

RIOTS OF JULY, 1964

By

Rochester, N.Y. City Manager

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Local History

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CITY OF ROCHESTER, NEW YORK

Office of the City Manager

April 27, 1965

TO THE COUNCIL

Re: Riots of July 1964

Gentlemen:

This report is submitted pursuant to Council Resolution No. 64-65, adopted unanimously July 27, 1964.

It is apparent, as of the date of the submission of this report, that the Rochester community is tragically close to talking itself into another riot. Rumors periodically sweep the City, rumors that this or that date is to be the time for another outbreak of violence. Nothing could be more divisive, destructive or dangerous. Such rumors are the harbingers of holocausts.

The Rochester community, before the riots of July 1964, was working in a positive way on the root causes of Negro discontent. Hours had been spent on such matters by public officials, both Negro and white; by the clergy, both Negro and white, and by what were assumed to be community leaders, both Negro and white. Yet many of the products of such joint deliberations and joint efforts have been viewed as paternalistic, inadequate or both. Indeed, many of the Negroes who participated in the joint efforts to formulate beneficial programs are now scorned by other Negroes.

I am convinced that the positive way---that is, doing what you do because it is right---is the best and only acceptable course of action. I believe, after thorough examination of the records of this and prior City administrations and after long conversations with a variety of sources, that nothing the City government could have accomplished in the past few years would have so dramatically changed conditions for the Negro in the riot areas that his frustration and anger would have been eliminated. At the same time, many persons I spoke to felt that the City could have done more.

Many of the things the Negro wants are beyond the power of the City government to give. A man's impatience for a good job is understandable, but in this modern, technologically-advanced community a good job requires training, which takes time. While it is rational to demand job training "NOW," it is self-defeating to demand a good job "NOW."

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Despite its shortcomings, this community has performed in a positive way. Positive things have happened, are happening and are about to happen. A recurrence of last July's violence would inflict irreparable damage on such positive programs and would be self-defeating. A resort to violence to support demands for improved conditions would be as unreasonable as the elimination of positive programs in reprisal for riots.

Basic Findings

The riots were not planned or organized, although some persons took advantage of them for various purposes after they started.

The riots were not race riots in the usual sense of direct conflict, but there were racial overtones, particularly in the nature of the targets of destruction and looting and those who participated in such acts.

Rochester policemen and, later, Sheriff's deputies and State Police, acted with courage, wisdom and effectiveness under extreme provocation. Their behavior undoubtedly prevented a blood bath that could have made Rochester synonymous with infamy.

Direct causes of the riots were complex, ranging from an unusual and continuous span of hot, humid weather to the examples of Harlem and Bedford-Stuyvesant to a false report that a police dog had bitten a Negro woman who was pregnant. In fact, there may have been a different cause for every person who decided to take to the streets during those days and nights.

The riots have tended to harden the racial attitudes of many persons, thereby making it more difficult to obtain community-wide acceptance of positive programs to improve conditions.

Brief Chronology

The origins of the riots occurred when policemen assigned to a properly licensed street dance sponsored by the Northeast Mothers Improvement Association undertook the arrest of an apparently intoxicated youth, Randy Manigault, age 20. The policemen acted upon the complaint of one of the dance chaperons, Gene Stevens, at about 11:25 p.m., July 24, 1964. Patrons of the dance immediately attempted to take the prisoner, by force, from the arresting officers. A call for help brought K-9 units to the scene, which appeared to further enrage the crowd. In a matter of minutes the crowd turned into an angry mob of about 500 persons.

It should be noted at this point the similarity of these happenings with those that led to other riots during the summer of 1964. J. Edgar Hoover, director of the Federal Bureau of Investigation, in his report of September 18, 1964, on nine separate riot incidents, said:

"Whatever the cause, in each instance there was first violent interference with the policeman on the scene, followed by the gathering of a crowd. Then,

either because of exhortation of rabble-rousers or further incidents caused by the disturbance, the crowd was increased by the arrival of youths looking for excitement or violence or worse. As mob spirit swept through the crowd, it became increasingly unruly, began stoning police officers and civilians, and the ominous surge of a mass of violent people bent on destruction spread through the streets."

