

Summary of the Special Meeting of the New Jersey Advisory
Committee to the U.S. Commission on Civil Rights on

BIGOTRY AND VIOLENCE IN NEW JERSEY

This statement by the New Jersey Advisory Committee to the U.S. Commission on Civil Rights is prepared for the information of the Commission. The recommendations in this statement should not be attributed to the Commission, but only to the New Jersey Advisory Committee.

MARCH 1982

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, created by the Civil Rights act of 1957, is an independent, bipartisan agency of the executive branch of the Federal Government. By the terms of the act, as amended, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, handicap, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study of the legal developments with respect to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

THE STATE ADVISORY COMMITTEES

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

MEMBERSHIP
NEW JERSEY ADVISORY COMMITTEE TO THE
UNITED STATES COMMISSION ON CIVIL RIGHTS

Clyde C. Allen, Chairperson
Plainfield

Maggie Agueró
Elizabeth

Juan Rosario
Newark

Enrique Arroyo
Trenton

Dominick R. Sanfilippo
Cresskill

Thomas Carney
Belleville

Julia R. Scott
Newark

Clara Dasher
East Orange

Karla J. Squier
Maplewood

George Fontaine
Plainfield

Robert J. Tanksley
Plainfield

Hazel Gluck
Lakewood

Nadine Taub
Newark

Cynthia Jacob
Somerville

Ruth Waddington
Morristown

Robert Joe Lee
Titusville

Alvin Wilson
Cherry Hill

John M. O'Keeffe
New Vernon

Marion E. Zeiger
Morrestown

Carmelo Ramos
Vineland

Richard Z. Zimmer
Flemington

The following were members at the time of the special
meeting and are no longer members of the Advisory Committee:

Robert Cawley
Princeton

Alfonso Roman
Newark

Ming Hsu
Westfield

Esti Rosenblum
Edison

CONTENTS

Introduction_ _ _ _ _	2
Summary of Presentations_ _ _ _ _	4
Response of State Government_ _ _ _ _	6
Recommendations of the Advisory Committee_ _ _ _ _	9
Footnotes_ _ _ _ _	11

Introduction

For the past 3 years the members of the New Jersey Advisory Committee to the U.S. Commission on Civil Rights have been concerned about the growing number of violent incidents in the state ostensibly caused by racial, ethnic, and/or religious tensions. In 1980 the Anti-Defamation League (ADL) of B'nai B'rith reported 69 incidents of anti-Semitic violence in New Jersey. This was the second highest number of such reported incidents in the whole country. In September 1981, Jeffrey Maas, Director of the New Jersey office of the ADL, reported that incidents were up 100 percent in the first 6 months of 1981 as compared to a similar period in 1980.¹ The Office of the Attorney General of New Jersey reported 57 bias related incidents in the period from October 1980 to September 1981.² Some of this increase can be attributed to better reporting systems of the police and some can be attributed to a public more aware of the need to report such acts. These figures, however, do not reflect instances of break-ins of a more direct criminal nature at houses of worship or a less criminal nature such as the defacement of public signs with racist epithets. These acts which may have been reported as simple breaking and entering or simple vandalism are nonetheless symptomatic of the larger issue of the social climate of New Jersey and the social and political climate of the country influencing or encouraging these expressions.

After reviewing the data available on this issue, the Advisory Committee scheduled a special meeting to discuss the issue of violence in New Jersey generated by race, ethnicity, and/or religion. The meeting was held on September 17, 1981, in Trenton and representatives of State government and public interest groups were invited to attend and make presentations about their perceptions and their experience. The following persons addressed the Advisory Committee:

Attorney General James R. Zazzali; Edward Weiss, Chairman of the Regional Advisory Board of the Anti-Defamation League of B'nai B'rith; Nida Thomas, Assistant Deputy Commissioner of the New Jersey Department of Education; Rev. Dudley Saferty, Associate General Secretary of the New Jersey Council of Churches; Enrique Arroyo, Executive Director of the Puerto Rican Congress of New Jersey; Janos Gotsch, Executive Director of the Eastern European Coalition of America; and Mark Miller,

Staff Attorney for the American Civil Liberties Union Farm-workers Rights Project.

