

1 was there in the summer as a student when I was in
2 seminary and so forth.

3 CHAIRMAN LILLEY: How do you feel
4 Engineers. about your mission?

5 Are you going to hang on?

6 THE WITNESS: Oh, yes.

7 CHAIRMAN LILLEY: That's good to hear.

8 Any other questions, gentlemen?

9 Thank you very much, Father.

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ALBERT BLACK, Sworn.

EXAMINATION

BY MR. FORTUNATO:

Q Your address?

A 42 Eckert Avenue in Newark, New Jersey.

Q How long have you been a resident of Newark?

A About 14 years.

Q Your occupation?

A I am Industrial Relations Director of the Hillside Metal Products Company, 300 Passaic Street, Newark, New Jersey, and Chairman of the Newark Human Rights Commission but that's not my employment.

Q With what groups are you affiliated? That's what I was going to ask you next.

1 A Well, I am on the Executive Board of the
2 Committee of Concern. That's Malcolm Talbot's organiza-
3 tion. I am a member of the American Society of Safety
4 Engineers. I belong to the NAACP, and the National Urban
5 League and, of course, the local Human Rights Commission.

6 Q Do you have an affiliation with the UCC?

7 A No, none whatsoever.

8 Q Now I don't know whether this was in your
9 individual capacity or in your capacity as Chairman of
10 the Commission but let me come about it this way.

1 What is the Newark Human Rights Commission, when
2 was it organized and how does it function, briefly?

3 A Well, the Newark Human Rights Commission was
4 established in 1952 and the first title that the organiza-
5 tion had was the Mayor's Committee on Intergroup Relations.

6 Then, of course, subsequent to that it was changed
7 and the purpose of the Commission is to ferret out any
8 types of injustice that may exist in the city with respect
9 to various ethnic groups.

10 It is supposed to promote understanding between
various ethnic groups in the city, work towards racial
harmony.

1 I would say that's basically the purpose of the
organization.

2 Q Is Mr. Thriett the Executive Director of the

1 organization?

2 A Yes, sir.

3 Q Is it an organization that in a sense reports
4 to the Mayor or is it something that was just formed
5 by the Mayor?

6 How does that work?

7 A Well, let me be perfectly honest with you.
8 Up until possibly a year and a half ago the Human Rights
9 Commission had always been defined as a political arm of
0 whatever mayor happened to be in office at the time.

1 It had been a very ineffective organization. It
2 was merely an organization to receive complaints and that
3 was about all.

4 But in the past year and three-quarters, we have
5 attempted to take the leadership and file complaints
6 ourselves.

7 We feel that this is the purpose of the Commission,
8 not to just be a complaint-receiving organization.

9 Unfortunately, on many of the issues I have been
0 at odds and the Commission has, with the Mayor, even though
1 we are all appointees of the Mayor.

2 We have been at odds on many issues and I think the
3 classical example was the Parker Callaghan situation that
4 took place prior to the disturbance or the riot or the
5 rebellion, or whatever terminology that you wish to use.

1 of the Q: What terminology do you wish to use?

2 A: Well, I would use the term "rebellion".

3 Q: How long are you appointed to the Human Rights
4 Commission?

5 A: Until 1970.

6 Q: Is that a non-paying job?

7 A: Yes, it is.

8 Q: Can you tell us how you, either individually
9 or as Chairman of the Human Rights Commission, functioned
0 during the rebellion in July?

1 A: Well, let me say this first, sir: The
2 rebellion or the disturbance didn't start on the 12th
3 of July.
4 I think really it started 100 years ago in this city.
5 I think it was a combination of factors that brought
6 about the rebellion or the disturbance on the 12th of July.
7 I think our educational system was a contributing
8 factor.
9 I think that the attitude of our Police Department
0 was another contributing factor.

1 I got in it from the viewpoint of the Human Rights
2 Commission, we were quite concerned, and I might say
3 without fear of contradiction that we were very deeply
4 involved and I was very deeply involved in the situation
5 because I was there when the disturbance started outside

1 of the Fourth Precinct after Jim Thriett left.

2 blind I worked out of the precinct with the policemen
3 who were charging into the crowd which, of course,
4 represented the surrounding community.

5 advise I first was given a white riot helmet by Director
6 Spina, but in no time at all I had to remove it because
7 I was told by the fellows who were throwing stones that
8 as long as I kept this white riot helmet on I represented
9 the oppressor and so they said "You better take it off,
0 otherwise we will go after you too."