By 12:30 a.m., July 25, 1964, Police Chief William M. Lombard, having been called by Public Safety Commissioner Donald J. Corbett, arrived on the scene and attempted to calm the crowd. He even went to the extraordinary length of releasing prisoners arrested on his authority and without bail in an effort to disperse the mob. Not only did this fail, but also Chief Lombard was attacked and nearly killed.

When police brutality is discussed it should be remembered that this brave officer, at the risk of his life, tried first to negotiate a peace with this mob. This was not the action of a police tyrant, but that of a humane, responsible leader. The mob's rejection of Chief Lombard's offer fits into the national pattern described by Mr. Hoover. His report of September 18, 1964, also said:

"As the spirit of mob action grew, every effort by responsible public officials, police officers and others to persuade the crowd to disperse and go home failed. Complete defiance of the law and the rights of others grew and fed upon itself."

This was, indeed, the apparent pattern of events in Rochester. The next paragraph of Mr. Hoover's report accurately describes the developments that took place here, as follows:

"In a majority of the areas affected, store windows were broken, sometimes for many blocks, rocks were thrown, ash cans were hurled from roof tops, bottles, bricks, Molotov cocktails and fire bombs were thrown; the latter usually on the second or third day of the riots.

"Looting followed..."

By 1:30 a.m. July 25, 1964, Chief Lombard had returned to Police Bureau headquarters in the City Public Safety Building. There he was joined by the City Manager, the Corporation Counsel and the Public Safety Commissioner. In rapid order thereafter, off-duty policemen were called in, the Sheriff was asked to supply assistance in manpower and equipment and the City Manager declared a State of Emergency to exist.

Shortly after 3 a.m. July 25, 1964, the first call to the Governor's office for assistance by the State Police was made. By 7:30 a.m. the first contingent of State Police arrived. More State Police arrived during the day. By late morning, employees of the Department of Public Works and equipment, under police protection, had cleaned up the worst of the debris in the riot area and had begun boarding up vandalized property. That afternoon the City Manager established a curfew for night hours.

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Arrangements were made with State officials to prohibit the sale of liquor and other alcoholic beverages, and gun shops were closed.

During the evening and the night of July 25, 1964, rioting and looting broke out again and spread to several new areas. Molotov cocktails and gasoline bombs were used. July 26 arrived in an atmosphere of uneasy peace. Late that afternoon the Governor's office announced that National Guard troops would be dispatched to Rochester, as requested by City and County officials. The riots were stopped with their arrival on the scene and with one display of power---the transport of troops through the principal riot areas.

A more detailed listing of events is incorporated in Exhibit I, attached.

Riot Participants

It must be understood, indeed, emphasized, that only a small percentage of Rochester's population participated in the riots. By and large, the people of Rochester, regardless of color, deplored the riots and were repelled by them.

About 1,000 persons were arrested for riot-connected reasons. However, the arrests during the last half-hour of July 24 and on July 25 and 26 are most pertinent to this report, and they totaled 893 persons.

The initial arrests involved 52 persons, and they occurred during the first three hours of rioting as a result of directions to police officers to concentrate on those who appeared to be leading or agitating the rioters. As more manpower was put into the field, the arrests were more general in scope.

Exhibit II, attached, analyzes the 893 persons arrested. This analysis is subject to several limitations, since much of the data are based only on statements of those arrested and received no independent validation. Within such limitations, however, it is pertinent to note:

---Most of those arrested lived in the City. Only negligible numbers resided outside the County or State.

---Almost equal numbers of those arrested were married or single.

---More than two-thirds of those arrested were born outside the State. A review of records reveals that most were born in southern states.

---Less than half the rioters were unemployed. This makes no judgment as to whether these persons who were employed also were under-employed.

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A total of 976 persons was arrested and charged with 997 offenses during the period of rioting and riot-related activities, compared with the 893 arrested the first two days. Exhibits III and IV, attached, provide analyses of the arrests. A review shows:

---The predominant age group of those arrested was between 20 and 40.

---One out of eight arrested was white.

As noted earlier in this report, there were many motivating reasons for those who took to the streets to riot. It seems clear, from talking to some who were involved, that a few riot participants truly believed their actions were calling attention to conditions of housing and employment. These persons seem to have had an attitude that can best be described as one saying, "Maybe now they will listen."

