

Thank you.

MR. GIBBONS: Mark those documents in
evidence.

(Documents marked Exhibits C-104 and
C-105 in evidence.)

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MAJOR VICTOR E. GALASSI, Sworn.
(Joseph A. Hoffman, Assistant Attorney
General, appeared.)

EXAMINATION

BY MR. FORTUNATO:

Q Major, would you give us very generally your
background and experience as a State Police Officer.

A I am a Major in the New Jersey State Police.
I have been in State Police service for 21½ years.

About 15 years of that 21½ years has been in the
Criminal Investigation Section.

Q Is there a statement you would care to give for
the record before answering any specific questions?

A Yes, sir. There is a general statement I
would like to give at this time that more or less sets
the scene as to the events that took place in Newark.

MR. HOFFMAN: This is a statement of
Commander Victor Galassi, Commander of the

1 Criminal Investigation Section of the State
2 Police.

3 Beginning July 16, 1967 and throughout
4 the remainder of that month, the State Police
5 were ordered into the Newark and Plainfield
6 areas by the Governor to assist in restoring
7 law and order to those jurisdictions.

8 During the course of the riots the
9 Superintendent of State Police assigned the
10 Criminal Investigation Section the task of
11 investigating allegations of State Police
12 abuse emanating from these disorders.

13 This specific assignment was in addition
14 to the many other law enforcement tasks which
15 this section of detectives and investigators
16 had to perform.

17 Including the investigations of hundreds
18 of reported offenses, the processing of
19 numerous arrests, the gathering of intelligence,
20 the collection and collation of statistics
21 and the innumerable and varied extraordinary
22 assignments which required their attention.

23 In addition, teams of men from this
24 section had to be assigned to many other
25 communities in New Jersey where civil disorders

1 threatened to break out contemporaneously
2 with the Newark and Plainfield riots.

3 Immediately after the violence had
4 ceased in these cities the Criminal Investiga-
5 tion Section had to pursue the above assign-
6 ments to their conclusions and to see to the
7 processing of the many cases which had arisen
8 out of the riots.

9 In addition, teams were assigned to
10 help recapitulate the events in order to
11 assess the extent of damages and injuries.

12 The investigation of alleged abuses by
13 the State Police during the course of these
14 disorders was continued under the direction
15 of the Criminal Investigation Section.

16 In the course of these investigations
17 approximately 10 full-time officers and
18 detectives and several investigators on a
19 part-time basis were assigned to pursue these
20 allegations.

21 To date there have been 33 such allega-
22 tions reported to the State Police.

23 We have supplied the Commission with a
24 list of the complaints.

25 I would also like to note at this time,

1 which is not on the record, that Legal Ser-
2 vices supplies us with some more complaints
3 on Friday, I believe.

4 They delivered them to the Attorney
5 General's Office. The State Police did not
6 get these until this Monday, so they are not
7 part of anything we are dealing with tonight.

8 Q The dates you are talking about then would
9 be Friday, December 1, and Monday, December 4?

10 MR. HOFFMAN: Yes, just past.

11 Of these only 3 were actually reported
12 to the State Police by individual complainants.

13 The others were initiated by the State
14 Police after information was received from
15 various organizations, sister police agencies,
16 the Attorney General, the press and individuals
17 who were not themselves complainants.

18 These allegation may be broken down
19 as follows: There were 3 reports of alleged
20 indiscriminate shootings, 2 reports of alleged
21 personal indignities, 22 reports of alleged
22 breaking of windows, 2 reports of alleged
23 physical abuse, 3 reports of alleged damage
24 to property and 4 reports of alleged fatalities.

25 Some of the above allegations are combined

1 complaints which explains why the breakdown
2 in our list of complainants totals more than
3 the 33 actually reported there.

4 Each and every one of these charges
5 was investigated by the Criminal Investigation
6 Section and continues to be investigated, I
7 might add.

8 The officers and detectives involved
9 expended an estimated total of 2,000 man hours
10 in pursuing these investigations and inter-
11 viewed over 130 persons.

12 Great difficulty was encountered in
13 unearthing many of the essential elements
14 of these allegations.

15 To begin with, the riot area in Newark
16 contained approximately 12 square miles
17 encompassing some 1,003 city blocks with an
18 estimated population of 276,000 persons.

19 By July 15, 1967, the State Police
20 operation in the riot area consisted of 575
21 men drawn from Troops A, B, C, D, and E and
22 Division Headquarters.