1 So I carried it around underneath my arm the rest
2 of the night.

3 What was disclosed to me that evening, the first
4 type of violence that was exhibited by the members of
5 the Police Department was the brutal beating of a photo-
6 grapher, by the police and, of course, there were roughly
7 200 witnesses to this incident.

8 I am the one that called the ambulance with respect
9 to taking care of his head wounds. I contacted the
0 police precinct and they sent for an ambulance. This
1 was done by the representatives of the police force.

2 Q Would this be David Groom?

3 A Yes.

4 Q Did you witness that incident personally your-
5 self?

1 A No. I came there while he was laying there
2 bleeding on the ground.

3 they I arrived there right after it.

4 black Q Do you recall the name of any individual who
5 advised you as to the circumstances surrounding that
6 incident?

7 head A Oh, yes. I have all this documented.
8 In fact, everything that I will tell you I can document.

9 I can document everything that I am about to tell
0 you this afternoon.

1 Q In particular do you recall whether a Mrs.
2 Kidd related the incident to you?

3 A No.

4 Q Or Mrs. Williams?

5 A Mrs. Esta Williams and I have several other
6 people's names too.

7 What documents I don't have with me I can acquire
8 them on a moment's notice for you.

9 Q Go on.

0 A Then I went into the Police Station and this
1 was after it had started. The men were charging into the
2 crowd, charging primarily after these teenagers who were
3 throwing bricks.

4 Now I can understand the position of the police of
5 being frightened and more or less being like sitting ducks,

1 so to speak, but I saw no reason why they should use,
2 with all due respect to the lady here in the room, why
3 they should use such language as black bastards and
4 black S.O.B.'s and things of this nature.

5 I think this was uncalled for.

6 So I had to come to the conclusion that the ugly
7 head of racism has certainly protruded itself into the
8 picture.

9 I then stationed myself within the confines of the
0 precinct along with Mr. Kimbro, who at that time was
1 employed by the Department of Discrimination of the
2 State of New Jersey, and two of our staff people, and
3 what we saw for the next 5 or 6 hours was men being
4 brought into the Police Precinct.

5 Now Director Spina was at the desk of the precinct
6 and these men were being brought in, many of them hand-
7 cuffed behind their backs, being carried like a sack of
8 meal, and the fifth policeman would be hammering their
9 face and their body with a billy stick. This went on
0 time after time.

1 Many times you would see a man being brought into
2 the Police Station without a mark on his face and when he
3 was taken out he was brutally beaten up.

4 Now I saw this, gentlemen, with my own eyes. I am
5 not blind. Nobody told me this. I observed this. I was

1 constantly running back between the desk where the
2 Director was and the cell blocks where these suspects
3 were being thrown in.

4 Many of them were bleeding profusely. In fact,
5 the precinct could be defined as a slaughter house.

6 You were actually walking through pools of blood.

7 Now I assure you that these men, these suspects,
8 didn't receive these wounds from going through broken
9 glass if they were looters.

0 Many of them had wounds all over their bodies and
1 we insisted that the police call the ambulance and we
2 were running back and forth, forcing the police to take the
3 men out of the cells where someone could have bled to
4 death, and call the ambulance to take them to the Martland
5 Medical Center, which is now known as the City Hospital.

6 This is what I observed. I charged into the crowd
7 many times with the police, attempting to tell the young-
8 sters to stop throwing bricks and what-not.

9 Of course, the police had guns and then they started
0 shooting into the project which was located right across
1 the street. But it is a question here with respect to why they
2 didn't put handcuffs on a man, which under the regulations
3 they are to handcuff a man and bring him in.

4 Many times we used ourselves as a shield of these

1 youngsters to keep them from being beaten by the police
2 who were running into the crowd, grabbing them and
3 bringing them in.

4 Now when you would grab a 16-year old boy and
5 between two policemen there is no reason for a third
6 policeman to start beating his head while he is being
7 brought into the precinct.

8 We were kept busy for several hours just preventing
9 this type of brutality, which happens to be and has been
0 for years a way of life in the Negro community.

1 I think that many of us can state that we are
2 afraid or any individual, shall I say, is afraid of the
3 darkness of an alley or afraid of the darkness of a door-
4 way.

5 I think it is a natural fear. But I say, gentlemen,
6 that there is something wrong in a city when a large
7 majority of the population is afraid of the Police Depart-
8 ment.

