

1 whereupon,

2 THOMAS E. HAYDEN

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

4 EXAMINATION

5 By Mr. Jaffe:

6 Q Mr. Hayden, I would like to put on the record that  
7 we are taking a stenographic transcript of your testimony  
8 as we take of all witnesses who appear before the Commission  
9 and testify. It is the Commission's intention that at some  
10 time subsequent to the filing of the report with the  
11 Governor this transcript, along with the transcript of all  
12 the witnesses, will be made public in the form of being  
13 filed with the state house library and various universities  
14 and the public will have access to it. So I would like  
15 you to be advised of the fact that what you say now will at  
16 some time in the future be public.

17 Could you give us your full name, address and just  
18 very briefly sketch for us your educational background and  
19 your background in the City of Newark, what groups you have  
20 been affiliated with, what groups you are presently  
21 affiliated with? Just a little bit about yourself.

22 A My name is Thomas Hayden. I am 28 years old. I  
23 reside at 227 Jelleff Avenue.

24 Q In the City of Newark?

25 A I have resided in the City of Newark since the

1 first week of August, 1964. Prior to that I spent two  
2 years in graduate study at the University of Michigan.  
3 Prior to that one year of voter registration in civil rights  
4 work in Atlanta, Georgia and Jackson, Mississippi. Prior  
5 to that I was an undergraduate at the University of  
6 Michigan.

7 I have been basically involved in two things:

8 (1) Writing, and (2) social action especially in the area  
9 of civil rights and poverty for the last several years.

10 Q Just for the record could you tell us what you  
11 have written, the books and articles you have written,  
12 just generally? I don't want you to give a detailed  
13 account but just so we have it.

14 A I have written a number of articles for a great  
15 many magazines ranging from small academic sociology  
16 journals to Look Magazine, Mademoiselle, Esquire, and I  
17 have written two books, one on the 1965 trip to North  
18 Vietnam called "The Other Side" published by New American  
19 Library, and the second, which you may be familiar with,  
20 a book on the events that took place in Newark which was  
21 published by Random House.

22 Q That is called "Rebellion In Newark," is that  
23 right?

24 A Yes.

25 Q I wonder if you could briefly describe for us



1 your social action activities.

2 A In Newark?

3 Q Yes.

4 A Well, I came here in August, 1964. The decisions  
5 that led up to my coming started in the fall of 1963. I  
6 was a member of a national left wing student organization,  
7 Students for a Democratic Society, which basically had  
8 been concerned with campus issues for three and a half  
9 years of existence.

10 Q When was it formed?

11 A Nineteen-sixty. Many of us who were too old to  
12 be considered students were looking for ways to carry our  
13 concerns into the community after college. Many of us  
14 were inspired or involved in the civil rights movement in  
15 the South, but basically we saw the situation coming in  
16 the northern cities that you have today and wanted to find  
17 some way to relate to that situation. We thought that the  
18 way to do it for our part was to leave student life and  
19 become organizers, which essentially meant to go into a  
20 number of northern communities, poor communities, black and  
21 white, live among the people and help in trying to bring  
22 groups of people together around the immediate problems  
23 that they see and that they face, problems of housing and  
24 welfare, for example, problems of city services.

25 The basic idea was that in the short run this kind of

1 pressure strategy and tactics would certainly achieve some  
2 small concrete gains, but the long-run objective was to  
3 give people a sense of their own authority and power and  
4 their own capability in the field of making decisions.  
5 This would lead, we thought, to the growth of self-reliant  
6 community organizations which would enter urban politics  
7 and would begin to represent the working class people,  
8 people on welfare, people who are poor, because we thought  
9 that politicians with their mixed constituencies could not  
10 fight for any single constituency and that the minorities  
11 in particular would have to fight for themselves in order  
12 to bring about needed changes and reforms.

13 So that putting it briefly was the essence of what  
14 we tried to do and on a rather temporary basis. We picked  
15 a number of cities across the United States.

16 Q Could you tell us the cities?

17 A Baltimore; Cambridge, Maryland; Trenton; Newark;  
18 Boston; Cleveland; Philadelphia; Chicago. Some other  
19 cities were added later. Some of the city projects that  
20 were organized lasted a long time. Some did not really get  
21 off the ground. The way we did it was to appeal to the  
22 idealism of college students and used SIC as an instrument  
23 to create a new organization starting with the conference  
24 in early 1964 in Ann Arbor where 500 or 1,000 students  
25 attended.



1 Some of the students were preparing to become  
2 engaged in the Mississippi summer project that was  
3 sponsored that same summer, and the rest were to go into  
4 these new projects. These new projects were not to be  
5 under the auspices of SDC. That is one of the confusions,  
6 I believe, in certain areas.

7 Once the project was established it gradually broke  
8 relationships with SDC, which was basically a student  
9 organization, and each of these projects, though initiated  
10 by people who originally were in SDC, were not considered  
11 responsible to SDC in any way. Whether people wanted to  
12 remain as individual members of SDC was up to them.

13 Q Could you remain a member of SDC though you were  
14 out of school?

15 A You can. Ninety-five or ninety-eight percent  
16 of its members are students.

17 Q Is it still active on the campus?

18 A Very much.

19 The mechanism that was created was the Economic  
20 Research and Action Project, ERAP, which was an outgrowth  
21 of SDC. That lasted about one and a half years from  
22 early 1964 as a vehicle for recruiting and training  
23 organizers in these various projects, but as the projects  
24 came to life in local areas, the need for a nationwide  
25 vehicle of training and preparations disappeared and ERAP

1 dissolved. There was never a formal meeting to dissolve it.  
2 It simply wasted away on what you have left today in one  
3 form or another or whatever kind of community groups were  
4 organized by those original organizers.

5 Q I wonder if you would also discuss with us, Mr.  
6 Hayden, the financing not only of SIC but of the various  
7 groups that were initiated in the cities.

