

RIOTS, CIVIL AND CRIMINAL DISORDERS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE NINETIETH CONGRESS FIRST SESSION

PURSUANT TO SENATE RESOLUTION 53, AS AMENDED (S. RES.
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t been identified for the record before,

so.

**HARRIATT; ACCOMPANIED BY HIS
SISTER BABCOCK—Resumed**

g after swearing you and having you
d, I gave you warning that any testi-
against you in a future proceeding and
er indictment and that possibly other
o indictments are pending against you,

would have your attorney down here,
court proceedings. But he is not here.
ou were here, since we had you here,
th him here counseling you.

say has probably withdrawn from the
g that he was trying to get some New
t. I may ask you, have you heard any-
w whether he has had any success in
resent you?

ellan. I don't think it will be necessary
I hope that you, the rest of the com-
whoever are present in the audience,
because I am not going to testify. That
in no sense.

nt now. I am not going to let you make
you do not want to testify, your coun-
I am not going to insist that you do
nt and because whatever you say here

l about the possession of these carbine
into the Plainfield Machine Shop in
hether you broke in and stole rifles at
ainfield this summer.

other questions along that line, and
e in the rioting and did not stand out
s and so forth. The committee has that
as already been testified to. But you do
lo so, to refute any testimony that has
ry to you.

y, I am not going to proceed any fur-
me—I say your counsel—I believe you

g). Has advised you, you should not

t.

divised him he should not testify. He is
l say just what he wants to say and not
if you do not want to testify without
wing the conditions and possibly the

risk you will be taking, then I am going to excuse you and you will
not be required to testify.

Mr. HARRIATT. I appreciate that.

The CHAIRMAN. If you want to make a speech, make it somewhere
else.

Everett Lattimore, you have been previously sworn. You said
you wanted to make some additional statement. If you want to have
some impact and influence on the Chairman, make it brief.

TESTIMONY OF EVERETT LATTIMORE—Resumed

Mr. E. LATTIMORE. I would like to thank the Chairman for giving
me the opportunity—

The CHAIRMAN. I can't accommodate everybody who wants to be
accommodated. We are trying to drive along here to get through with
this.

Mr. E. LATTIMORE. I was under the impression that the testimony
given the other day when my brother was talking, that was his testi-
mony. As a matter of fact, there are parts of his testimony with which
I would not be in agreement.

The CHAIRMAN. If you want to differ from your brother, you may.

Mr. E. LATTIMORE. I am simply saying my sitting or being here
does not necessarily mean I would be in agreement with the conclu-
sions drawn. Most of his testimony I was not there with him.

The CHAIRMAN. Was not what?

Mr. E. LATTIMORE. I was not actually with him in most of the in-
stances to which he testified.

The CHAIRMAN. Make your point, that you did not make the other
day.

Mr. E. LATTIMORE. Mr. Chairman, I would address myself essential-
ly to the cause of the summer disturbance in Plainfield.

The CHAIRMAN. Go right ahead.

Mr. E. LATTIMORE. The causes as I might cite them had their begin-
ning perhaps as far back as 1963 in terms of specifics. In 1963 the
NAACP of Plainfield, that particular branch, had a list of grievances
which it had submitted to the then mayor at that time. It was attached
to the door of city hall.

These particular grievances differ in a very minor way from the
grievances which have been submitted as of February 11. I believe I
do have here a copy of these grievances which I will not actually read
because of the need for brevity and time, but the mayor, the present
mayor of Plainfield, is on record as saying that he does not know what
the grievances of the people of Plainfield are.

I am saying that in a peaceful manner the Negro people of Plainfield
have made known the specific grievances in our particular community.
I would offer for the record at this point grievances that were sub-
mitted in 1963.

The CHAIRMAN. They may be received and made an exhibit.

(Document referred to was marked "Exhibit No. 61" for refer-
ence and may be found in the files of the subcommittee.)

Mr. E. LATTIMORE. These grievances were also spoken from the com-
mon councilman's floor before they became the grievances of the
NAACP.

The CHAIRMAN. They were what?