9 I say that there is something wrong. I think we
0 also have to admit that the policeman on the beat has a
1 power that is greater than the power that has even been
2 given to the President of the United States.

3 He has the power to take away a person's citizenship.
4 This the President can't even do.

5 So the Police Department has this power. It has

1 utilized this power.

2 ~~because~~ In terms of the beating of many of the suspects,
3 this isn't so much a racial issue in one sense because
4 you had black policemen as well as white policemen beating
5 many of these suspects.

6 This, of course, is indeed unfortunate.

7 ~~because~~ Now this has been denied and will continue to be
8 denied and when I have sat down with Director Spina on
9 many occasions within the confines of the room he will
0 say that he knows that some of these things have existed.

1 ~~because~~ You see, they have a system whereby they would set
2 up their own investigating committee so the Police Depart-
3 ment acts as their own judge, their own defense attorney,
4 their own prosecuting attorney and their own jury.

5 S.O.S. The average citizen will never get any redress of
6 his grievances with respect to this.

7 ~~because~~ Now when our director can state publicly, like he
8 did last week, that in his five years as Police Director
9 he has never known any case of brutality based on race,
0 he knows when he makes that statement that he is not being
1 honest, not even with himself, because within the confines
2 of the room he has admitted this.

3 ~~because~~ When people hear our Police Director in the city
4 make this statement, then you will wonder why they have no
5 confidence in the Police Department.

1 Let me go beyond this. As I said before, I can
2 document everything that I have told you. Two men were
3 on their way home this same evening from Fords. They
4 worked out in Mahwah and I think the second shift is
5 over 2:30 in the morning.

6 They came in and they were arrested for loitering
7 because they have riders and they park their car in the
8 vicinity of the Fourth Precinct.

9 They were pulled in for loitering now, not for
0 looting, not for stealing, not for fighting but for
1 loitering because they were walking to their car.

2 One of them was pounced on by 8 policemen. The
3 other was thrown into a cell and was pounced on by 15
4 policemen and stomped and called all sorts of black this,
5 S.O.B. and black that.

6 What is even worse, the policemen went after the
7 men's testicles. Now this is a common fact. This is a
8 way of life in many areas too and I am not being dramatic
9 and I am not saying this to upset anyone.

1 I am saying this is a fact of life. I don't want
2 to get ahead of my story but I think this was also
3 reflected in what has happened since the riot or rebellion,
4 where you have a situation of a canine corps.

5 There has never been any city in the United States
6 that would have the nerve to propose a canine corps in a

1 situation where within the past half year you had
2 racial disturbances.

3 Now many of the advocates of a canine corps will
4 say "Well, it has worked successfully in Camden and one
5 or two other cities."

6 But these cities have not had any race riots. They
7 have not had any. We felt that it was improper and that
8 it was wrong and certainly every organization, whether
9 it be the Catholic Church or the Jewish Synagogue or
0 the Committee of Concern or the NAACP, whatever organization
1 it was, they all wholeheartedly supported the idea that
2 this resolution should not become a reality.

3 But what happened? The City Council and many times
4 when you plead to the City Council about the conditions
5 in the city it is like talking to this lamp up on the
6 ceiling. They don't even hear you.

7 As a result they voted it down. Then when they
8 were under pressure by another group from another part
9 of the city, they voted it up.

0 Then the next meeting they voted it down again.

1 So the issue became like a pingpong ball.

2 As a result, tensions are mounting, mounting more and
3 more.

4 One of the City Council meetings which I appeared
5 and spoke in favor of the resolution to get rid of the

1 canine corps, that it should not become a reality, there
2 was a group of citizens from the North Ward and these
3 citizens are involved in the Barringer situation which
4 can explode at any time, they stood up and there were
5 5 priests representing Archbishop Boland and each one got
6 up and spoke against the principle of the establishment
7 of a canine corps.

8 This group was spit on, because I was the speaker
9 also, they spit on us, they cursed God, they cursed the
0 Catholic Church, they cursed the Pope, they cursed the
1 Archbishop.

2 Now most of these people were Catholics themselves,
3 primarily of Polish and Italian descent, but what makes
4 it even more tragic, a great majority of the men who
5 were performing like this with such disrespect, were off-
6 duty policemen.