This statement by the Advisory Committee draws directly on those presentations and followup interviews. Unless noted otherwise all quotations are from the presentations. These written materials are not reproduced here in total but may be obtained from:

Eastern Regional Office
U.S. Commission on Civil Rights
26 Federal Plaza- Room 1639
New York, New York 10278

Summary of Presentations

The existence of organized hate groups in New Jersey is a documented fact. There are records of Klan meetings and the ADL estimates that the Klan has a membership of 30 to 50 people in New Jersey.³ Whether it is their existence per se, or the general climate in this country that has given rise to the increased number of criminal acts generated by race, ethnicity, or religion, was a key area of concern for the Advisory Committee.

The news media over the past 2 years has provided ample evidence of the existence of groups such as the Ku Klux Klan and the National States Rights Party. Klan meetings, racial incidents, suspected arson, assaults, vandalism, and grafitti have been part of our reading and television viewing with disturbing regularity with datelines of Barnegat, Fairlawn, Fairfield, Bridgeton, and Hudson County. However, there was a clear feeling expressed by the presentors that organized hate groups were a symptom of the problem rather than the problem itself. Neither then Attorney General Zazzali nor Jeffrey Maas felt that organized hate groups in New Jersey have played, or are playing any significant role in the execution of the acts of vandalism or violence directed at racial, ethnic, or religious minorities.

All the presentors agreed that there was a perception in the country at large that the expression of these feelings was somehow acceptable or permissible social behavior. They felt that current administration policy decisions on social programs has provided an atmosphere that encourages scapegoating.

According to Edward Weiss, Chairperson of the Regional Advisory Board of the ADL, "When prices rise and earnings don't keep up, when jobs are scarce...and inflation leaves the average wage earner on the brink of poverty, the Jews make a convenient scapegoat. So ordinary citizens... curse the so-called 'Jewish establishment' or rail at their Jewish neighbors for their imagined affluence...and some times these feelings spill over into action."

This idea of scapegoating has particular application in New Jersey. A recent example was the anticipated resettlement of large numbers of Cuban refugees. This caused a vocal outcry on the part of many people who perceived that these refugees and other immigrant groups were somehow receiving special treatment from the government.

While there is no debate about the increased number of incidents in New Jersey, there remain differing interpretations of the seriousness of the problem and the identity of possible perpetrators. Attorney General Zazzali attributed the bulk of the incidents of vandalism and graffiti to juveniles. He added that this hypothesis was "not intended to diminish the seriousness of the problem...The victims of such an occurrence suffer great anxiety and trauma." Jeffrey Maas partially agreed with the Attorney General in saying that he felt many of the acts were committed by juveniles; however, he added that in fact some localities were not assiduously pursuing some cases because of this belief. Neither felt that there was any organized process by which a group (or groups) were trying to intimidate minority racial or religious groups.

Nida Thomas, however, perceives a real Klan presence and problem in the state. "They exert more influence than their numbers." She asserted that Klan influence is clearly seen in the actions of "...less socially reprehensible groups like the John Birch Society, various citizens committees, and antibusing and neighborhood school advocacy groups." Even if these acts are committed by juveniles, one cannot automatically relegate their actions to the status of childish behavior, she added.

The fact that the Ku Klux Klan has actively tried to recruit in some high schools of the state clearly implies that the pranks of juveniles may be influenced by distinctly non-juvenile ideas. Irene Hill Smith, State President of the New Jersey NAACP, was quoted in the New York Times identifying schools in Cumberland County and Gloucester County as areas of visible Klan activity.⁴ Klan strategy for recruitment of young people was clearly stated by Bill Wilkinson, Imperial Wizard of the Invisible Empire of the K.K.K., interviewed for the same article. He said, "We see the

Youth Corps as an alternative to the Boy Scouts. And the children recruit each other. In schools with racial problems a Klansman will go to the school grounds and pass out literature." 5