23 These troops utilized a total of 160
24 vehicles in the area, many of which were
25 unmarked.

1 At the early stages of the operation
2 the State Police command attempted to maintain
3 the integrity of the various troops by assigning
4 them to certain sectors of the city.

5 In addition to the central command post,
6 Troops A, B and C in Division Headquarters
7 operated other command posts.

8 The basic patrol consisted of two
9 State Police vehicles and two National Guard
10 vehicles, which were directed to the areas
11 of trouble by a Newark police officer who was
12 presented in the lead car.

13 As the intensity of the disorder
14 increased it became impossible to maintain
15 troop integrity.

16 Men had to be constantly drawn from one
17 section and sent to another to meet the exigen-
18 cies of the situation.

19 In some instances the men remained in
20 that area for a time.

21 At other times they were quickly summoned
22 to respond to another emergency.

23 A great many vehicles were damaged and
24 had to be quickly replaced by reserve vehicles.

25 Troopers who had completed their tour of duty
were unavailable because they no longer resided

1 had to be immediately re-assigned without
2 rest to other areas to fill in existing gaps.

3 The difficulty in reporting and
4 recording accurately the activities of the
5 various State Police men and Guardsmen was
6 compounded by the nature of the operation
7 itself as well as the fact that the vast
8 majority of the State Police personnel
9 were unfamiliar with the city.

10 Men, vehicles and patrols were continually
11 changed and interchanged to meet sporadic
12 emergencies in every section of the riot-torn
13 areas.

14 Because of these factors, the accurate
15 identification of specific times, dates,
16 places, individuals and incident was either
17 difficult or impossible to ascertain.

18 Faced with these conditions the
19 detective force assigned to investigating and
20 processing allegations of State Police abuse
21 proceeded to interview complainants, witnesses
22 and any other persons who might be in a position
23 to cast light upon the charges made.

24 A large percentage of these persons
25 were unavailable because they no longer resided

1 in the area or they could not be
2 found or because they simply refused to speak
3 to State Police investigators.

4 When the investigator had exhausted
5 all of their outside leads with respect
6 to each charge they then reviewed the
7 operational reports of the State Police to
8 ascertain what vehicles and which personnel
9 were in the area of the alleged abuses.

10 In the vast majority of cases it
11 was impossible to find with any degree of
12 accuracy which State Police men and which
13 vehicles, if any, were in fact in the given
14 area at the specified time.

15 In the rare instances where such per-
16 sonnel were found they were interviewed
17 extensively.

18 In many instances where vehicles numbers
19 were supplied by either complainants or
20 witnesses to alleged abuses, it was determined
1 that the State Police either had no such
2 vehicle or they had never been committed to
3 the Newark area.

4 Further, of the many numbered black and
5 white vehicles in that area it is not incon-

1 ceivable that each of them might have passed
2 any given point within the riot area any
3 number of times since they were constantly
4 patrolling and responding to emergencies
5 either at the call of the commandpost, sister
6 law enforcement agencies or citizens.

7 Additionally, many of the persons who
8 either complained about or witnessed alleged
9 State Police abuses described uniforms on the
10 alleged perpetrators which were definitely
11 not those of the State Police.

12 Not one complainant or witness was
13 able to identify by description, badge number
14 or otherwise any individual State Police man.

15 In sum, each charge of State Police
16 abuse during the course of the riot has been
17 investigated as thoroughly as is practicable
18 under the circumstances and has resulted in
19 a report to the Superintendent and the
20 Attorney General.

1 Many of the charges do not withstand
2 scrutiny by virtue of basic conflicts among
3 the supporting witnesses.

4 Some of the charges, whether or not they
5 be true, do not involve the State Police.

1 With respect to a number of charges
2 it has been totally impossible to ascertain
3 the individual or individuals responsible,
4 assuming the truth of the allegations.

5 The Attorney General and the Superin-
6 tendent of the State Police have determined
7 that each and every investigational report
8 shall be submitted in full to the prosecutor
9 for his review and disposition.

10 In those instances where individual
11 responsibility might possibly be ascertained
12 and unlawful conduct prevented through continuing
13 investigation, appropriate disciplinary
14 action is contemplated by the State Police
15 in conjunction with the referral of these
16 matters to the prosecutor.