8 A The financing of national SIC?

9 Q National SIC and the financing of the various  
10 groups, if you know.

11 A I don't have the SIC books today. During the time  
12 that I was an officer --

13 Q Talk about just when you were there.

14 A We received money from a wide variety of sources,  
15 particularly from parents of students who were involved,  
16 the students themselves, and here and there a wealthy  
17 individual. For the organization of the community-organizing  
18 projects we were helped by a grant of \$3,000 from the  
19 United Auto Workers, which was not the sole contribution  
20 we received but one of the largest ones. Then in the  
21 financing of the projects themselves I remember very well  
22 the financing of the Newark project, which was based  
23 initially on pooling money by the people who came in as  
24 organizers.

25 We don't run on overhead. We were running on a dollar



1 a day for food and six or eight people sharing an  
2 apartment at ninety dollars a month, that was about it,  
3 and borrowing clothes from students who still had jobs,  
4 and this sort of thing. So there was no problem running  
5 a fairly large-scale organization with 40 staff at times on  
6 almost nothing. I don't believe our expenses at the peak  
7 ever exceeded \$15,000 or \$20,000 in a year.

8 Lately in the last two years some of the original  
9 SDC organizers, who are no longer needed in leadership  
10 roles have taken jobs in New York or Newark and contribute  
11 half of their salary or all of their salary to community  
12 people to allow them to support themselves in full-time  
13 organizing roles. So it is basically shoe string  
14 cooperation.

15 Q Just to zero in on your Newark experience, I  
16 wonder if you could tell us a little bit about the Newark  
17 organization, the Newark project in terms of your  
18 membership and your objectives and how you went about it in  
19 the Newark situation.

20 You might also at the same time, if you would like to  
21 discuss your interaction with the other community groups,  
22 do so.

23 A That is a very broad question. I will give a  
24 broad answer, and please probe for anymore concrete things  
25 you would want to know.

1 The ground work for the Newark project was laid in  
2 the late spring-early summer of 1964. They actually  
3 opened an office here in the city on Bergen Street about a  
4 month and a half before I came, and the original group of  
5 student organizers was composed of thirteen people who  
6 were brought in in a vague relationship to the Clinton Hill  
7 Neighborhood Council, a relationship that never worked out  
8 for reasons that I can go into if you wish.

9 The original plan of organizing was to assign each of  
10 the students to a street perhaps three to five blocks long  
11 from Hillside Avenue up across Bergen Street, and the  
12 student, either alone or with another student, would go  
13 door to door talking with each person on a block, and at  
14 that time it was fairly simple for a white student to  
15 explain himself because everyday on the television people  
16 were seeing the Mississippi summer project.

17 Our basic line to get into the door was that we had  
18 left college; we were very concerned to do something about  
19 conditions in the community. We wanted to lend ourselves  
20 to people who wanted to organize and act. We knew we  
21 couldn't take leadership, but we would like to be there  
22 and would like to help in the initiation of meetings about  
23 problems.

24 So it is very difficult work, as you can imagine,  
25 finding a person on a street who will take a strange person



1 of another race into their home and open the home for a  
2 meeting. Sometimes you would have six or eight people  
3 come to a meeting after a week of talking up and down the  
4 street. Sometimes fifty, sixty, seventy-five people.

5 Through this process we were able to learn what the  
6 issues were that people seemed to feel the most concerned  
7 about, No. 1, and they tended to be the failure of city  
8 services, failure of garbage collection, failure of  
9 adequate street lighting, complaints against landlords,  
10 complaints against welfare workers and the welfare system  
11 in general, sometimes complaints about the police.

12 Secondly, we thought that through this process new  
13 leadership could be formed and developed from the grass  
14 roots. As people learned to run meetings and so on I  
15 mean. I am convinced 75 percent of the people with whom  
16 we worked never really participated meaningfully in an  
17 organization. That was very, very crucial fact. They may  
18 have participated in a church committee or at one time or  
19 another ringing doorbells for one of the major parties,  
20 but had never themselves basically been responsible for  
21 getting into an organization, possibly leading the  
22 organization, that sort of thing.

23 By the end of the summer we had an office. We had a  
24 very good start toward an organization, 50 or 60 central  
25 people who would come every week to a meeting.

1 We had a very unpleasant split with the sponsoring  
2 organization, the Neighborhood Council, which I believe  
3 was necessary at that time, and I don't think it resulted  
4 in any lasting serious effects in the community or on the  
5 various parties. But if you would like to talk further  
6 about that I would.

7 Q No.

8 A Then most of the students went home except for  
9 four. The problem now was to move from the initial stage  
10 to Stage Two, which was to start getting people who had  
11 gone this far from their homes to the meetings, to a  
12 series of meetings, now getting them to take full-time  
13 staff responsibility. That meant for them a drastic change  
14 in their lives, far different from occasional attendance  
15 at a meeting, although that was a change. This meant  
16 putting themselves on the line giving up jobs.

17 In the case of Jesse Allen, for instance, whom some  
18 of you may know, who was one of the first people recruited,  
19 he gave up a job at \$125 a week, a factory job. I can  
20 give you several other examples.

21 It was very serious business. In six or eight months  
22 we had a situation where there were several people in the  
23 community and several of the original students now  
24 functioning as the staff. The next summer we brought in  
25 40 students, that summer of 1965.



1 Q Could we have the years? Are you now in 1965?

2 A It started the summer of 1964. Stage Two was the  
3 fall of 1964. Then in the summer of 1965 we brought in 40  
4 students, again mostly white, to try to duplicate what had  
5 happened the previous summer and expand the organization,  
6 and then these students would leave.

7 That work set with only moderate success because there were  
8 too many students and we weren't prepared to organizationally  
9 deal with that number.

10 From that period on, the summer of 1965, the group  
11 which had been named Newark Community Union Project, in  
12 November of 1964 now began to move from a place of isolation  
13 into a new stage of involvement in coalitions with other  
14 organizations and participation in other organizations,  
15 most notably the poverty program and electoral politics  
16 in the state-county elections of November, 1965.