Mr. E. LATTIMORE. These grievances were set forth from the common council floor between 1962 and 1963, grievances which I, as a councilman, set forth from the common council floor.

The mayor made reference again in the course of his discussion to the effect of a committee which had been set up to receive the grievances of February 11. Let me indicate first of all that the common council was very reluctant to move at all upon these submitted grievances of February 11.

Each member of the common council indeed received a personal copy of the grievances of the NAACP, February 11 of this particular year. The common council refused to permit this to be placed on the agenda and I had to fight, there was a floor fight to get the committee chairman to put this on the agenda.

Once having placed it on the agenda a three-man committee was set up. Now this three-man committee to which the mayor has made reference, of which I was a member, did not in any way submit or rather did not in any way present an opportunity for the NAACP or any of the specific boards or commissions which were charged with various violations, did not give them an opportunity to actually come together.

The CHAIRMAN. You were a member of the board. Why didn't you?

Mr. E. LATTIMORE. I am saying that on this particular committee, Senator McClellan, who set up the council was first of all trying to determine how will we handle the specific grievances.

It was my suggestion that the council would indeed set up and make it possible for dialog to exist, a dialog wherein representatives from the NAACP and members of the common council, together with the specific board or commission which was involved in the alleged grievances, with the stated grievances, that they would sit down and thresh this matter out.

The reason I suggested this particular way of handling the matter is based on an experience last year at which there was a problem in our recreation commission. Now, the mayor has alleged that we have a fully integrated city. I want to take just about three points that I will talk to. One will be the recreation commission.

The CHAIRMAN. Are you finished with the grievances?

Mr. E. LATTIMORE. No, sir.

The CHAIRMAN. I want to put that in as an exhibit if you want it made an exhibit.

Mr. E. LATTIMORE. This is a reply made by the NAACP dated November 20 which is a reply to the council's reply to its stated grievances.

The CHAIRMAN. Why don't you testify what the conditions are and what the council did or didn't do. Tell us what the conditions are.

Mr. E. LATTIMORE. These are the conditions that have created in Plainfield, contributed to—

The CHAIRMAN. Should we have the other members of the council down here to give us the conditions?

Mr. E. LATTIMORE. The conditions of which the Negro community were largely aware of and many members. In Plainfield we have a recreation commission. The head of that recreation commission is one who bears the title of secretary to the board of recreation.

We have the title of superintendent of recreation but this is not filled. We have had assistant superintendents. Prior to my becoming councilman 6 years ago, a civil service examination was taken.

The present secretary to the board is a Caucasian. He was in competition with a Negro. On this particular civil service examination which was taken the Negro outscored him. Now, because there were not three persons who had taken this particular exam, the recreation commission, which is an autonomous body, it was not incumbent upon them to appoint the Negro to the position of superintendent of recreation.

Now, they could not appoint Mr.—

The CHAIRMAN. Is there a Negro member on that board?

Mr. E. LATTIMORE. There was not a Negro on the board at that particular time. Now, the superintendent, they could not appoint the Caucasian to this particular spot. So they created a separate title, secretary to the board of recreation.

Now, this condition exists today in Plainfield. But last September I prevailed upon the president of the NAACP a year ago, prevailed upon him to meet with me along with members of the recreation commission and I prevailed on the present mayor who attended the meeting. I said, "Gentlemen, here is the situation that exists. The mayor agreed that this was a situation which should be corrected. He said that what we should do is abolish the position of secretary to the board of recreation and that we should have the position of superintendent of recreation filled."

This was more than a year ago. The recreation commission agreed. I have a letter to me to the effect that they agreed to this. But this has not been done.

The CHAIRMAN. Have you taken it up with them again?

Mr. E. LATTIMORE. Yes, I have pursued it further with them. I am saying that there are bases on the part of the black people of Plainfield to feel that the city government is insensitive to their needs.

Indeed, what I am attempting to cite at this particular time are facts which will indicate that, indeed, where there has been equal opportunity, and in this particular instance where the Negro has prevailed, he has still been denied the right to hold the job he has proved he was capable of holding.