17 Because of the nature of the allegations
18 the extent of the investigations, the breadth
19 of many of the statements appearing in the
20 reports, it is the judgment of the Attorney
21 General and the Superintendent that the
22 individual reports should be considered in
23 executive session and not on the record.

24 This judgment is necessitated by the
25 fact that such public scrutiny of individual

1 cases would interfere with the due administra-
2 tion of justice by virtue of the pre-litigation
3 publicity they might generate, contrary to
4 the edicts of the United States Supreme
5 Court.

6 The public exposure of these individual
7 cases might affect the constitutional
8 rights of the individuals involved as well
9 as the state in its endeavor to seek justice
10 by automatically creating a defense of
11 prejudicial publicity.

12 The Newark riot is now part of the
13 modern history of New Jersey.

14 Many lessons were learned by the State
15 Police which have been interwoven into the
16 training and indoctrination of each and every
17 member of the force.

18 In its quest for the highest standards
19 of police professionalism the State Police
20 fully intend to bring every proveable abuse
21 by any of its members before the bar of justice.

22 Now if I may make a legaltype statement,
23 I have been informed by the Attorney General
24 that the Governor has ordered me to request
25 of this Commission that all of the individual

1 case considerations be done in executive
2 session and I can't vary from these orders.

3 There is much we can tell you generally
4 and we can respond to a lot of questions and
5 hopefully give you all the information you
6 want on the record but as far as the
7 individual names and places and actual cases,
8 because we intend fully to give each and
9 every one of these to the prosecutor, we
10 feel that they should not be a part of the
11 public record basically on the basis of the
12 Shepard case and reasoning such as that.

3 MR. FORTUNATO: To direct myself to the
4 prohibition that you have stated, do I
5 understand the position to be that each one
6 of the 33 so-called incidents, if the testi-
7 mony were given as to each individual case,
8 might interfere with the due administration
9 of justice or unconstitutionally affect the
0 rights of those who might be called upon to
1 face the bar of justice?

2 MR. HOFFMAN: You are asking me to pre-
3 dict what the outcome of each individual
4 case might be and all I can say is that I
5 wouldn't be in a position to do that.

1 I am aware of generally what is in
2 there.

3 I have participated as counsel in what
4 is in there.

5 We want the Commission to have full
6 access to it and see it and read it and discuss
7 it with us and, of course, all of these are
8 continuing investigations.

9 But because of the type of investigations,
10 the nature of the allegations, the nature of
11 the investigations, we feel that this should
12 not be made part of a public record prior
13 to an appropriate law enforcement agency
14 reviewing them and exercising its discretion
15 with respect to them.

16 MR. FORTUNATO: Will you undertake
17 to review those 33 cases to see if there is
18 any way possible that the details with
19 respect to certain of the cases might be
20 made a part of the record?

21 MR. HOFFMAN: Certainly.

22 MR. FORTUNATO: Thank you.

23 Will you give us the names of the
24 complaining individuals or the names of the
25 individuals to whom the complaints relate?

1 MR. HOFFMAN: Yes, I will.

2 MR. GIBBONS: Mark that list as a
3 Commission exhibit.

4 (Document marked Exhibit G-106 in
5 evidence.)

6 MR. MEYNER: Is your statement accurate?
7 You said that the State Police came in here
8 on the 16th. That is at the beginning of that
9 statement.

10 My records indicate that you came in
11 here on the 14th.

12 MR. HOFFMAN: There is an inconsistency
13 in the statement, yes.

14 MR. MEYNER: Don't you want to say the
15 14th?

16 THE WITNESS: Yes.

17 MR. HOFFMAN: Right, because we say in
18 the beginning "Beginning July 16th" and
19 later on we say we were operational by the
20 15th.

1 We entered on the 14th. We had 575 men
2 in by the 15th.

3 MR. FORTUNATO: Is your investigation
4 regarding these complaints completed?

5 THE WITNESS: No, sir, they are not at

1 this point.

2 MR. FORTUNATO: Have you reached the
3 stage with respect to any of the complaints
4 where you have made a recommendation as to
5 the taking of disciplinary action or the
6 non-taking of any disciplinary action?

7 THE WITNESS: Not at this point, sir,
8 no.

9 MR. FORTUNATO: You have made no recom-
10 mendations?

11 THE WITNESS: Not as yet, sir, no.

12 MR. FORTUNATO: Have you reached a
13 conclusion with respect to the substance of
14 those of the 33 complaints which relate to
15 the activities of the State Police?