17 Then in the month that followed we participated in  
18 the building up of a welfare mothers' group in the city  
19 along with CORE and other people and organizations.

20 Q What was the function of the welfare mothers'  
21 group?

22 A They would be better able to speak, and I suggest  
23 you bring them in. Roughly the idea was to pressure for  
24 greater allowances since they were living on a poverty  
25 income and to try to offset through organization the abuses

1 that they believed were inflicted on them by the welfare  
2 system in the person of case workers.

3 By the end of 1965 and going into 1966, as I say, the  
4 original Community Union Project was now breaking up into  
5 molecules of new organization around the community. Today  
6 the process is quite at a new stage. NCUP as such has  
7 faded out as an instrument. The people who were organized  
8 over the whole period now appear and reappear in different  
9 organizations, different committees, and form part of a  
10 network of concerned people across the city.

11 I have not personally been active at any leadership  
12 level for some time. In fact, I have been out of the  
13 United States altogether for several months, and it would  
14 be better now, I believe, for you to talk with the people  
15 from the community who carry on. What I can only talk  
16 about is this past history which I now consider over. I  
17 would be glad to try to clarify any opinions I may have  
18 mentioned or started or any factual situation that you are  
19 looking into in the period 1964 up to July, 1967.

20 Q Let me ask you a subjective question if you think  
21 you can answer it.

22 What would you consider, as you look back over the  
23 period from 1964 up to the riot of 1967, your biggest  
24 successes in this area and your biggest shortcomings?  
25 What do you think you have achieved and what do you think



1 still has to be achieved? In achieving in a hopeful way.

2 A Well, the major success from my own point of view  
3 would be helping to stimulate people from the poorer sections  
4 of the community on welfare or working-class people or  
5 unemployed people to organize themselves and introduce  
6 themselves as a political force, a force for change in  
7 the whole community, which I don't believe existed before  
8 our organization came. That would be the major accomplishment  
9 that I would see.

10 The major failure is the inability to do that on a  
11 scale large enough to provide a constructive vehicle for  
12 change since I believe the change is necessary and it is  
13 only a question of how constructively it occurs. The  
14 reason for this failure has to do with a lot of things.

15 Q Could you enumerate some of them?

16 A It is very difficult for someone who has little  
17 hope to begin with to participate two years or one year or  
18 twelve weeks in an organization in which he only receives  
19 further clarification of why the situation seems hopeless.  
20 He goes to see city officials and they turn him down, snub  
21 him over and over. At the same time he is under all the  
22 extreme pressures that anyone is in terms of job, family,  
23 children. He is a mature person with all the normal  
24 responses of such a person. He only has so much time to  
25 give. He tries his best. Nothing happens, and he loses

1 the ability to participate in anything in a hopeful way.

2 The second problem is that we could have used  
3 resources on a scale ten or fifteen times what we had so  
4 as to simultaneously organize in ten neighborhoods in  
5 Newark rather than one, so that people would feel reinforced  
6 by groups across the city. This would have been impossible  
7 on a shoestring basis, the kind of financial basis I  
8 described to you, and there seemed to be no resources  
9 available for people who want to do independent work.  
10 There may be resources available for people who want to  
11 work in the poverty program or for the state, but when it  
12 comes to organizing an organization with 100 organizers  
13 who need to be supported and their purpose is going to be  
14 organizing social conflict and try to create the answer  
15 for change, the money dries up.

16 Q Was your organization basically independent of  
17 the other organizations in Newark such as the UCC, CORE,  
18 and other organizations that were active here?

19 A As I tried to say, we went through that series  
20 of stages. In the early stages, of course, but then our  
21 idea was that you could not send people into an operation  
22 like the UCC and try to keep them together as an organized,  
23 functioning unit. They would have to become identified as  
24 UCC members in their own thinking and in the thinking of  
25 other people if they were to be effective. I don't believe



1 you can function effectively as a group within a group,  
2 not for very long.

3 Q You mentioned just briefly the political role  
4 that you undertook as the organization grew. Were you  
5 active in terms of supporting particular candidates for  
6 office, or were you just active in terms of getting people  
7 interested in the political processes?

8 A Both. The organization made a decision to go into  
9 electoral politics as one avenue of change, and in order  
10 to learn about it in the fall of 1965 when they associated  
11 with the United Freedom Party and ran three candidates of  
12 their own for the State Assembly on that ticket, which was  
13 roundly defeated, and then in the spring of 1966 in the  
14 municipal elections most of the people in the organization  
15 worked in the campaigns of Harris, Richardson, and Gibson.

16 Q What, if any, were your relationships with the  
17 city administration? Did you have any and of what nature  
18 were they?

19 A As far as I can remember I have never talked to a  
20 city official except Mr. Threastt on one occasion. Again,  
21 you should talk to the people in the organization now. They  
22 have had many, many exchanges and many meetings.

23 Q The stages in which you were active there was not  
24 a great deal of communication between your organization?

25 A There was communication. The organization

1 communicated its grievances, I think, very clearly. They  
2 fall on quite deaf ears.

3 Q What was your process of communicating?

4 A It depended on what people wanted to do. Most of  
5 the time in a block organization people thought the first  
6 thing to do was to write a letter and have 30 or 40 or 60  
7 people sign it, which would specify the things that were  
8 wrong with garbage collection or whatever the issue was.  
9 Then they would wait for a reply, or they would call the  
10 Board of Health and hope that an inspector would come. Or  
11 they would organize a delegation to go down and see the  
12 Board of Health, or they would organize a delegation to go  
13 and speak at city council.

14 After eighteen months of that, and really after two  
15 or three months in the case of some people, some of the  
16 people decided that it was not possible to simply persuade  
17 through sweet reason the administration of the city, but  
18 that you had to go into the streets or take visible action  
19 so as create attention to a problem as a means of making  
20 the administration aware of it.