The CHAIRMAN. What job is that?

Mr. E. LATTIMORE. Superintendent of recreation.

The CHAIRMAN. Go ahead.

Mr. E. LATTIMORE. The mayor talks about an integrated school system and, indeed, on the surface it would appear to be that way.

The CHAIRMAN. Haven't you had integration in the schools there all the time? You didn't have to have a civil rights law to get that, did you?

Mr. E. LATTIMORE. By virtue of the fact of discrimination in housing and by virtue of the adherence to the traditional concept of neighborhood schools there are many areas in the north where, indeed, de facto segregation exists. This is a fact.

The CHAIRMAN. It has not been a matter of law? There has been no law allowing separated schools.

Mr. E. LATTIMORE. That is right.

The CHAIRMAN. As far as the law is concerned, the law would permit and in fact shows no discrimination so far as the statutes are concerned.

Mr. E. LATTIMORE. You are right. May I indicate and go back to the protest Saturday night at a meeting in which they protested, the teenagers stood up and protested about the track system in Plainfield. This is ability grouping supposedly that exists in Plainfield.

The CHAIRMAN. They had that here in Washington until last year or this year.

Mr. E. LATTIMORE. Our community in terms of meeting this de facto segregation has been split wide open since the year 1963. There have been protest marches which began with approximately 150 people at one point. It has been an integrated demonstration against the kind of educational setup we had in terms of de facto segregation.

I am saying the community in Plainfield was made widely aware of the inequities that existed. I can remember as we marched down the street seeing youngsters singing the songs on the way back, coming back from having walked to city hall.

So, the youngsters of Plainfield are aware of the particular insistence by their elders, indeed, equal opportunity.

Now, I am saying that these same youngsters are taking another look at a system which says to them, and I must explain, sir, here that we have three groups, "W," "X," and "Y," white groups, the "X" groups, that is the average; the "W" groups are predominantly white; the "Y" are predominantly Negro. So that, indeed, what you do have in the track system in Plainfield is again a type of segregation that exists.

The CHAIRMAN. Do you have members of your race on the school board?

Mr. E. LATTIMORE. Yes, we have a member who has since the protest of the Negro, he has since been placed on the board of education, yes.

The CHAIRMAN. I assume that in a place like New Jersey, where there has never been legal discrimination, at least that you folks had representation.

Mr. E. LATTIMORE. No, sir.

The CHAIRMAN. I know we in the South get the devil for a lot of it but I assumed that with your law of "no discrimination" that you had everything under very good control.

Mr. E. LATTIMORE. May I respectfully say, sir, that there are those of us who have said that the South will be ahead of the North in a very short time.

I am one who has to take a good hard look at this statement. From what I see of the conditions in certain areas, it makes me wonder.

The CHAIRMAN. That statement may be true.

Mr. E. LATTIMORE. In some instances, sir, it is true, which I know.

The CHAIRMAN. All right. Proceed.

Mr. E. LATTIMORE. We have a fire department in which the Firemen's Benevolent Association did not want to accept Negroes. It took a lawsuit before they could break this down. We had a roller rink just a few years ago in which Negroes were permitted to skate on Monday night. We had a movie in which the Negro youngsters might indeed sit on the left-hand side of the particular movie.

Now, these things are gone but the remembrance is still there. What we are trying to say at this point, sir—

The CHAIRMAN. Do you have those conditions there now?

Mr. E. LATTIMORE. Do we have those conditions there now?

The CHAIRMAN. Yes.

Mr. E. LATTIMORE. We have improvement. We do not have the conditions in the movies there now. The roller-skating rink has been torn down.

The CHAIRMAN. Did you have them at the time of this riot?

Mr. E. LATTIMORE. Sir, we had an attitude formed at the time of the riot, an attitude which crystallized as a result of events which led up.

My brother testified to the effect that he felt that Mr. Cathcart might indeed have been able to help start the riot. This is not my opinion because individuals who talk about prevailing conditions don't necessarily start the riots. What starts the riot happen to be conditions that exist.

