

Whereupon, **REBEY EVANS** called as a witness, first duly sworn, testified as follows:

EXAMINATION

By Mr. Fortunato:

Q Your address, please.

A 212 Elizabeth Avenue.

Q In Newark?

A That's right.

Q And how long have you been a resident of Newark?

A I have been there a year now. It will be in December.

Q Are you married?

A Yes.

Q Do you have any incident that occurred during the riot in July to relate to us?

A No.

Q What point of time does your incident relate to?

A It was after the riot. I thought it was around in August, about the second or third, something like that.

MR. DRISCOLL: Of August?

THE WITNESS: Yes. I don't exactly remember

what date.

By Mr. Fortunato:

Q Can you tell us what occurred at that time?

1 A My brother was over to my house visiting from
2 Brooklyn. His name is Richard Lee Griffin. He was
3 always in trouble or something, you know. So that night
4 he went downstairs. He was trying to get into the bar
5 under me, Little Joe's. So my son came and said, "Man,
6 you know the police guy is with a gun there in the back
7 of his head" I slipped my housecoat on and my son had
8 pants on. I said, "You stay upstairs."

9 They had handcuffs on the back of him, and the
10 policeman had the gun in back of his head. My son came
11 hollering and said, "You got no business with handcuffs
12 and a gun. You want to kill him?" "He tried to escape,"
13 they said. "I am going to watch him."

14 One of the police said, "How old is he?" I said, to
15 Otus, "Go upstairs." He said, "No, honey, I won't." I
16 said, "Come on, Otus, come upstairs before they take you."
17 He said, "Why do they keep on?" The man hit him in the
18 back of the head with a gun while he had the handcuffs
19 on. I said, "Outs, leave him alone. You got nothing to
20 do with this. Smokey got himself into this business."

21 He said, "Honey." I said, "What can you do with them
22 policemen?" He said, "If they put the gun down, I will."
23 I said, "You come upstairs."

24 They said, "Take him back." One of the colored boys,
25 a big fat, dark skinned guy -- I had got him to the doorway.

1 we live on the second floor. He said, "He is going to be
2 so smart, let me take him down." I said no. He started
3 to crying. He said, "Mama, don't let him take me." I
4 said, "Don't you see he is running off at the mouth? I
5 believe the chief told me to take him upstairs." Otus
6 caught me around my waist.

7 Q This is your son?

8 A My son Otus. This policeman was trying to choke
9 him. I said, "You don't have to choke him to get him
10 loose. Please don't choke him."

11 When I said that he shoved me. My son had around the
12 front of me. I fell and hit the back of my head. I had
13 to go to the doctor and hold my neck sideways for while.

14 They got us up. By that time there was eight of them
15 in there, about seven that crowded into the hallway.

16 They was putting on. I said, "You are pulling my clothes
17 off. I don't have on nothing but my housecoat. You don't
18 have to hold my clothes. You have to hold on to him."

19 "Look, lady, we are trying to get him loose."

20 I said, "Let me get him loose for you." Otus twisted
21 around me and he fell and I fell on top of him. One police
22 had my leg this way and the other had the handcuffs. You
23 can see the ring. He was pulling. I said, "Somebody is
24 hurting my arm. Please don't do that."

25 Then at the doorway -- there wasn't no light in the

1 hallway -- one of the police had a light shining on me.
2 I didn't have on nothing then. They had tore my housecoat.
3 I had my bra and panties. One had my leg stretched up
4 and the handcuffs. I said, "please turn me loose." One
5 tried to kick my son and kick me right in the neck. This
6 other policeman came, a tall colored guy, real light
7 skinned. He said, "what the hell is this? What are you
8 doing to her? You don't have to do to that woman like
9 that to get this woman loose. Get that light off that
10 woman." I didn't have nothing on but my panties and bra-
11 brassiere. He made them turn me loose. They took the
12 handcuffs off me and took him down and beat him.

13 Q Took who down?

14 A Took my son to the Fifth Precinct. I called up
15 and they said they took him to Hughes House.

16 Q Were you able to identify what policemen were
17 involved?

18 A I don't think of the number now, but I know it was
19 Car 54, Car 53. It was four cars, eight policemen in there.
20 They had this wagon. And that was 53.

21 Q How did you get the police car number?

22 A Because when my husband -- the way they had to
23 stretch me out the way they did and had the light on me,
24 he gets off at that time of night. He was home, too.

25 Q Your husband was home?

1 A He was there. He stood back. They would let him
2 touch me. He stood back and looked. There wasn't nothing
3 he could do with eight policemen standing around, and me
4 with no clothes on.

5 Q Did you report this incident to anyone?

6 A I went down to -- I have a letter from them at
7 114 Branford Street.

8 Q The office of the Legal Services Project?

9 A Yes. I went right on down. We had to look for
10 my brother because my mother came over from Brooklyn, and
11 it took us about a week to find him. We found out he was
12 in the hospital. Then they sent him from the hospital to
13 the court and the court down to -- what is the name of it?
14 Caldwell Penitentiary.

15 Q Did you report this incident to any law
16 enforcement officials, Newark Police?

17 A My husband called that night because I couldn't
18 hardly move, to come and take me to the hospital. There
19 wasn't nobody to come.

20 Q Did you complain about what happened to you to
21 the Newark Police?

22 A No, I didn't. I just went down to the society
23 that day. I had to go to the hospital. I took treatment
24 there for about a week.

25 Q CHAIRMAN LILLEY: Any questions, gentlemen?

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MR. LOFTON: No questions.

CHAIRMAN LILLEY: Thank you very much.

(Witness excused)

Whereupon,

JOHN A. THOMAS

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

EXAMINATION

By Mr. Fortunato:

Q And your address, please?

A 14 Leslie Street, Newark, New Jersey.

Q How long have you resided at that address?

A I would say approximately eleven years.

Q How long have you resided in Newark?

A Except for four years in Cranford, New Jersey and approximately two and a half years in the military service, all of my life. I am forty years of age.

Q What did your military service consist of?

A United States Army, first the Army Specialized Training Program at Howard University and from there I was shipped to the U.S. Army Infantry Division.

Q What period of time?

A World War II. I am a disabled veteran of World War II, a Wednesday, was the Smith rubberer business, July

Q What is your occupation?

I was the partner of the Smith rubberer business, and that in