7 So I say when you have this type of situation you
8 have a very explosive situation here in the city.

9 Now going back into the riot situation, the question
0 arose about the actions of the State Police.

1 As you will note, the sign "Soul Brother" was put
2 on many Negro-operated or Negro-owned businesses and these
3 were not looted and they were not broken into.

4 What happened when the State Police came into the
5 picture? They systematically-- and this can all be docu-

1 mented, gentlemen-- I am getting ahead of my story.

2 When Attorney General Sills made the statement
3 that he couldn't believe that his State Police could
4 be guilty of any of these stories about them shooting
5 up businesses and what-not, he made the statement even
6 while there was an investigation underway so he was pre-
7 judging the whole issue.

8 So I had to take the State Attorney General to
9 task, telling him "How could you pre-judge an issue
10 before there are any findings?"

1 Then I proceeded to document my charges and show
2 how systematically the State Police would move into a
3 neighborhood and break through the glasses of these
4 businesses that stated they were soul brothers, which
5 indicated that they were Negro-owned, and as a result,
6 not only breaking in the glass but they would system-
7 atically go in with their rifle butts-- first they would
8 shoot it up and then they would take their rifle butts
9 and break down the glass that remained in the frame.

10 Q Now I appreciate your use of the term "docu-
11 mentation" but I would wish if you would indicate to us
12 when you talk about these things what it is that you
13 personally observed as contrasted with complaints, for
14 example, that have been presented to you or to your
15 office.

16 approximately 5:30 p.m. on Friday, July 14, 1967.

1 A Fine.

2 Q Then I will come to the documentation a
3 little later.

4 A Right. The only reason I was referring to
5 the documentation, I personally took pictures of the
6 businesses that were shot up with the name or the
7 license number of the State Police car that was utilized.

8 I personally observed this and I personally
9 talked to the people. This is what they told me and this
10 is what I have.

11 Now I met with several dozen people on the 17th of
12 July and I wish to read this petition and then I will
13 turn it over to you if you wish to have it.

14 Q All right. May I see it first?

15 A Yes, certainly. That's a photostatic copy
16 of it.

17 "We, the residents of Beacon Street in the City of
18 Newark, New Jersey, do hereby attest to and commit our
19 signatures in protest against the violence which was
20 used by the State Police on Friday, July 14, 1967, at
approximately 5:30 p.m.

21 "Most of us who have signed this complaint were
eyewitnesses to the events which are described and we
were directly involved.

22 "At approximately 5:30 p.m. on Friday, July 14, 1967,

1 we were standing on our porches in our homes.

2 "Our children were playing on the sidewalks and we
3 were trying earnestly to avoid being involved in the
4 rebellion which was taking place in the city.

5 "Suddenly without warning or provocation, the
6 State Police began firing upon us. There was about a
7 dozen of them firing directly down our street from the
8 left and across the middle of the street to the right,
9 a few feet into Beacon Street on Springfield Avenue.

10 "Two of our neighbors were shot. James Snead,
11 age 36, was shot in the stomach as he was making repairs
12 on his car.

13 "Carl Green, age 17, was shot in the head as he
14 stood on his sister's porch at Number 55 Beacon Street.

15 "This shooting continued for at least one half-
16 hour. We were not allowed outside to seek help for the
17 wounded.

18 "We present this to you and request that some
19 action be taken on behalf of these innocent injured
20 people."

21 Here we have a list of 76 people.

22 Now I assure you no one got a bright idea to think
23 up a petition and could convince 76 people to sign it if
24 there wasn't some validity to this particular petition.

25 Q To whom did you address that petition?

1 the office. Well, this was turned in to us. They call
2 this a grievance complaint and I turned this over to the
3 FBI, to the State Police and every other investigating
4 committee that has asked questions about our observations.

5 Q Do you know whether or not that would coin-
6 cide with anything that the Newark Legal Service Project
7 collected?

8 A Yes. We also turned it over to the Newark
9 Legal Services Project.

10 Q Could we have a copy to mark it in evidence?

11 A Oh, yes.

12 (Document marked Exhibit C-59 in evidence.)

13 Q I take it you are authorized in terms of the
14 signatures of the people on there to turn this over?

15 A Yes. Now another incident that took place
16 prior to the day of the precinct attack, I would like
17 to quote a statement from Miss Virna Brinson, 9-17th
18 Avenue.

19 Now my purpose in giving you this information is
20 to show you how racism did play a role on the part of
21 the police in this area.