21 Q When would you say this concept began?

22 A It depended on what part of the organization  
23 you are talking about. Some block groups never began.  
24 The Hunterdon Street block group had a demonstration before  
25 I came to Newark at the Fifth Precinct because they could



1 not persuade the police to move their cars off the sidewalk.  
2 I believe that there were certain deep-seated grievances  
3 toward the police. I cannot believe that 100 people would  
4 take the time to picket all day against the forces of  
5 authority simply because cars were on the sidewalk, but that  
6 was what the group voted to do and put out a leaflet that  
7 they had tried to get the cars off the sidewalk and the  
8 police wouldn't do it. I think the police had insulted  
9 Lou Adams or one of the other people on that street, saying  
10 something to the effect that your people have no rights,  
11 but that came after, not before the demonstration occurred.

12 As you know, or maybe you do not know, there were  
13 several other demonstrations that we either participated in  
14 or initiated over the next two years.

15 Q Would you say about 1965 now you are talking about?

16 A Late 1964, 1965. He also found that demonstrations  
17 were not bringing about change. I think it is very  
18 important that this be underscored.

19 Q Why do you feel that?

20 A I feel that on the basis of experience and close  
21 observation and that any reasonable person would agree if  
22 he studied each and every demonstration that occurred in  
23 the last five years in the City of Newark and the results.

24 Q What was the normal response to a demonstration?

25 A It would depend. Sometimes the normal response was

1 to throw the people off stride by sewing confusion; that is,  
2 you tell them that the man they wanted to see was not in  
3 when in fact he was, or that they could have a meeting the  
4 next morning so that when they came there would be no one  
5 to meet with, or that they would say, "I am not the official  
6 to go to; it is another person" and then they would go to  
7 that person and find it was actually another person.

8 MR. DRISCOLL: Do you know this of your own  
9 personal knowledge?

10 THE WITNESS: Yes, sir.

11 MR. DRISCOLL: You personally made  
12 any that engagements with officials who didn't show up to  
13 keep the appointment?

14 THE WITNESS: Yes, yes.

15 MR. DRISCOLL: Let me ask you another  
16 question. Did you or your organization, directly  
17 or indirectly, have anything to do with the civil  
18 disturbance that happened last summer in the City  
19 of Newark?

20 THE WITNESS: Do you mean now in the sense  
21 of causing or watching?

22 MR. DRISCOLL: No, I mean did you have  
23 anything to do with insighting it.

24 THE WITNESS: Of course not.

25 MR. DRISCOLL: I don't know what additional



1           evidence this witness could give us on the basis  
2           of that answer.

3           MR. JAFFE: I have some more unless the  
4           Commission feels that I shouldn't continue.

5           CHAIRMAN LILLBY: Why don't you finish your  
6           line of questioning?

7           By Mr. Jaffe:

8           Q I wonder if you might tell us, just in the last  
9           area, talking about the problem of communication and the  
10          problem of grievances and the method of reaching the city  
11          administration, if you have some thoughts for us in the  
12          way that could be done today in the City of Newark. What  
13          are the problems in the communications area and what do  
14          you think are some remedies or some suggestions you could  
15          give the Commission that might help in alleviating these  
16          problems?

17          A I don't think it is a problem of communications.  
18          It is a problem of resistance to change.

19          Q You think it is understood?

20          A I think most people know what the problem is. The  
21          communications aspect is minor compared to the question of  
22          how changes are going to proceed. It cannot be stopped or  
23          erased from history. The question is: How rough, how  
24          simple, how peaceful, how not peaceful will the change be?  
25          For instance, Mr. Lofton as an attorney can describe much

1 more clearly than I in any area you want to examine how  
2 people still have no mechanisms for redress. In the area  
3 of housing which I am most familiar with tenants have  
4 secured virtually no substantive rights as against landlords  
5 after many, many years in which this problem has been  
6 raised, probably generalizations. I am sure in the thirty  
7 and forties long before we came to the City of Newark there  
8 were these problems. I have been in and out of housing  
9 courts, before judges, and my examination shows that the  
10 law is utterly and hopelessly stacked against the tenant.  
11 If you want me to clarify exactly how step by step a man  
12 gives up on this society, the easiest way to do it is to  
13 go step by step through the stages that a tenant has to go  
14 through when he has a problem.

15 There is no legal way I know of, no meaningful way  
16 that he can peaceably settle his grievances with the landlord.  
17 Until people have the powers of self-determination in some  
18 sense guaranteed by law, the power to bargain and be  
19 organized, there will be no constructive method of change.

20 If the place of complaining to the housing project  
21 manager is that you will be evicted through an arbitrary  
22 process which seems to have no beginning and no end, if  
23 the place for complaining about police brutality is that  
24 you must give the complaint to Director Spina, if in every  
25 situation the judge and executioner and investigator are



1 one and the same people, people will not be able to  
2 organize in any peaceful, effective way because the  
3 instruments don't exist. That's the basic problem, not  
4 communications, not even money. Money is very important,  
5 but when people don't have the organizational tools and  
6 don't have the due process and don't have the guarantees  
7 as consumers, as welfare recipients, as tenants, as  
8 taxpaying citizens, then it is clear they will not be able  
9 to organize to put the money to use. They will always be  
10 subject to the pressure of city administrations or whatever  
11 groups are buttressed by law to take action.

12 Q Take the police relationship problem with the  
13 citizens in the city. What kind of a mechanism do you  
14 think or would you recommend be meaningful in terms of  
15 providing a proper redress of citizen complaints or  
16 citizen problems?

17 A I am not personally partisan to the idea of a  
18 review board as it has been described, if that is what  
19 you are asking.

20 Q I am not asking you for specifics. You said before  
21 that in the community today if you give a complaint to  
22 Director Spina, this adds to the feeling of hopelessness.  
23 My question really is: Do you have a substantive type of  
24 procedure that you think would be more meaningful?

25 A I support most of the suggestions made by the

1 ACLU at the time of the incident, as it is called, or  
2 disturbance, that called for two things: (1) The structuring  
3 of opportunities for redress through a complaint board or  
4 review board not appointed by the mayor but separate and  
5 distinct with substantives, not simply the powers to take  
6 information without being able to act. But it is not  
7 simply the problem of setting up that structure; it is the  
8 problem of the composition of the Newark Police force,  
9 the need to thoroughly reorganize it so there is at least  
10 a balance of forces in there and not a unified ethnic  
11 patrol which you have today and which bars any possibility  
12 for equal protection under the law or equal treatment by  
13 police.

