

1 ROBERT F. KITZLER, sworn.

2 (Discussion off the record.)

3 VICE CHAIRMAN BROWN: The record should
4 indicate that Sergeant Kitzler has 18 years with
5 the State Police, 15 years in criminal investigation
6 as a detective and three years in uniform. He
7 also has four years regular Navy duty. Part of
8 his duty assignment has been civil rights
9 investigation in 1967.

10 EXAMINATION BY MR. FORTUNATO:

11 Q Can you tell us what part you played in connection
12 with the disorder in Plainfield.

13 A In Plainfield?

14 Q My understanding is you were on your way to Newark
15 some time mid-Sunday afternoon.

16 A That is correct.

17 Q July 16.

18 A That is correct.

19 Q You went on to Newark by way of Plainfield.

20 A Yes.

21 Q Can you tell us about what time that was on
22 Sunday?

23 A Approximately 3:30 in the afternoon. I had been
24 relieved of my duties at the Newark riot and I went home
25 to the Lakewood, New Jersey area to get a change of

1 clothing, and I was en route back to Newark. I was taking
2 a shortcut through Plainfield back onto 22 to get into
3 Newark. I went down West Third Street and I noticed some
4 fire apparatus and crowds of Negroes gathered at West Third
5 and Plainfield Avenue and I could not get through. I backed
6 the car around and I came back down West Second Street. As
7 I got to the corner of West Second Street, again I noticed
8 crowds of Negroes around, and I was behind a small black
9 pick-up truck, black or green pick-up truck. I couldn't go
10 any further. I did not know what was in front of me except
11 I surmised that a car had turned over and the firemen were
12 fighting the car fire.

13 Suddenly on my right, I was approached by a Negro man
14 who said, "Let's get this white mother-fucker. Here is another
15 whitey, let's get him." At that time, the crowd that he was
16 addressing came running toward my car.

17 Q Let's stop for a moment here. What kind of a car
18 were you in?

19 A I was in a red Ford State Police car.

20 Q A State Police car?

21 A Yes.

22 Q Were you in a uniform?

23 A No, I am in detective work.

24 Q At that time, had you had any knowledge that there
25 was a disorder occurring in the City of Plainfield?

1 A None whatsoever.

2 Q Please continue.

3 A At that time and at that moment I had mixed
4 emotions about the situation. I knew one thing, that I
5 should not attack this person who was attacking my car. I
6 knew for another thing that my life was in jeopardy. I was
7 praying that that truck would move and if I got this car in
8 motion that I would be home free. Fortunately, the truck
9 then moved. There was a Negro driving the truck and I was
10 able to shoot from behind it, pass him and go down Plainfield
11 Avenue.

12 I then saw a uniformed police sergeant at Plainfield
13 and Front, and there was another officer there and they had
14 white helmets on. I said, "What is the trouble here,
15 officer?" He said, "Just keep moving." I said okay and
16 away I went.

17 I then went to the Scotch Plains station, which is my
18 station, and I called into Plainfield and asked Lieutenant
19 Hennessey, I believe, what was happening in Plainfield. I
20 then was informed that they had some problems in Plainfield,
21 racial problems.

22 At that time, one of the troopers had an assignment to
23 cover a demonstration of some note in Green Brook Park, and
24 he was changing to plain clothes to go cover that
25 demonstration. I then got the necessary particulars as to

1 what was occurring in Plainfield and I submitted a
2 preliminary report on teletype to my commander in Morristown.
3 After I did that and spoke with the officer in charge at
4 Morristown directly by phone, apprising him of the Plainfield
5 situation as to what I knew about it, I proceeded to Newark.
6 I reported in to Lieutenant Mount at Newark and began my
7 duties at Newark.

8 Thereafter, we were notified that a patrolman was killed
9 in Plainfield. I immediately was dispatched with Detective
10 Walker to Plainfield. I arrived in Plainfield at
11 approximately 9:10 or 9:15 p.m. I believe it was that time.
12 Some men of the State Police from Troop B were arriving at
13 the same time. My basic duties, and the detectives that
14 arrived there, was to be able to evaluate the situation in
15 Plainfield and give a concise report to the commander who
16 was setting up a command post, to apprise him fully of what
17 was taking place in Plainfield for his benefit.