Response of State Government

The signing of the Ethnic Terrorism Act on September 10, 1981, was in the eyes of many people the culmination of a long process to bring the fact of such violence to the attention of the public and provide the law enforcement system with specific punishments for a specific crime. The law calls for sentences of 3 to 5 years and fines of up to \$7,500 for a person(s) committing an act(s) "that exposes another (person) to threats of violence, contempt, or hatred on the basis of race, color, creed or religion." However, "a person shall not be guilty of an attempt unless his actions cause a serious and imminent likelihood of causing fear of unlawful bodily violence." 6

Despite the passage of the law and the enthusiasm with which it was greeted in many quarters, there is some concern about whether it will be effective. The American Civil Liberties Union of New Jersey (ACLUNJ) has taken a position that the law as currently written may prove to be unconstitutional since conviction rests to a great extent on demonstrating the purpose of the perpetrator and the impact upon the victim. According to Lauren Seldon, Executive Director of the ACLUNJ, trespass is already a crime. "This new law is, in essence, subjective. It creates a new crime that says that, if a recipient of a message claims to be terrorized or put in fear by seeing a communication or a symbol that's protected by law (swastikas and burning crosses are not in themselves illegal), it's a crime," he said. He added that he expected the ACLU to be defending cases in which the law is involved. 7

Attorney General Zazzali took the position that the law itself will act as a possible deterrent to most people who might commit an act of vandalism. His basic assumption is that there is no organized violence in the state and that most of the acts are committed by juveniles. Other presentors applauded the passage of the law as a symbol of the commitment of the state but had no idea about its efficacy as a deterrent.

Partially as a response to the ADL data on violence, the Office of the Attorney General of New Jersey implemented a plan to collect more accurate data on such incidents and to coordinate its assistance to the 21 county prosecutors offices. Under this system, local police officers are required to notify county prosecutors of any act of violence with a religious, ethnic, or racial motivation and the prosecutor is then required to provide such information to the Prosecutors Supervisory Section of the Attorney General's Office. According to James Mulvihill, Assistant Attorney General and Chief of the Prosecutors Supervisory Section, when a report of a particularly serious offense is received, his office staff will confer with the local prosecutor to insure that proper actions have been taken to investigate the matter.⁸ Mr. Mulvihill did not have any data on the number of incidents that have required such action. He added that they are now trying to correlate arrest and adjudication data with the number of current complaints and then compare them with data gathered under the Ethnic Terrorism Act sanctions.

In addition to the work of the Attorney General, the New Jersey State Police, at the request of the ADL, has established a Civil Affairs Section within the agency's Central Security Unit. The unit has essentially an intelligence/monitoring function rather than an operational one as in direct investigation. This section is comprised of three officers and is responsible for followup of incidents reported to State police from localities and organizations. According to Lt. John Reynolds, Supervisor, Central Security Bureau, the unit remains involved only if there is evidence that the incident may have been caused by an organized group. If no such evidence is found, the remainder of the investigation is left to the local authorities. Lieutenant Reynolds felt that most people were untouched by the emotional message of such signs as swastikas and the vandalizing of houses of worship. Until the general public is sensitized about the seriousness of the problem, such incidents will undoubtedly continue, he said. He felt that the media could play a stronger deterrent role by emphasizing apprehension and punishment.⁹

Both representatives of the Attorney General's Office and Edward Weiss agreed with the comments of Hazel Gluck, Assemblywoman from Gloucester County, who raised the issue of the fear some victims felt when urged to report a crime. She said that in her experience people fear that reporting an incident

will expose them to more trouble in the future. They believe that, if they ignore the incident, the problem (anti-Semitic) will disappear. The Attorney General strongly recommended that Ms. Gluck urge her constituents to report such incidents so that the protections and services of the Victim Witness Program could be provided. Ms. Gluck commented that she was unaware of the program and that perhaps her lack of knowledge about this program was symptomatic of the whole problem of communication between victim and the law enforcement system.