14 I think those demands were made at the time. Maybe  
15 you could insert them into the record again if you don't  
16 have them. I could send them to you.

17 Q You were quite active on the streets of Newark  
18 during the riot in the summer, from your book. I wonder if  
19 you would give us your estimate of what you thought were  
20 the number of people in the community who participated in  
21 any sense in the riot.

22 A If you are talking about participate in any sense

23 Q In any sense, in the broadest sense of the word,  
24 but some kind of activity. Not just a sympathetic thing.

25 A Some kind of activity.



1 Q I am not talking about somebody who sits in his  
2 house and is sympathetic with the riot. I am talking about  
3 somebody who is in the process of participating even though  
4 he is not a bomb thrower or a looter.

5 A I would say very nearly a majority. If you make it  
6 a much wider category than people who looted or actually  
7 did any concrete action, if you include the people driving  
8 around watching or walking up and down the streets, if you  
9 talk about participation in that sense, I would say a  
10 majority. It would be very hard to sit indoors during  
11 such an event and watch it on television when you can go  
12 outside.

13 Q If I were talking about people who were doing  
14 looting, what would your figure be there?

15 A I have no idea on that score.

16 Q Do you have any information or knowledge as to  
17 whether or not the riot had any pre-planning to it?

18 A As a matter of fact, quite the reverse. I believe  
19 that most people I knew in the city were always debating  
20 whether Newark would have a riot, and there have been very  
21 few discussions, most of them to no point, about what a  
22 person might do if a riot did break out. I have been in  
23 discussions, for example, of how can you provide immediate  
24 medical aid during a holocaust that might go four or five  
25 days or a week which people would be possibly cut off.

1 Well, we never solved the problem. It was always an  
2 abstract discussion, and every discussion of that kind  
3 I was in was always an abstract thing and the riot happened.  
4 No one was really prepared to do anything during it except  
5 to react.

6 Q What are your views on the method in which it was  
7 handled?

8 A I believe they are here.

9 MR. DRISCOLL: By "here" you are referring  
10 to your book?

11 THE WITNESS: Yes.

12 By Mr. Jaffe:

13 Q I think they are.

14 Is there anything you would like to say in excess of  
15 your book? That was the purpose of my question.

16 A Yes. One thing that is not in the book, I  
17 believe that on Friday morning that if the battle plan on  
18 the part of the Governor, were the exclusive goal of  
19 protecting people whose communities had not been attacked,  
20 that if the forces could have been deployed in such a way  
21 as to provide that protection and that it was not  
22 necessary in my opinion to send the forces into the slum  
23 areas on the scale they were sent in. Briefly I will show  
24 you simply what I mean. If you will grant me that this is  
25 the City of Newark --



1 Q Let's describe for the record, Mr. Hayden, that  
2 you have drawn a sketch.

3 A We put the zone of the riot in it.

4 Q What you have is really two rectangles with little  
5 arms.

6 A If the forces had been deployed along the streets  
7 which form a relatively natural borderline --

8 Q Would you describe those streets for the record?

9 A Broad Street is one. Maybe Lyons Avenue or  
10 something like that.

11 Q Central Avenue on the other side?

12 A Possibly Central. Possibly Bloomfield at the  
13 north. I believe that no one here would have been --

14 MR. DRISCOLL: By "here" you are referring  
15 to the center city?

16 THE WITNESS: Yes. No one in the central  
17 city would have tried to penetrate these lines  
18 because it would have been highly unrealistic,  
19 and I believe that underneath all the rioting  
20 there is a very realistic and practical basis for  
21 why people are involved. It is because they can  
22 move from where they live to where the nearest  
23 store is and achieve immediate economic reward and,  
24 as they see it, get even with the person who has  
25 been cheating them, get back to the house with the

1 stolen goods. Everyone else is implicated so no  
2 one will tell on anyone, and it is relatively safe.  
3 You do not expose yourself to police attack.

4 That is why it is not toe to toe black and  
5 white fighting, which has much less -- there is  
6 nothing material that can be gained from it,  
7 merely psychological release, and you expose  
8 yourself to much more physical punishment.

9 I believe very few if any people would have  
10 tried to cross through these perimeters if the  
11 heavy equipment had been destroyed there. As I  
12 believe is the case, by the time the troops  
13 arrived Friday morning the job in terms of looting  
14 specific stores had been done. The looting was  
15 going to diminish anyway. Those stores which were  
16 really valuable and had not been looted, which I  
17 do not believe were very many in number, could  
18 have been protected by troops being stationed in  
19 front of them, and I believe the thing was over.

20 But what would have had to have been organized by  
21 the officials was that a successful attack on the  
22 property in the ghetto area had been managed,  
23 period, and that from now on in this area there  
24 would have to be some kind of new order of things.  
25 There was no basic danger that there would have



1           been a race riot with those troops there.

2           But instead for reasons I cannot understand  
3           the deployment was clearly a show of force,  
4           clearly the troops were divided into small units  
5           and moved rapidly throughout the community,  
6           clearing people off the streets and that sort of  
7           thing. That is the phase I would call the  
8           occupation and the terror, but I believe that if  
9           the purpose was to limit destruction to human  
10          life, to protect white neighborhoods where there  
11          had been no violence, that it could have been  
12          done Friday morning; that it was not done as the  
13          most revealing thing that I believe you can say  
14          about the purposes of the authorities in this  
15          case.

16          difficulty.

17           MR. GIBBONS: If we accept your geography, I  
18           think you are faulty on geography alone. In fact,  
19           there was looting and destruction substantially  
20           north of Bloomfield Avenue, for instance on  
21           Oriental Street.