18 Q At the time you arrived, which you place at
19 roughly 9:15, how many State Police were on the scene or
20 around shortly after?

21 A I would say approximately 20 to 25 State Troopers
22 were in the parking area of the Plainfield Police
23 Headquarters. Just prior to arriving at Plainfield Police
24 Headquarters, I stopped at the business area of Plainfield
25 and spoke with Lieutenant Hennessey as to what he had

1 programmed out. He had some detectives there and he basically
2 told me that they were trying to hold or protect the business
3 area because they had information that the militants were
4 going to come and attack the business area. They were
5 holding a line there to cover the business area. Thereafter,
6 I went into Police Headquarters.

7 Q Continue on then as to what you did.

8 A Well, as they were setting up their command post
9 and getting ready to make moves there, I deemed it necessary
10 to gather any more information that I could. Detective
11 Walker and I went out and rode sort of a perimeter area
12 to see what the complexion looked like, what I could observe
13 that would be of value to my commanding officer. We were
14 in contact with the local police, the detectives that were
15 out on the street. Eventually, we arrived on Front Street,
16 I believe it was Front and Plainfield Avenue.

17 During this time, I was hearing small arms fire,
18 shotgun firing, automatic weapons firing, going in the
19 general area of my location. Actually, we had Plainfield
20 Police on Front Street that were not moving. They were
21 pinned down, nothing moving. Then, I was aware that the
22 State Police had now started a perimeter patrol. State
23 Troopers were being dispatched by headquarters. I was in
24 contact by walkie-talkie with headquarters and with the
25 command post that was being set up.

1 I had information that a contingent of Plainfield Police
2 and State Troopers had been tied down on Second Street and
3 Plainfield Avenue and could not move. Detective Walker and
4 myself left our vehicle and proceeded across from Front
5 Street on through the back alleyways into Second Street.

6 I might say that I had my carbine with me and Detective
7 Walker was armed with a carbine, and we had our regular
8 .38 caliber pieces.

9 When we got there, there were approximately eight
10 Plainfield Police cars with approximately 12 men, and about
11 six State Police vehicles with approximately the same men
12 tied down, pinned down on Second, with the officers outside
13 the car. Captain Campbell was with this group. I asked
14 the Captain what the problem was and he said that
15 approximately ten to 15 minutes ago they were taking a lot
16 of semi automatic firing at them from the general direction
17 of the railroad. You could hear sporadic firing going on
18 in the whole general area at this time.

19 Well, there was no cause to have all these men tied
20 down here if they weren't getting fired upon. Detective
21 Walker and myself then mounted the parking lot with Captain
22 Campbell and proceeded down the railroad tracks. We covered
23 the railroad tracks. Detective Walker was on one side,
24 myself on the other side--the right-hand side--and Captain
25 Campbell would be giving us covering fire from the middle

1 of the railroad, if necessary. I didn't want to get too
2 close to the Captain, because he had a white shirt on and,
3 of course, there were no lights on there and he was sort
4 of--well, I didn't want to get too close to him.

5 Q Are their shirts a different color now?

6 A Yes, sir, fortunately.

7 Q What color do they have now?

8 A They are very dark blue, and so are their helmets,
9 which were also white. We proceeded crawling down the
10 embankment and then crawling up. Just prior to getting
11 there, while I was in radio contact with the cars, I was
12 told that they had captured the Central and Fourth Avenue
13 firehouse and the firemen that were in the building were in
14 jeopardy. So, that made my move clear to me. I don't know
15 whether it was clear to anybody else, but I now made a move
16 to see what I could do to get those firemen rescued.

17 Detective Walker and myself then crawled up one block
18 to West Third Street and we had the corner. There was
19 firing going on. You could hear the firing. I didn't take
20 any direct shots, and I didn't know of any direct shots at
21 both of us. There were no hits by us. But, we now had
22 this corner. I called back Campbell to bring up his men.
23 We finally were able to move up some Plainfield men to the
24 middle of the railroad station. We moved in across the
25 intersection of Third and Central.

1 Excuse me. The street I want to correct is that we
2 were at Front and Central and not Plainfield Avenue when we
3 started out.

4 Now, we are back at Third and Central. We come across
5 into the abandoned house. We clear that house and we now
6 know that we could cover that whole area with that house.
7 We called up one car to cover Third and Central Avenue.
8 One car came up with Plainfield men and covered that.