22 Miss Virna Brinson, 9-17th Avenue, Apartment 6-3.

23 "I was standing in the lobby when a policeman came
24 in and said "Get the F upstairs." She answered "I am
25 waiting for the elevator and I didn't do nothing, whereas

1 the officer hit me on the back of my neck, whereas my
2 blouse flew open and he threw me against the wall."

3 Gregory Tuman, 9-17th Avenue, said the police
4 used abusive language and said "All you black niggers
5 get upstairs."

6 Now the following information was supplied by a
7 police officer who asked that his name be withheld and
8 I am sure that I can get it for you.

9 He said "A Negro officer walked into the Fourth
10 Precinct last night which was on the 12th in his civilian
11 clothes. He was immediately attacked by several white
12 officers in uniform because they didn't recognize him
13 as being a policeman because he was dressed as a civilian.

14 Now there was only one reason why they charged
15 this man. He didn't come in with a gun in his hand.
16 They charged this man because he happened to be black.

17 This is the feeling in the community.

18 Then another policeman said "Oh, he is one of us"
19 and they stopped beating him up.

20 I am just showing you, this has comic aspects but I
21 am telling you about the tragic situation that existed.

22 MR. LEUCHTER: The 12th was which date?

23 MR. FORTUNATO: That would be the day
24 the cab driver was arrested.

25 MR. LEUCHTER: That is the same day as

1 cab driver Smith was arrested?

2 THE WITNESS: Yes.

3 MR. LEUCHTER: I am trying to get at
4 whether this was a regular occurrence or
5 this took place after the tension had started.

6 Had cab driver Smith been arrested
7 before these two incidents took place?

8 THE WITNESS: Yes. Now this was before
9 Smith had been arrested because I was the
10 first person to see Smith when he was taken
11 out of jail.

12 I am going to get to that in just a
13 moment.

14 MR. LEUCHTER: The officer coming into
15 the precinct I take it was after cab driver
16 Smith had been arrested?

17 THE WITNESS: Yes. He just walked into
18 there.

19 John W. Smith-- well, I am ahead of
20 myself.

21 Esta Mae Smith, 24-17th Avenue, she
22 observed the cab driver, John W. Smith,
23 being beaten and dragged into the Fourth
24 Precinct.

25 Now she also stated "This is not just

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Are you today. I can see what has been going on in the precinct for a long time."

Q Now I have also told you with respect to two men off work who were picked up for loitering on the morning of the 13th.

A I have their names but I can turn this information over to you.

Q I will give you their names for the record, Wesley Green of 159 Madison Avenue, also observe Walter Covert, 457 Avon Avenue.

Q Again these people have all authorized the fact that their names can be used?

A Absolutely.

CHAIRMAN LILLEY: The streets that you have named are in the City of Newark?

THE WITNESS: That is correct. In fact,

17th Avenue is right across the street from the Fourth Precinct where the disturbance originated.

Q Now I have the statement from John W. Smith, of course, which is contrary to the statement that was given by the arresting officers and I happened to see the arresting officers the morning he was arraigned. He had been in jail the night before.

Q Mr. Black, that aspect of it is under litigation.

1 Are you talking about the cab driver?

2 A Yes.

3 Q That aspect of it is presently in litigation
4 in the sense that there are charges pending against Mr.
5 Smith.

6 Let's go off the record.

7 (Discussion off the record.)

8 Q Back on the record. Continue.

9 A I observed that his ribs were taped up. I
10 also observed the hole in the back of his head, which he
11 described was given to him when he was stuck in the
12 toilet bowl.

13 Q When did you see Mr. Smith?

14 A The morning that he was arraigned.

15 Q You didn't see him at the Fourth Precinct on
16 Wednesday night?

17 A No, I did not.

18 Q What were your observations of Mr. Smith on the
19 morning he was arraigned, leaving out anything that Mr.
20 Smith told you?

21 A I observed a hole in the back of his head
22 where he had been beaten. I observed the tape on his
23 ribcage. That's what I observed.

24 Q I would like to ask you some general questions,
25 if I may, as to the steps you have taken.

1 A Certainly.

2 Q I understand that you have received a number
3 of complaints and I guess you have gone out and gotten
4 some of the people who were involved to tell you their
5 story?

6 call A Yes, Right.

7 Q Now would you describe for us what you have
8 done with these grievances or complaints or allegations
9 and if you will, what responses you have had to them?

10 A Well, we have turned over all this information
11 to the appropriate investigatory agencies from the FBI to
12 the Department of Labor to the State Police for action.