22           THE WITNESS: Only in that pocket on Oriental  
23           Street. That could have been cordoned off. That  
24           was also Thursday night. All the action, as far  
25           as I am concerned, after Thursday night was  
            basically caused by the presence of the troops.

1 MR. DRISCOLL: Were you present in Newark  
2 during this period?

3 THE WITNESS: Yes.

4 MR. DRISCOLL: And from what point did you  
5 observe what was going on?

6 THE WITNESS: From what time?

7 MR. DRISCOLL: No. Where were you when you  
8 made these observations?

9 THE WITNESS: Either on foot or in car all  
10 over the riot zone.

11 MR. DRISCOLL: In other words, you had no  
12 difficulty in traveling by foot or by car throughout  
13 the zone?

14 THE WITNESS: No basic difficulty. Occasional  
15 difficulty.

16 MR. DRISCOLL: Did you observe the  
17 activities of the National Guard, the State Police,  
18 the Newark Police?

19 THE WITNESS: Yes.

20 MR. DRISCOLL: You could distinguish  
21 between the three organizations?

22 THE WITNESS: Very well.

23 MR. DRISCOLL: In other words, you had no  
24 difficulty in saying, "Well, this is a Newark  
25 policeman who is patrolling a certain area; this



1 is a State policeman or this is a National  
2 Guardsman?"

3 THE WITNESS: They were wearing different  
4 uniforms and where their uniforms were different  
5 it wasn't very difficult to identify the three  
6 separate forces.

7 MR. DRISCOLL: Did you observe any difference  
8 in their conduct?

9 THE WITNESS: That was a puzzle to me, and I  
10 am still not clear about basic differences in their  
11 conduct, as I think I pointed out in the book. I  
12 didn't know what different orders they were  
13 getting or what different assignments they were  
14 getting.

15 MR. DRISCOLL: My question was: what did you  
16 observe with respect to their conduct?

17 THE WITNESS: I saw no basic difference in  
18 the violence practiced by all the troops as is  
19 clarified here.

20 MR. DRISCOLL: Now to be specific, what  
21 violence did you observe by (a) the Newark policemen,  
22 (b) the State policemen, and (c) the National Guard,  
23 that you observed personally?

24 THE WITNESS: I would prefer not to answer  
25 that further than is answered in the book because

1 there are certain legal proceedings now involving  
2 that question and involving myself, and I feel  
3 obliged as an author not to give any information  
4 about the sources of this book beyond what is  
5 mentioned in the book.

6 MR. DRISCOLL: I am not asking you to give  
7 anything with respect to the sources other than  
8 what you personally observed.

9 THE WITNESS: That would go beyond what I  
10 have said in the book, and I would prefer not to.

11 MR. DRISCOLL: I don't care what you would  
12 prefer; I want to know what you saw personally.

13 THE WITNESS: I simply cannot answer that.

14 CHAIRMAN LILLEY: I think if the witness  
15 feels his legal rights will be interfered with,  
16 we can't insist he answer the question.

17 MR. DRISCOLL: I disagree with you, Mr.  
18 Chairman. The witness has been very glib on a  
19 great many subjects, but when you come to the real  
20 heart of the issue I want it on the record that he  
21 refuses to answer.

22 CHAIRMAN LILLEY: Would you withdraw for a  
23 moment, Mr. Hayden, please?

24 THE WITNESS: Gladly.

25 (Whereupon, the Commission went into Executive Session.)



1 CHAIRMAN LILLEY: Mr. Hayden, we have had a  
2 discussion concerning the position you took on  
3 the question. I would ask the reporter to read  
4 back to you the record the way it stands, and I  
5 will say parenthetically that in my view you did  
6 not have to answer that question and it is still  
7 true. But I think you should hear the record as  
8 it existed just before you left the room.

9 (The record was read by the reporter.)

10 CHAIRMAN LILLEY: I now tell you that the  
11 ruling that you do not have to answer the question  
12 has been stands.

13 By Mr. Jaffe:

14 Q I just have one last general question for you,  
15 and the Commissioners may have some.

16 You have spent some considerable amount of time in  
17 the City of Newark, particularly among the people in the  
18 ghetto area, among some of the younger people. I wonder  
19 if you might give us your thoughts as to what you think  
20 are the major problems that are there and some thoughts  
21 as to how we might address them.

22 A Well, as I tried to indicate, Mr. Jaffe, I feel  
23 that the absence of meaningful procedures for actual change  
24 to take place is far more important than communications and  
25 even more important than money and resources. So I would



1 simply say again that across the board in these areas of  
2 public and private housing, well, consumers' problems, the  
3 introduction of meaningful avenues of expression where  
4 people who have grievances can see the grievances resuited  
5 is the priority that I would stress.

6 But alongside that, or even before that, my own  
7 feeling is that there has to be recognition by the majority  
8 of the community, the white community, that it harbors a  
9 certain amount of violence and racial prejudice. It strikes  
10 me that the military forces here have been in the suburbs  
11 of New Jersey made into heroes of a kind, and the feeling  
12 has been intensified that a good show of force will deal  
13 with this problem. I think that force begets force; that  
14 social problems cannot be dealt with by military means.  
15 They can simply be enlarged by an attempt to check them  
16 with military means, and that until it is recognized that  
17 the majority harbors violence as basic instinctive response  
18 to this problem of race there will be very little change.

19 For instance, in the case of a Commission such as  
20 yours, if I can be permitted to say something in an area  
21 about which I know little, I believe that most people in  
22 the ghetto do not know about this Commission's activities,  
23 nor do they expect that anything will come out of this  
24 Commission's activities, nor do they expect that such a  
25 commission will recognize the element of police violence



1 that in their lives was so basic from the beginning  
2 incident until the withdrawal of troops.

3 So that situation has to be corrected, I believe,  
4 before there will be any possibility for the introduction  
5 of these instruments of meaningful change into the  
6 community. There has to be that recognition, not of guilt  
7 -- white guilt is very fashionable -- but of the evil and  
8 the violence that is supported directly and indirectly by  
9 all of the institutions of the white community, often  
10 without most people even knowing that this pattern of  
11 violence goes on and few people at all knowing its  
12 consequences.