16 MR. HOFFMAN: A general conclusion?

17 MR. FORTUNATO: That is correct.

18 MR. HOFFMAN: I thought we tried to
19 in our statement explain some of our general
20 conclusions.

21 MR. FORTUNATO: Do I infer correctly
22 from the statement as submitted that you have
23 not found any complaint which indicates
24 that any particular State Police individuals
25 acted improperly?

1 MR. HOFFMAN: No, I don't think we can
2 say that at all.

3 What we have said we haven't found is--
4 well, we found many complaints wherein
5 there were many conflicts and the testimony
6 just didn't stand up of the various witnesses
7 we interviewed.

8 We found many complaints wherein the
9 police conduct complained of didn't involve
10 the State Police when the witnesses described
11 the uniforms.

12 We found other complaints which we can
13 neither affirm nor deny.

14 We have allegations. They might be
15 true. They might not be true. We don't
16 try to say that everybody who came to us was
17 lying.

18 What we tried to impress in this state-
19 ment is the fact that the difficulty is
20 tremendous in finding individual policemen
21 to interview to find out or to ascertain
22 the other side of the story and I think Major
23 Galassi can explain how the situation worked
24 and why this is so difficult.

25 THE WITNESS: First, may I add something

1 in to your office to this?

2 A As we had In light of the fact that we did
3 complaints and receive further complaints at this time and
4 you. as I went through some of them--I haven't
5 had a chance to go through them in detail--
6 but as I have I see some that have some
7 connection with the ones we have already done.

8 Since that time So at this point I wouldn't want to come
9 by other persons to any conclusion as to recommendations for
10 on allegations disciplinary action or not because they
11 as we received certainly are not complete at this point.

12 MR. GIBBONS: In other words, there
13 is a possibility that the information given
14 to you recently by the Legal Services project
15 in Newark may lead to further investigation?

16 THE WITNESS: I think we can say we are
17 going out and investigate further some of
18 these allegations have added to our original
19 ones and we are going to check them out.

20 MR. HOFFMAN: It has been the Attorney
21 General's and the Superintendent's policy all
22 along to fully investigate every one of these
23 and to review every one of the reports.

24 Q Major, would you explain to us the investigative
25 steps involved regarding these complaints, when they came

1 in to your office?

2 A As we had mentioned, we have a total of 33
3 complaints and the nature of complaints has been given to
4 you. Q Did you obtain statements from the people you

5 interviewed. Now actually 3 persons came in themselves to com-
6 plain of a certain situation or a certain incident and that
7 was why we were still in Newark in the Newark Armory.

8 Since that time we have had complaints come in reported
9 by other persons other than the complainant themselves
10 on allegations in newspapers and magazine articles and
11 as we received them we had them checked out. The State

12 Police who Every one that we received we investigated.

13 Q In general terms can you tell us the lengths
14 that you went to in your investigation?

15 A Yes. Going through some of these complaints
16 I see that at times we have sent a man or a pair of men
17 to a complainant or a complainant's address on 3 or 4
18 separate occasions and interviewed a wife or a daughter,
19 left phone numbers to call us and then not being satis-
20 fied with that, went back and still received no response.

1 and I would Now we say we interviewed over 180 but we are not
2 even taking into consideration the repeats that we made at
3 these different complainants' homes and business estab-
4 lishments. There are many allegations that have not been dis-
5 proven mainly MR. MEYNER: When you would go to these

1 homes do you go in uniform or in plain
2 clothes?

3 THE WITNESS: It was all plain clothes.

4 Q Did you obtain statements from the people you
5 interviewed?

6 A Not formal statements as such but their
7 story, yes, took down exactly what they said.

8 Q No affidavits though?

9 A No, sir.

10 Q Let me go back to a line of inquiry I pursued
11 before. Have you found any complaint versus the State
12 Police which on the basis of your investigation as it
13 now stands would indicate that any State Police man had
14 engaged in improper conduct?

15 A I would say that at this point I would still
16 have to go further and in light of the new investigations
17 I would have to go further.

18 I wouldn't want to come to a conclusion on any one
19 at this point because I do not realize at this time how
20 many are going to cross with the ones we have already
21 and I wouldn't want to say that I have made a conclusion
22 on one and then sometime later have to come up with a
23 different conclusion.