13 We have turned it over to the Federal Bureau of
14 Investigation.

15 Q What about the Newark Police?

16 A The Newark Police are aware of this. We
17 have told them about this. They have this information.

18 Q Can you tell us specifically, again by cate-
19 gories, what information those various law enforcement
20 groups have?

21 I will show you the kind of presentation I would
22 like you to make, if you can.

23 For example, the petition signed by the 76 individuals
24 was turned over to the FBI, correct?

25 A Yes, and the Department of Labor.

1 Q The State Police?

2 A The State Police.

3 have, Q The Newark Police?

4 you have A Yes.

5 that you have Q Now with regard to other allegations, let's
6 call them, of misconduct of law enforcement officials,
7 have they specifically been turned over to anyone?

8 They are all A Yes.

9 Q To whom?

10 A The same organizations that you just mentioned.

11 Q Do you have a list of the various allegations
12 that have been turned over?

13 A Oh, yes, I do.

14 Q Could we have that list?

15 A I will have to make a photostat for you.

16 Do you mean the names and the incidents?

17 that A Yes.

18 incidents A I have all that information for you. In other
19 words, I have the statements by these individuals which
20 I have turned over to every one of these organizations
21 that you just mentioned.

22 specifically Q Now the statement of the 76 I understand but
23 what about any other instances?

24 A The ones I have just enumerated for you.

25 Q The other five or so?

1 incidents. A Five or six, yes.

2 Q Now are there other allegations that you
3 have, either from people who have come to you or that
4 you have obtained being out in the field as it were,
5 that you have turned over to law enforcement officials?

6 A Yes, I have. This is also a matter of public
7 record which I can leave a copy with you. Here it is.
8 They are all listed in there also.

9 We have statements from all of those people.

10 had a reporter in MR. FORTUNATO: Mr. Black refers to
11 New York Times publication entitled "New Jersey Afro-American"
12 leave a copy dated August 19, 1967 and the article on
13 pages 1 and 2 in which there are 10 incidents
14 listed involving allegations of misconduct
15 on the part of law enforcement officials.

16 Q Is it accurate to say that the 10 incidents
17 that are listed in this paper are also the same 10
18 incidents that are contained in your correspondence with
19 the Attorney General?

20 A Yes.

21 Q Your Newark Human Rights Commission, have they
22 specifically taken up with the Mayor or Mr. Thriett, for
23 example, the allegations of which you speak?

24 A Yes. In fact, I personally met with the
25 Mayor and Director Spina the day following many of these

1 incidents taking place.

2 Q What was their response?

3 A The Mayor and Director Spina denied these
4 charges of police brutality and I had to take issue
5 with them and my position was simply that the Mayor
6 nor the Police Director could not continue to sweep these
7 issues underneath the rug when everybody in the community
8 knew that they were in fact a reality.

9 It so happened that on that day the New York Times
10 had a reporter in the room and this was carried by the
11 New York Times the following day and I would like to
12 leave a copy with you if you wish.

13 Q May I see it, please?

14 A Yes.

15 MR. DRISCOLL: Do you know the date of
16 the article?

17 THE WITNESS: Yes. It was the 13th.

18 I have it right here.

19 Q The 13th of July?

20 A Yes.

21 MR. DRISCOLL: Well, Mr. Black, I believe
22 we can get that.

23 THE WITNESS: All right. I spoke to the
24 Mayor and Director Spina and I enumerated
25 these cases that I have just given you.

1 I said my position was simply that you
2 cannot sweep these issues under the rug and
3 that they have to face the realities of what
4 was taking place.

5 They both remained quite mute and didn't
6 have any comment one way or the other on the
7 issue.

8 I think this is what has happened since
9 the disturbance, that there has been no moral
10 leadership with respect to the issue of
11 police-community relations.

12 What has happened on the canine issue
13 has split the community into two different
14 camps, unfortunately.

15 This has filtered down into a tragic
16 situation at Barringer High School, regardless
17 of the statements that you have heard made
18 from the P.T.A. there and what-not, it does
19 have racial overtones.

0 Of course, Barringer has had a history
1 of this type of situation for the past 10 or
2 12 years.

3 I can give you an incident and we talked
4 personally with the students. They took 26
5 students to the precinct, the Second Precinct,

1 approximately 13 white and 13 colored.

2 The 13 Negro children were arrested
3 and placed in the custody of Mr. Thriett,
4 but the white children were sent home. They
5 were not arrested at all.