13 MR. JAFFE: Thank you.

14 JUDGE WACHENFELD: These social adjustments  
15 you speak of, you agree with me they are going to  
16 take some time to bring them about?

17 THE WITNESS: I believe it will take some  
18 time.

19 JUDGE WACHENFELD: What do you suggest as to  
20 how law and order should be maintained while they  
21 are being adjusted?

22 THE WITNESS: I don't believe that law and  
23 order in that sense should be maintained because  
24 it is not a just and fair distribution of law and  
25 order. There is one kind of law and order for

1 the suburbs and another kind for the ghettos.  
2 Until there is law and order that is the same  
3 for one man as for the next and that allows the  
4 man in the ghetto redress his grievances in a  
5 meaningful way and in a reasonably efficient,  
6 effective and rapid way -- I don't mean all the  
7 grievances, but at least the immediate ones, there  
8 will be no law and order.

9 JUDGE WACHENFELD: What is your suggestion  
10 as to what that way should be?

11 THE WITNESS: Which way?

12 JUDGE WACHENFELD: Of the Negro adjusting  
13 his grievances.

14 THE WITNESS: Well, I have tried to suggest  
15 that there be basic reform, for instance, in  
16 the machinery of landlord-tenant rights.

17 JUDGE WACHENFELD: Don't go through all the  
18 causes. I am talking about the phase of law and  
19 order while these other adjustments are being  
20 made, assuming they will be made.

21 THE WITNESS: I think the majority has no  
22 right to expect that a minority will accept a  
23 law and order that has no meaning.

24 JUDGE WACHENFELD: Then your idea is that  
25 law and order should not have any consideration



1 in this problem?

2 THE WITNESS: There is no law and order in  
3 the ghetto community. There is a double standard  
4 of justice and law applied across the board. Your  
5 question has no meaning.

6 JUDGE WACHENFELD: When you talk about law  
7 and order, you are talking about statutes that are  
8 on the books, or ordinances that are on the city  
9 books. They control the white as well as the  
10 black.

11 THE WITNESS: Not in the same way.

12 JUDGE WACHENFELD: And what is the difference?  
13 I happen to be familiar with them, having interpreted  
14 them for fifteen years.

15 THE WITNESS: I am not so familiar and much  
16 less experienced, but I think as an obvious fact  
17 that America racism twist the application of law.

18 JUDGE WACHENFELD: What you are trying to say  
19 is they are enforced against one, but they are not  
20 enforced against the other? Isn't that right?

21 THE WITNESS: That there is a double standard,  
22 and that standard --

23 JUDGE WACHENFELD: What makes you come to  
24 that conclusion, your research?

25 THE WITNESS: My own brief experience over

1 the last eight years in the South and in the  
2 North.

3 JUDGE WACHENFELD: That is all I have.

4 MR. LOFTON: Mr. Hayden, if I understood you  
5 correctly, you indicated one of the basic  
6 philosophies of NCUP was after you found out that  
7 no meaningful result was being introduced by way  
8 of demonstrations or by the letter writing phase  
9 in some projects or some street groups as being  
10 Stage One and so forth, it was a recognition that  
11 had come that it was necessary to create social  
12 conflict, is that right?

13 THE WITNESS: (Witness nods affirmatively.)

14 MR. LOFTON: Would you say that not in terms  
15 of your own personal view, unless you care to give  
16 it, but would you say that the people that have  
17 been associated with what I believe you have more  
18 or less described as a loosely federated  
19 organization philosophically feel that violence is  
20 a legitimate instrument for social change?

21 THE WITNESS: I certainly feel it is, and I  
22 have learned that as an American by reading my  
23 country's history. I don't mean that it is by  
24 any means a main instrument or a major instrument,  
25 but that it is included among many instruments in



1 the process of social change and it is a very  
2 dangerous instrument to the user. I can't speak  
3 for other people in this kind of loose organization.

4 Again, I believe that you should talk directly  
5 to them, but I would say this: That most of the  
6 people that I have met in the community, whether  
7 they are in the organization or not, believe that  
8 violence is a legitimate instrument of change.  
9 They believe other ethnic groups have used violence  
10 both to fight their way up the ladder and to hold  
11 their position on the ladder, and that I believe  
12 that there is not much difference between the  
13 people in organizations and the people in the  
14 community on that question.

15 MR. LOFTON: That was bringing me to my next  
16 question.

17  
18 In terms of your communications in the target  
19 population that we are dealing with here, and here  
20 again without revealing your sources of information,  
21 but in your excursions in this area would you say  
22 in your opinion that the majority of the people  
23 in the area feel regretful or have a feeling of  
24 shame about the disorders that occurred, or do  
25 you feel there is a feeling of pride among the  
people who are in the area who either participated

1 or were there where the participation took place?

2 THE WITNESS: It is a mixture, I suppose.

3 Among some there is shame. I think among a much  
4 larger number there is a sense of pride. Among  
5 many others there is probably a feeling of great  
6 pain at the suffering that was imposed, and among  
7 others simply confusion about what it all meant  
8 because it comes like a tornado; that if you live  
9 in a tornado zone and you believe a tornado will  
10 come some day, you still are not prepared when  
11 it arrives and it has a tremendously crushing  
12 effect on everyone involved.

13 There is that kind of person who doesn't yet  
14 know what positive and what negative things came  
15 from it. But I would have to say I don't feel in  
16 any position to answer your question very well,  
17 Mr. Lofton, because I have been away during most  
18 of the period in the post-riot months.

19 MR. LOFTON: Let me hinge another question on  
20 Justice Wachenfeld's question with respect to the  
21 kind of time that would have to be necessary to  
22 achieve the institution of change that you  
23 recognize as being necessary to really give any  
24 kind of meaningful status to people in the poverty  
25 community.