24 There are many allegations that have not been dis-
25 proven mainly because we haven't been able to locate the

1 complainants or officers involved?

2 Q For 7 I understand that but my question was directed
3 to those allegations which you had been able to verify
4 one way or the other.

5 Of those allegations that you have been able to
6 verify one way or the other, you have not at least as
7 of this date found any which would be indicative that
8 a State Police man had operated improperly?

9 A Only in this respect: That possibly an
10 incident or a vehicle involved didn't exist and therefore
11 the basis of the complaint was unfounded.

12 Q Can you tell me where car number 530, 535,
13 491, 630 and 714 were assigned during the period of
14 July 14 through July 20?

15 A Can you tell me whether or not 530 was assigned
16 to Newark during the time of the riot?

17 A Yes, 530 was assigned to Newark.

18 Q I have 535?

19 A Yes.

20 Q 491?

21 A Yes.

22 Q 630?

23 A Yes, sir. I can do it easier by looking at
24 the list of cars that we had in Newark.

25 Q 714?

1 A No, sir, it was not assigned to Newark.

2 Q For your own information and for the record,
3 upon review of the affidavits that were submitted to you
4 this last Monday, December 4, I think some of these car
5 numbers will appear in those affidavits and I am certain
6 at that time you will be able to check them out and
7 perhaps give us further indications if it is deemed
8 advisable.

9 MR. HOFFMAN: I believe 4 of those

10 cars, the first 4 you have mentioned, were
11 also the subject of complaints which we
12 have already received and are in the process
13 of investigating presently.

14 Q Would you care to give us a list of the
15 cars that were assigned to the Newark area on a total
16 basis?

17 We could mark it as an exhibit.

18 A I have no objection to this. I have here a
19 report after looking up our progress reports and our
20 vehicles in Newark, that car 714 is a black unmarked car
21 assigned to a detective and the records do not show
22 that this vehicle was on patrol or in other use during
23 the time in question.

24 As a matter of fact, I think it was at one of our
25 stations at the time.

1 Q Educate me a little bit. I understand there
2 were 160 autos on duty at the time of the Newark riot.
3 99 of them were black and white?

4 A Yes.

5 Q 61 were black with 30-inch letters ^{visible}
6 a half-mile on the top?

7 A That's the black and white.

8 Q Yes. 99 of the black and white had the 30-
9 inch letters?

10 A Yes.

11 Q Of the 61 black cars where would the number
12 of a car show up, if at all?

13 A We have a list of all the cars that were
14 in Newark.

15 Q I understand that but physically, where would
16 714 be on the black car?

17 A It is not marked at all.

18 Q In other words, the only way you could identify
19 the black car as to number would be the license number?

20 A No. That is not the license number.

1 MR. HOFFMAN: That is the State Police
2 number.

3 Q Forget about the number 714 for the moment.

4 The only way that you would be able to identify a
5 black car is by a license plate number?

1 A Yes.

2 Q In a place on a car similar to the ones
3 that anyone else's license plate number is?

4 A Yes.

5 MR. GIBBONS: Mark as a Commission
6 exhibit then that **list** of cars which
7 were deployed in Newark.

8 (Document marked Exhibit C-107 in
9 evidence.)

10 Q For the record would you give us the dress
11 of a State Police man.

12 A Yes. It is long dark blue slacks and by long
13 I mean it is not the britches type anymore but a regular
14 slack with a large thick gold stripe up the sides,
15 black oxford shoes, black sox, and we say a powder blue
16 shirt but it may be just a trifle darker in shade than
17 that but with a matching cap.

18 There is no badge worn on the shirt. The badge
19 is part of the cap or is on the cap.

20 Q Do you wear helmets?

1 A Yes. We wore blue helmets during the riots.

2 Q Do you wear boots?

3 A No, sir.

4 Q You didn't wear boots during the Newark riots?

5 A No, sir.

MR. MEYER: They haven't worn them for some years.

MR. FORTUNATO: I know that but the record doesn't know that.

Q I know you are not the operations officer but offhand can you tell us what kind of arms were used during the Newark riot?

How about sidearms, for example?

A Our sidearms are 39 Colt Specials.

As to the actual firearms used I really don't know the breakdown as far as the firearms are concerned.

Q Smith and Wesson 45 caliber revolver would not be a standard sidearm?

A No. Ours is Colt.

* * *

[Handwritten signature]
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DATED: December 11, 1962