9 Now, we were secure from Front Street all the way up
10 to Third.

11 We then moved on up--Detective Walker and I--and got
12 next to the firehouse. I ordered the men to come and follow
13 us on up, and they followed us about a block away. We were
14 able to communicate with the people in the firehouse and
15 they were not hostages, they were just taking some shots
16 at the firehouse. Now, we know we got the firehouse and
17 that is all right. I told them to communicate back to
18 their commander and tell them that they were all right.

19 Detective Walker and I then went across from the
20 Central firehouse and crawled through a parking lot. There
21 was still firing going on, but we didn't know from where or
22 at what. We moved into New Street. Now, I knew that we
23 were secure from New Street down to the Central firehouse,
24 and probably all the way back down to Police Headquarters
25 on Fourth Street. We now had control of Front Street all

1 the way up to where we were, and at that point we moved into
2 New Street.

3 At that time, we saw four people at intervals moved
4 into Eugene's Market. You must understand that this was
5 complete blackness. There was one light over Eugene's
6 Market shining in the doorway. It is all black. We moved
7 across New Street. I took a position on the left directly
8 across from Eugene's Market. Four men are inside. Detective
9 Walker went across diagonally to Eugene's Market and stood
10 on the corner.

11 Now, two men started to come out. They had looted
12 the market and were taking out chaise longues and other
13 stuff out of the market. As I gave the signal to Walker to
14 move in, a car pulled up. I assumed it was going to be the
15 one who carted the longue chairs away for the ones that were
16 inside. At that moment, we moved in, the two of us and we
17 made an arrest of ten people, six in the car and four coming
18 out of that place.

19 At that moment there, it became very chancy of whether
20 we were going to make the arrest or whether there was going
21 to be a move toward us, which later after the arrest we
22 knew from testimony that there was a question of whether we
23 were going to take these men or if they were going to take
24 us. It was a black and yellow Buick with "Black Power"
25 written on all the sides of it.

1 In the Buick was George Casey. George Casey was a
2 special services Negro soldier who told me something there
3 that day. They were arrested, all ten of them. We got them
4 out and marched them down the street. We were joined by
5 some Plainfield officers when we got back about halfway down
6 the parking lot.

7 At this point, Detective Walker and I were on opposite
8 sides of Fourth Street moving back toward the firehouse.
9 These men were lined up in the middle of the street being
10 marched singly down the middle of the street. There was
11 still firing going on. We rounded the corner and we were
12 joined by the Plainfield Police. We searched them. We
13 mounted them in the van that was able to come up.

14 Detective Walker and I then moved out. When we got
15 halfway through the parking lot back into New Street,
16 primarily to move on down Fourth and bring our troops up
17 Fourth--if there was a perimeter set up, I don't know where
18 the perimeter was--but I knew I could cut down Fourth and
19 cut whatever perimeter was set up in half. The debris was
20 all over in the street. We got halfway down and we got
21 hit with semi automatic carbine rifle fire. There was no
22 question in my mind what it was. I mean they poured it on.
23 We then retreated back up into the firehouse.

24 I must get back to my story originally when we made
25 our first infiltration. Detective Walker and I took one

1 shot that hit a tree between both of us. I knew of that
2 shot.

3 Now, getting back, we moved into the firehouse and we
4 took a lot of fire at the firehouse. We returned a lot of
5 fire at the parking lot and the front of the house that was
6 at New and Fourth, and from the building across the street
7 from New and Fourth, and in the entire building behind the
8 billboards and the three houses along there. We could detect
9 fire coming from that direction up to the firehouse. We
10 then noticed two cars, to my recollection a Plymouth and a
11 Ford, pull out at a fast rate of speed out of Judson's
12 Funeral Home. They came out of the parking lot and pulled
13 on down the street. There was no more fire directly at the
14 firehouse.