6 That left a very bad taste in the mouth
7 of the Negro community. This was from the
8 precinct level.

9 I think that there has to be a more
10 positive approach by the city, by the Police
11 Department with respect to police-community
12 relations, that they have to admit certain
13 things and show that, yes, these things are
14 wrong but we are doing something about it.

15 To continually deny the existence of the
16 realities of this type of situation is forcing
17 the community, especially in the ghetto, to
18 have less and less confidence in the Police
19 Department.

20 MR. FORTUNATO: I have no further ques-
21 tions.

22 MR. DRISCOLL: Any other questions?

23 MR. LEUCHTER: Yes, I have one.
24 You alluded to having disagreed with the
25 Mayor on the question of the appointment of the

1 school Business Manager?

2 THE WITNESS: Yes. In fact, I wrote
3 a letter publicly which was published in the
4 local press where the Mayor had taken a
5 position that politics first and I felt that
6 I had an obligation to take a very firm
7 stand on that.

8 MR. LEUCHTER: My question was what
9 other issues, as you had implied that there
10 were other issues, what other issues in
11 advance of the riots were there on which you
12 and the Mayor saw things differently?

13 THE WITNESS: Well, on the question of
14 the medical school.

15 Now I was for a medical school but I
16 think that the way that it was handled by the
17 administration, not conditioning the community
18 that they were going to have to uproot their
19 homes, that they were going to have to move,
20 to just merely say a decision has been made,
21 members of the community and this is what
22 you will have to do and people resented it.

23 I think the approach was wrong because
24 I was for a medical college.

25 I think it would be a contribution to

1 the community.

2 So I wasn't too deeply involved and
3 I did not attend any of the hearings on the
4 medical school but the Mayor certainly knew
5 of my views.

6 On the question of Parker and Callaghan,
7 I had told the Mayor that he was making a
8 tragic mistake because when the school system
9 through their teachers have been telling little
10 Negro children for years to become qualified
11 and the door of opportunity will be open to
12 you and then to have a situation where the
13 most qualified man for the job, who incidentally
14 happened to be Negro-- that was the incidental
15 part of it-- was denied it, they had to take
16 it upon themselves to feel that this was a
17 racial issue because most Negroes in the
18 community felt that had it been the other way
19 around, the Mayor would not have played a
20 political issue here.

1 Board MR. LEUCHTER: Were there other issues
2 in this last year and a half or year and
3 three-quarters in which the Human Rights
4 Commission became a vibrant acting commission
5 rather than just a complaint receptacle?

1 THE WITNESS: Yes. On the canine
2 corps, where I took issue with the Mayor
3 because of his silence and not giving leader-
4 ship to the community with respect to taking
5 positive action with respect to police-
6 community relations.

7 MR. LEUCHTER: Was the canine incident
8 first brought up in advance of the riots?

9 THE WITNESS: No. This was after but
10 your question was whether it was before.

11 MR. LEUCHTER: Yes. I am curious about
12 any substantive difference on important issues
13 or at least important in your mind prior to
14 the riots.

15 THE WITNESS: Yes. The meeting hall,
16 for example, where you had the big explosion
17 where it was decided that Hess, the Secretary
18 to the Board, made the decision to stay on
19 and I sent the Mayor a telegram, of which
20 I have a copy here, and also a letter to the
21 Board of Education, telling them that there
22 should be a larger place for a meeting than
23 the City Council Chambers because there were
24 so many people who were quite concerned about
25 this explosive issue that there should be a

1 larger auditorium.

2 I was turned down on that request also.
3 This is all a matter of public record.

4 So we had differences there because he
5 just ignored it. Every issue that I have taken
6 to him and even Mr. Thriett, who we have
7 directed, because, after all, he is the paid
8 member of the Commission, to discuss it with
9 the Mayor, the Mayor has never taken the
10 advice.

11 The Mayor surrounded himself with
12 supposedly experts on race relations and they
13 have constantly put him in a box, if I may
14 use that expression, with respect to race
15 relations.

16 MR. LEUCHTER: Can you tell us other
17 than the ones we already know about, the
18 instances that you have covered, can you tell
19 us specifically of any others?

20 THE WITNESS: The Board of Education,
1 and there are many instances involved in that,
2 the medical school, which we had informed
3 the Mayor of and he had never called for our
4 advice but we let him know how we felt about
5 it but in no case was our advice accepted

1 and those were two of the main issues I would
2 say which led up to it.