1           Are you thereby recognizing that this is  
2 going to take time to change, assuming there is  
3 the will to change? Are you thereby saying that  
4 no matter what short-term solutions immediate  
5 solutions, that might be suggested by this  
6 Commission or any other such commission that it  
7 even might be implemented? Are you saying that  
8 even though that is done, that in your opinion  
9 until there is that institution of change it  
10 would take a considerable period of time and we  
11 could expect there would not be peace and harmony  
12 in those urban communities? Is that what you are  
13 saying?

14           THE WITNESS: That is my view.

15           MR. DRISCOLL: Mr. Hayden, to your knowledge  
16 were there any participants in the riots from  
17 outside of the state?

18           THE WITNESS: Yes, there were some latecomers.

19           MR. DRISCOLL: They were not organizers?

20           THE WITNESS: No. I said I feel it comes  
21 like a tornado. It is not staged by organizers.

22           MR. DRISCOLL: Would you say that there was  
23 no financial aid from outside the state as far  
24 as you know?

25           THE WITNESS: None that I would know of.

1           MR. GIBBONS: As I understand it, you did  
2 undergraduate and graduate work at the University  
3 of Michigan.

4           THE WITNESS: Yes.

5           MR. GIBBONS: What was your field of  
6 concentration?

7           THE WITNESS: As an undergraduate, a mixture  
8 of literature and political science. As a  
9 graduate student, primarily political science,  
10 teaching one semester, a course in American  
11 Government which I also taught at Rutgers  
12 University Extension Service this last year,  
13 taught at the University of Michigan and also at  
14 Rutgers.

15           MR. LOFTON: I have one other question.  
16 Mr. Hayden, just in terms of your view, in terms  
17 of your participation in the initial organizational  
18 phase of NCUP I believe you indicated that you had  
19 participated, with the other persons involved, in  
20 the electoral process, is that correct?

21           THE WITNESS: Yes.

22           MR. LOFTON: And I believe that you indicated  
23 that you participated in certain specific campaigns  
24 of individuals, and the individuals you named  
25 happened to be Negro.



1 THE WITNESS: Yes.

2 MR. LOFTON: This then meant that you felt  
3 that it was necessary for the people in that  
4 community to have Negro representation, is that  
5 correct?

6 THE WITNESS: Yes.

7 MR. LOFTON: Let's assume, getting back again  
8 to this other question, because it is correct what  
9 you are saying, do you feel that the kind of time  
10 that has to be bought, if I can use that phrase,  
11 or the kind of time that is necessary for these  
12 institutional changes to come about, if you were  
13 successful in achieving this now in terms of Negro  
14 representation as far as the poverty community is  
15 concerned, this would offset the probability of  
16 the recurrence of violence while this institutional  
17 change that you are talking about comes about?

18 THE WITNESS: I think it would decrease it,  
(DESCRIBED BY THE WITNESS.)

19 but again the actual reasons for these uprisings  
20 are so mysterious, that is, since they are not  
21 organized, that I wouldn't want to go so far as  
22 to say that even in Cleveland where there is a  
23 black mayor there will never be a riot. I think  
24 it would be a mitigating, a tremendous profound  
25 force in the sense that it would give people a

1 new sense of confidence in their local government,  
2 but then we would have to see how the local  
3 government operated and how quickly it could  
4 begin to make such changes that would really  
5 affect the simple things that people are worried  
6 about.

7 JUDGE WACHENFELD: Off the record.

8 (Discussion off the record.)

9 MR. DRISCOLL: You referred to your book.  
10 Are you prepared to state under oath that everything  
11 contained in that book is accurate to your best  
12 knowledge and belief?

13 THE WITNESS: Yes.

14 MR. DRISCOLL: I wonder, therefore, if we  
15 might not ask that the book be entered as an  
16 exhibit.

17 MR. JAFFE: Off the record.

18 (Discussion off the record.)

19 MR. JAFFE: I just want it on the record that  
20 there was a discussion among the Commission members  
21 and it was ruled that the book would not be  
22 received in evidence because it was not of the  
23 type of material that the Commission has  
24 traditionally received in evidence. It has not  
25 received books by other authors that have appeared



1 thereupon before it.

2 CHAIRMAN LILLEY: Thank you for appearing  
3 called as before us, Mr. Hayden. We appreciate it.

4 in the presence of the public (Witness excused)

5 By Mr. Jaffer: \* \* \*

6 Q Mr. Richardson, would you please give us your  
7 full name, address and present occupation and just very  
8 briefly give us some background on what you have been  
9 doing in the City of Newark and what elective office you  
10 held?

11 A My name is George G. Richardson. I am the  
12 president of Port Newark Association, which is a public  
13 utility-financially responsible firm. I am also a member  
14 of the State legislature by virtue of the past election.  
15 In the past four years I have been involved in one of  
16 the civil rights organizations in Newark. Particularly  
17 I was one of the founders of what we call the Newark  
18 Coordinating Council organized in 1963, and this was a  
19 coalition of about twelve civil rights groups including  
20 NAACP, the Puerto Rican Organization, various clergy  
21 groups and labor organizations which at that time one of  
22 our main objectives was to eliminate discrimination in  
23 the building and construction trades.

24 This group broke up and I was involved in many other  
25 of the civil rights groups whose prime objectives were to

Whersupon, GEORGE C. RICHARDSON

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

EXAMINATION

By Mr. Jaffe:

Q Mr. Richardson, would you please give us your full name, address and present occupation and just very briefly give us some background on what you have been doing in the City of Newark and what elective office you hold?

A My name is George C. Richardson. I am the president of Periscope Associates, which is a public relations-community relations firm. I am also a member of the State Legislature by virtue of the past election. In the past four years I have been involved in some of the civil rights organizations in Newark. Particularly I was one of the founders of what we call the Newark Coordinating Council organized in 1963, and this was a coalition of about twelve civil rights groups including CORE, two Puerto Rican organizations, various clergy groups and labor organizations which at that time one of the main objectives was to eliminate discrimination in the building and construction trades.

This group broke up and I was involved in many other ad hoc civil rights groups whose prime objectives were to