15
16 About a half hour later, we heard a report about the
17 Bergen Street firehouse, that they were being fired on and
18 they were in jeopardy out there. I proceeded with Detective
19 Walker, myself, Lieutenant Wall of the Union County
20 Prosecutor's office, and an assistant Detective Haynes, all
21 in our car and we went down to Bergen Street. Upon our
22 arrival, I believe at Clinton and Bergen, we noticed some
23 police cars lined up in the street and they were in the
24 process of backing out of the street. I stopped one sergeant
25 and asked him what the trouble was, what he was doing. He
said, "We were fired upon. There is a Negro officer in the

1 car up ahead and he has got a prisoner and he can't get him
2 out." I said, "where are you going?" He said, "We are
3 getting out of here."

4 We went down and we got to the corner and the Negro
5 officer in the vehicle was able to back it out and the
6 contingent of officers was able to move out. We then moved
7 into Bergen Street. We got up into Bergen Street and got
8 into the firehouse and all they did was take six shots or
9 something like that. There were about six or seven men,
10 Negro men, who had come down Bergen Street with carbine
11 rifles and who were shooting up the firehouse and down
12 Bergen Street. We secured that and then Major Nowack came
13 up in one of those armored vehicles.

14 Thereafter, we moved out of there and basically
15 patrolled the whole area. At that time, the National Guard
16 moved up and had taken positions at the Central firehouse
17 and along Central Avenue. The perimeter then got set up
18 in Central Avenue and they just maintained the whole
19 perimeter patrol and the looting continued on inside the
20 contained area.

21 I guess that is about what happened.

22 Q Were you in Newark at all earlier than on Sunday?

23 A Yes.

24 Q You were in Newark when?

25 A Saturday, Friday.

1 Q Could you make any comparison between the
2 situation in Newark and the situation in Plainfield from
3 the point of view of law enforcement, or from the point of
4 view of anything else?

5 A I don't think there is any comparison between the
6 both places, in my own opinion.

7 Q Could you elaborate on that, talking more from a
8 point of view of procedures utilized to quell the disorder.

9 A I can go on. There was only one police officer
10 killed and that was in Plainfield. There was nobody else
11 killed. The whole type of enforcement problem was different
12 in Plainfield than it was in Newark. In fact, from any
13 viewpoint, from one story houses to tenement houses and
14 high rise apartments where they got fired upon. My own
15 feeling is that we could have contained Plainfield if we
16 moved in.

17 MR. LEUCHTER: Because of the small number
18 of people involved, you mean?

19 THE WITNESS: That's right.

20 VICE CHAIRMAN BROWN: You feel the fire was
21 from this mobile group? Apparently there were
22 several cars.

23 THE WITNESS: No question about it in my
24 mind, Mr. Brown, that these cars were the cause
25 of trouble.

1 VICE CHAIRMAN BROWN: Two cars?

2 THE WITNESS: These two cars were the mobile
3 unit with the carbines and that could get around
4 the town.

5 VICE CHAIRMAN BROWN: Were there any other
6 pockets of fire that could not be restricted to
7 that small unit?

8 THE WITNESS: Yes, there was the sporadic
9 firing which we later found out was fellows just
10 walking out of a saloon with the carbine, firing
11 a few rounds in the air and going back in the
12 tavern.

13 VICE CHAIRMAN BROWN: There were no aimed
14 firing at persons or buildings, apparently, from
15 the mobile unit.

16 THE WITNESS: That I observed.

17 VICE CHAIRMAN BROWN: Was there any
18 information that led to the identity of the mobile
19 unit of where they came from or who they were?

20 THE WITNESS: Yes, I would say we know who
21 they were.

22 VICE CHAIRMAN BROWN: Were they local people?

23 THE WITNESS: Yes, sir.

24 VICE CHAIRMAN BROWN: Was there any
25 indication that you had that any of the mobile

1 fire power unit came from outside the city?

2 THE WITNESS: There could have been other
3 people involved that were outside of the city,
4 but to my own knowledge I don't know that.

5 (Discussion off the record.)

6 THE WITNESS: Plainfield, New Jersey has
7 some very fine residential areas. I have been
8 in there since July 16 and I fail to see a ghetto,
9 per se, in Plainfield.

10 MR. LEUCHTER: Because blacks can live in
11 so-called nice white neighborhoods.

12 THE WITNESS: Yes, yes.

13 VICE CHAIRMAN BROWN: Do you see it as a
14 reaction of the Negro populace to other problems
15 such as employment, schooling and so forth?