The CHAIRMAN. What I am trying to ask you and I want to get this is—you speak about conditions that did prevail. I was asking you if they prevailed at the time of this riot. If those conditions once existed and improvement has been made and they no longer exist they could hardly justify the rioting. It must be something else. It would indicate to me that you have been making improvement.

Now, you may make any comment you like.

Mr. E. LATTIMORE. Now, sir, in our school system, it still exists, more so today than ever before. This is where the youngsters are and this is what they talk about. In our firemen's association this has been corrected. The poor image of our police department—and I speak as one who is chaplain of our Plainfield Police Department, one of the two chaplains, one who has many friends in this particular body—there is a bad image there as a result of the department on the part of a few Plainfield policemen. This still exists.

Now, I could point out certain instances by our police board in which it has penalized a Negro and in which it has not penalized a white patrolman. A Negro was brought up before the patrolmen's jury. The jury found no cause for a charge against this particular patrolman. The police force saw fit to give him some time anyway, to hold back on a possible promotion.

A white patrolman was stopped for promotion. It was determined that he falsified an application. The common council chose to take no action on this but this was a definite violation of the rules.

So I am saying that there has been in Plainfield a double standard by the previous chief of police who has since resigned and I will count the men who did not vote to accept his resignation with regret.

This is because indeed he was responsible for much of the problem in terms of discrimination in the police department.

The CHAIRMAN. Very well. Senator Muskie wants to ask a question.

Senator MUSKIE. Mr. Lattimore, I wonder if you could summarize. I am sure from what you have said already that this would be useful for us to hear. I am already 20 minutes late for an appointment. Could you summarize and make your basic points, your conclusions, as to facts and details and illustrative situations. I am afraid we don't have the time to hear that all.

The CHAIRMAN. That is why I was trying to get you to hurry.

Mr. E. LATTIMORE. The mayor testified that he does not know what can be done in Plainfield to help the situation. We have complex problems. That is evident. We need a comprehensive answer. The model city program promised this. The mayor and most of the members of the common council, Republican, dallied and deliberately killed—

The CHAIRMAN. Senator Mundt is not here now. It is not fair to attack him while he is gone.

Mr. E. LATTIMORE. I want to say, I am rushing through, but I certainly feel that there is in Plainfield, there is so much—

The CHAIRMAN. There is not a whole lot this committee can do about this.

Mr. E. LATTIMORE. There is so much I could testify that I am not even touching upon. I have been placed at a disadvantage in hurrying as I am. May I merely go to some recommendations that I might personally ask the committee to give consideration to?

The CHAIRMAN. Yes.

Mr. E. LATTIMORE. No. 1: Despite the mayor's claim that the situation in Plainfield is not critical, I will state to him it certainly is critical. I do have here statistical data which has been compiled by our planning office in Plainfield, N.J., which will refute what the mayor has alleged indeed that in Plainfield—we might look at the whole of Plainfield—17.6 percent of the citizens make less than \$4,000.

In this particular area 38 percent of them make \$4,000 per year or less, underemployed or unemployed. I am saying that one of the type jobs that they can do happens to be the job that would require apprentice training. I would respectfully ask that you give consideration to encouraging the unions to help expand this kind of program.

Now the Federal Government has made available funds for on-the-job training, it has made available funds for expanding educational opportunities with educational groups. I am saying at this particular point, the Federal Government should consider making funds available to the unions who already have the know-how to help them to develop new apprentice programs and to expand those which they already have so that they can better and more rapidly be able to work with the underprivileged.

When I say underprivileged, I am not here appealing for the Negro per se. We have a growing Puerto Rican element in our community and particularly in our county, especially in the city of Elizabeth, N.J. In my travels throughout the county I have been made aware of this particular need. The other item that I would respectfully suggest is that there is a need to establish regional job councils. The purpose would be to mobilize human resources for productive purposes. One of the goals of this type of council would be first of all to be able to mobilize the businessmen and the jobs in the area.

Now, Plainfield is essentially a residential community.