3 MR. LEUCHTER: Were there any complaints
4 filed by the Human Rights Commission which
5 affected municipal government employees?

6 THE WITNESS: Yes, there was, and this
7 took place prior to the disturbance.

8 The Board of Education-- we had made
9 a thorough investigation and I have the
10 entire charge here which you gentlemen can
11 have for your record, where we accused the
12 Board of Education of discrimination against
13 ethnic groups.

14 Number 1, in the 300 years that the
15 city had been a city, there had not been one
16 Negro in a policy-making position in the Board
17 of Education.

18 You have a situation where between 78
19 and 80 percent of the school population was
20 Negro.

21 There were no Negroes holding supervisory
22 positions in any of the departments that make
23 up the Board of Education at 30 Green Street.

24 There had only been one Negro principal
25 in the school system in the past 100 years.

1 When the School Board, through Mr.
2 Cervace, who is an attorney, inferred that
3 how could a city agency have the nerve to
4 investigate a state agency, which is the
5 Board of Education, then we immediately took
6 the position, well, then if we are not quite
7 sure as to our position, then I filed a
8 complaint with the State Board, the State
9 Department of Discrimination, who in turn
10 filed the complaint and we won the case,
11 incidentally.

12 It wasn't publicized but we won this
13 case.

14 Now there was a difference there between
15 the administration because when we attacked
16 the Board of Education, I am attacking the
17 Mayor because the Mayor appointed the members
18 of the Board of Education.

19 MR. LEUCHTER: In what respect did you
20 win the case?

21 What were the findings?

22 THE WITNESS: The findings were that
23 there had been a negative position on the
24 part of the Board of Education with respect
25 to upgrading and promoting members of minority

1 groups for the past 100 years.

2 So we felt that we had won a moral
3 victory.

4 Since the case was filed there has been
5 a lot of promotions within the department
6 of the Board of Education, plus the fact
7 that there are now two Negro Assistant Superin-
8 tendents, one Negro Director.

9 Now I personally feel that this is
10 still tokenism, but it is still a step in
11 the right direction.

12 Now we had brought this up to the
13 City Fathers. We had spoken to the Board of
14 Education. We asked them for a breakdown on
15 the basis of race as to what jobs ethnic
16 groups held and whites held.

17 They turned us down on all of these
18 issues.

19 Then we finally turned it over to the
20 proper state agency. So this was another
21 area where there was a conflict between the
22 administration and the Human Rights Commission.

23 MR. DRISCOLL: I take it, Mr. Black, you
24 don't condone the breaking and the looting
25 that took place on the part of these people?

1 THE WITNESS: Oh, absolutely not.

2 I am against violence and let me make it
3 clearly understood that I am against violence
4 of all types and I think that anyone who was
5 guilty of looting or robbing should be
6 prosecuted to the fullest extent of the law.

7 But I think at the same time we should
8 be concerned as to the other criminal
9 element that exists in our community and we
10 are speaking primarily of Newark and I think
11 that we should be concerned about these
12 criminals who practice crimes against Negroes
13 and now persons every day and I am talking,
14 number 1, about the slum landlords, who live
15 in the suburban areas but charge people
16 exorbitant rents for rat-infested apartments.

17 I am thinking primarily of food markets
18 and I can mention this one by name, the
19 Good Deal Food Chain, and we have made
20 investigations on this, where they will
21 have a store in Chatham or in South Orange
22 and a store on 10th and Springfield Avenue in
23 the ghetto area and we have found there that
24 if a person wants to cash a check in the
25 ghetto stores, which is part of the chain--

ALFRED

EXAMINATION

BY MR. FORST

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and this has all been substantiated-- they must buy, if they want to cash a \$200 check they must buy \$18 worth of black tokens which can only be used at that store.

Well, This is not a practice of the suburban stores.

Also they must have their picture taken when they cash a check in the ghetto area and they attempted to put this in force at the suburban stores and the community said we will not permit it and they stopped it after one or two days in effect.

So this was some of the conditions that existed here in the city, also along with the Board of Education situation.

MR. DRISCOLL: I think you have been very helpful. We have other witnesses that are waiting.

Well, We appreciate very much your coming.

* * *

ALFRED HENDERSON, Sworn.
EXAMINATION
BY MR. FORTUNATO:

Q: Your address, Mr. Henderson?