but this is a
18 possibility that is there.

19 MR. GIBBONS: Thank you very much.

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