Senator MUSKIE. May I say this to you, Mr. Lattimore. I think you ought to use the few minutes that are available not so much to develop solutions to these problems as to give us the facts because you can submit your recommendations for solutions to any member of this committee by letter or to the local governments and I would be interested in those.

But I think the importance of this hearing is that it provides an opportunity under oath to establish facts. So if you could summarize, give us any summary on that point, I think this would make the most valuable use of the few minutes you have.

Mr. E. LATTIMORE. Discrimination in hiring policies of the city of Plainfield, the city hall should be the showplace case. At a committee of the whole meeting, it was determined with the former mayor that indeed there was an official that was hiring—did not give the equal opportunity for hiring of all peoples.

Housing discrimination. There are very few rental areas available to Negroes in our apartment housing, garden apartment houses. In each of these areas, the need for housing was mentioned by the young-

sters either on the Friday night in which I spent a considerable amount of time talking to these youngsters for almost 3 hours.

Saturday night it was also mentioned. A Negro pays more for the rat trap in which he is living than in the other areas, garden apartments which are nice but actually cost less money. The Negro could not move into that area. I am saying that in Plainfield, the Negroes are aware of the discrimination in the various areas.

They are aware of the inequities in education, in terms of hiring, aware of the inequities in the important areas of living. They are also aware of the attitude of certain members of the police force.

Now, they are not aware of efforts on the part of the police to project a positive image and this is needed.

Senator MUSKIE. Let me say, I think you have made several points very clearly. And I think with obvious feeling. The fact that we do not have all the details that you would like to pour into our ears, I don't think does any harm to your cause. You have made your point. Your concern about housing, schools, police, and recreation are general areas of concern that I think other witnesses have testified to.

You have testified to it. So I think you are going to have to leave some of the details unsaid here but I don't think you ought to be concerned that you have not made an impact.

Mr. E. LATTIMORE. Well, I simply would, if I could, sir, leave a report by the human relations commission, the director of the human relations commission, Ronald G. Cohen. He was director at the time the riots took place.

The CHAIRMAN. It may be received.

(Document referred to was marked "Exhibit No. 61A" for reference and may be found in the files of the subcommittee.)

Mr. E. LATTIMORE. In that there is pertinent information that would indicate that Plainfield had ghettos.

There is further information submitted by the NAACP that I would ask be made a record of.

The CHAIRMAN. That may be added to that previous one.

Mr. E. LATTIMORE. I would appreciate extending to the chairman, Senator McClellan, and because of the misunderstanding on my part yesterday I owe it to you—I will not only give it to you personally but I will give it to you publicly, I was not aware that you wanted me personally to come up and shake hands with you.

The CHAIRMAN. I was not asking you to or not to.

Mr. E. LATTIMORE. What I am saying, it was my impression it was my brother's testimony. Later on I found out you meant for me to come up at the same time. I do not want you to feel that I, in any way, slighted you.

The CHAIRMAN. I thought you shared his views. I thought he made a good witness based on what he said if it is true, I thought he deserved commendation. I publicly commended him.

Now whether that will hold up after the hearings are all over, I don't know. But based upon what he said, I thought he deserved to be commended if what he said is true.

Mr. E. LATTIMORE. May I leave one impression. I have never thought and never said and still do not feel that the majority of the Negroes have ever been in sympathy with rioting.

The CHAIRMAN. I don't think so either. One other question and I am through. While you have mentioned all these things, I assume you

are trying to convey the impression that they are causes but not justifications for rioting.

Mr. E. LATTIMORE. There is no justification for violence as long as due process remains open to a people.

The CHAIRMAN. Well, you can qualify it if you want to.

Mr. E. LATTIMORE. That is why we had the American Revolutionary War.

The CHAIRMAN. The committee will recess these hearings. I do not know whether there will be further hearings or not. I am not closing them. There may be. There will have to be an evaluation of this testimony and of other information we have. But for the present the committee stands adjourned subject to call.

(Whereupon, at 6:15 p.m. the committee adjourned subject to the call of the Chair.)

(Members present at time of recess: Senators McClellan and Muskie.)

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