16 THE WITNESS: I can't say that, I'm sorry.
17 I would rather not comment because I don't
18 know enough about that.

19 VICE CHAIRMAN BROWN: Would you feel that
20 since July 16 anything has been done by the
21 police department or any other official agency
22 to develop the use of people available in the
23 police department to create liaison and
24 understanding with the community?

25 THE WITNESS: I haven't seen any, sir.

1 VICE CHAIRMAN BROWN: This apparently did
2 not exist before July 16.

3 THE WITNESS: Apparently not.

4 VICE CHAIRMAN BROWN: As far as you know,
5 it still doesn't exist.

6 THE WITNESS: That's right.

7 Q In apprehending a looter, did the looter say
8 anything to you which you found to be interesting?

9 A Yes, a looter who was arrested stated to me
10 that he wondered why the forces of the State Police and
11 the local police did not come into the town or into the
12 so-called ghetto area to stop the riot. He said it
13 could have been stopped had we come in.

14 Q What time was that and what day?

15 A It was the early morning hours of July 17,
16 approximately one o'clock in the morning, Monday morning.

17 VICE CHAIRMAN BROWN: The fact is you and
18 Walker did move in.

19 THE WITNESS: Yes.

0 VICE CHAIRMAN BROWN: That is when you
1 began to get some results.

2 THE WITNESS: I thought we were making
3 great strides by going in.

4 Q You arrested ten men?

5 A Yes, sir.

1 VICE CHAIRMAN BROWN: Did you get some
2 of the key people?

3 THE WITNESS: Yes, sir.

4 VICE CHAIRMAN BROWN: After that, you had
5 very little activity.

6 THE WITNESS: We had none. We were
7 called back to the perimeter patrol.

8 VICE CHAIRMAN BROWN: As a police officer,
9 can you analyze why it was that the Plainfield
10 Police felt they were pinned down in all
11 these places? The fire house apparently was
12 supposed to be under siege and the people
13 hostages, but that wasn't true. Apparently,
14 you did not have sufficient fire to pin people
15 down on that Central and 2nd Avenue area.
16 People should not have been pinned down.
17 What the heck was happening?

18 THE WITNESS: I would evaluate that as
19 unpreparedness, lack of command, lack of
20 direction. When I arrived there, I observed
21 some of the command that was there and just
22 ordered people to do something and they
23 responded beautifully. Under direction, under
24 hard orders, these men responded beautifully.
25 Every order that was given was carried out to

1 the enth degree and we gained some ground.

2 VICE CHAIRMAN BROWN: But for your
3 initiative, apparently there was a stalemate
4 that could have continued for an indefinite
5 period.

6 THE WITNESS: Right. When we got to the
7 fire house, I had immediately kept the local
8 police with these very light blue shirts from
9 being around any of my men or our State
10 Policemen. I had them run into the fire house
11 and take shoe polish or carbon paper or
12 anything they could to darken up their white
13 helmets. This would come in the area of
14 preparedness. If one is going to do riot
15 work, you don't go out and buy white helmets.

16 VICE CHAIRMAN BROWN: But, you also said
17 that the information given to you on the radio
18 was that these firement at the fire house were
19 under siege.

20 THE WITNESS: Right, and had been taken
21 hostages.

2 VICE CHAIRMAN BROWN: Was communication
3 broken down at the fire house?

4 THE WITNESS: No, not that I know of.
5 They had telephoned in the activity. I don't

1 know what happened. I was next to a
2 walkie-talkie, that's the only way I was
3 getting my information. But, I was limited
4 because I didn't want a walkie-talkie on when
5 I was moving up the street.

6 VICE CHAIRMAN BROWN: I have no further
7 questions.

8 MR. FORTUNATO: Thank you very much,
9 Sergeant.

10
11 C A R M E N F. R O S A, sworn.

12 EXAMINATION BY MR. FORTUNATO:

13 Q Are you a resident of Plainfield?

14 A Yes, sir.

15 Q For how long?

16 A I was born and raised in Plainfield, 41 years.

17 Q What is your background and experience on the
18 Plainfield Police force?

19 A I am going into my 18th year.

20 Q You are a patrolman?

21 A Yes, sir.

22 Q When you say patrolman, does that mean you are
23 actually on foot or are you in a radio car?

24 A That is the rank.

25 Q What fundamentally do you do?