The Victim Witness Program is a federally funded project designed to provide teams of police personnel to aid and support victims and witnesses of crime. It is a statewide program and each county has either part-time or full-time staff assigned to it. All staff are trained by the Attorney General's Office and each county is funded individually. Services include coordinating social and other support services as well as physically transporting victims/witnesses to court and explaining the intricacies of legal procedures to these persons. ¹⁰

Despite the work of the State government enforcement network, the basic issue remains. The attitudes of the general public supported by their perceptions of governmental policies and exacerbated by difficult economic times give rise to anti-social behavior. The existence of the Klan or other such groups only provides a convenient symbol of this sentiment. The following statement which originally appeared in "The Torch", a new national Nazi publication, is an indication of the extremist thought behind racism and bigotry.

The unchecked flow of mongrels, low bloods and Jews has reached huge proportions and racial chaos will devastate our United States and exterminate our aryan race unless the unarmed invasion of the unfamiliar and the the unassimilable is not only stopped, but totally eradicated in a violent and massive racial purge. ¹¹

The Advisory Committee remains concerned that the dispute over the role of organized hate groups detracts public attention from the more insidious nature of racism and bigotry. The Committee believes that unless more attention is paid to the underlying causes of racism and bigotry, the violent acts will continue.

RECOMMENDATIONS OF THE ADVISORY COMMITTEE

Many recommendations were made by participants at the special meeting. As a group the presentors all felt that the formal and informal educational systems of the state could be called upon to play a significant role in providing information to combat the spread of bigotry. Following are recommendations addressed to social service and educational agencies:

1. The New Jersey Department of Education should require the completion of basic coursework in combatting racism as a prerequisite for licensing for teachers at all levels of the educational system.
2. State sponsored educational improvement centers and other teacher training institutions at all levels should provide courses in combatting racism in all its forms.
3. Given the hypothesis that most of these acts are committed by juveniles, a high school, and/or middle school should be targetted in an area with high numbers of incidents and a project designed to work with students to determine what causes lead to such actions. This could perhaps be coordinated through the Division of Youth and Family Services in conjunction with the Rutgers School of Social Work.
4. Institutions such as religious and professional organizations and parent teacher groups should be using their good auspices to present issue-related materials to their constituencies and to the community as well.

In addition to the above recommendations, the following are specifically directed at the state law enforcement process:

5. The Attorney General's Office and the New Jersey Police Training Commission should design a training program for all State and local law enforcement personnel which would sensitize officers and other staff to the impact of these acts upon the victims. County prosecutors should be held responsible for training in their own jurisdictions.
6. The Attorney General's Office should begin to aggressively advertise the existence of the Victim/Witness Program and do outreach in communities that have had a number of incidents publicized in the press, but relatively few complaints reported to agencies.

7. A speakers bureau composed of law enforcement representatives and community representatives should be developed.
8. More officers should be assigned full-time to the State police bias unit responsible for investigating incidents.

FOOTNOTES

¹In January 1982, the Anti-Defamation League of B'nai B'rith reported 94 incidents in New Jersey for the whole of 1981.

²James Mulvihill, Chief, Prosecutors Section, Office of the Attorney General, telephone interview, Sept. 18, 1982, hereafter cited as Mulvihill Interview.

³Jeffrey Maas, Executive Director, Anti-Defamation League of B'nai B'rith (New Jersey), telephone interview, Oct. 27, 1981.

⁴New York Times, Sept. 14, 1981, New Jersey Section, p. 1, hereafter cited as NYT, Sept. 14, 1981.

⁵NYT, Sept. 14, 1981.

⁶C.2 C133-10 et seq.

⁷Lauren Seldon, Executive Director, ACLU, telephone interview, Sept. 22, 1981.

⁸Mulvihill Interview.

⁹Lieutenant John Reynolds, Supervisor, Central Security Bureau, telephone interview, Feb. 8, 1981.

¹⁰Marie Ann Pidgeon, Director, Victim Witness Program, Office of the Attorney General, telephone interview, Sept. 22, 1981.

¹¹Klanwatch Intelligence Reports, Mar. 1981, published by the Southern Poverty Law Center.