It is evident, however, that more of the rioters were engaging in an irrational orgy of lawlessness and disorder. Many toughs and thugs were participants, liquor played its part, as did the opportunity to loot.

Exhibit V, attached, showing the latest disposition of the arrests and charges resulting from the riots, discloses that of the total of 997 charges, 803 resulted in convictions and 64 are still pending. Two Grand Juries handed down a total of 26 indictments against a total of 88 defendants.

Riots Unexpected

Despite claims by some persons that the community should have known the riots were coming---claims of "I warned you" or "I told you," etc.---no City offices received any communication purporting to alert of impending disaster in the hours, days or weeks preceding July 24, 1964. Conversations with supposed leaders and persons regarded as being aware of situations indicated an opposite atmosphere. There were expressions of considerable satisfaction with the City's public housing efforts, the City School District's program to eliminate racial imbalance in the schools and Rochester employers' moves to provide broader opportunities for employment. It certainly would be inaccurate to claim there was total satisfaction. It is factual to say that there was a feeling of satisfaction that things were moving in the right direction.

Official Agencies Not Used

No place in the country has made greater efforts to marshal all its resources or established more agencies to deal with racial discrimination and related problems than have New York State and its localities---particularly Rochester. None of these agencies had prior knowledge or received warnings of the riots and none was transmitted to this or any other City government office.

The State has enacted the Baker-Metcalf Law to prevent discrimination in housing and created the State Commission for Human Rights, with a Rochester office. The City-County Human Relations Commission, the City-County Youth Board, the Rochester Police Advisory Board and a wealth of private agencies, such as settlement houses, have been actively concerned with major problems of racial discrimination, housing, employment and similar areas of interest in this report.

The existence of public and private agencies, clearly, was and is not enough. Most of Rochester's Negro population does not know of or use these agencies as avenues through which redress of grievances may be obtained or information secured. Public and private agencies must shoulder some of the blame. Negro leadership, which failed to communicate to the Negro populace the fact that such agencies exist or how to use such agencies, must bear its share of the responsibility.

The agencies, since the riots, have moved to meet the people more than half-way. The City-County Human Relations Commission has established field offices. The City-County Youth Board has expanded its detached-worker program in the field. The local office of the State Commission for Human Rights has brought in more personnel.

This office, in the proposed 1965-66 budget, recommended establishment of a Community Service Office, working in the field, as a component of the City Manager's Office. That recommendation is reiterated. The primary purpose of the office will be to establish meaningful day-to-day communication between the people and their city government. This kind of relationship, rather than an indirect one diluted through intermediary sources without direct responsibility for programs and services, is necessary.

All efforts to establish more direct and significant relationships will be wasted---and will be labeled as paternalistic---unless Negro leadership comes forward to use and encourage the use of these agencies. The Negro community in Rochester must develop its own leadership, and it must meet the entire community in a positive way. Efforts in this direction, it has been reported, are under way by the Industrial Areas Foundation.

The private sector, as well as the governmental agencies, has moved to meet its responsibilities on a practical basis. Probably the most important actions have been the formation of a local chapter of the National Urban League, underwritten by local businesses and individuals and, through the Community Chest, by all Greater Rochesterians, and the creation of Action for a Better Community, Inc., to administer the various provisions of the Federal Economic Act in the City's war on poverty.

Opportunity
The Urban League will bring to Rochester the best qualified professional approach toward helping the poor, especially the non-white poor, to move into the main current of community life through better housing, education and employment. At the same time, Action for a Better Community, Inc., is acting independently, commencing programs in pre-school and adult education,

youth and adult vocational training and employment, and neighborhood service centers covering a wide variety of services.

Housing-Shopping Facilities

An oft-heard complaint before and, more intensely, after the riots, relates to housing and shopping facilities. The pattern of mob violence and destruction during the riots, which left schools, churches and Negro businesses virtually unscathed, must be recognized as an expression of resentment of and hostility toward forces regarded as oppressive.

Before the riots the Rochester Housing Authority had moved to obtain 500 units of low-income, Federal public housing. These units are now out for bid or, in some cases, about to be let for bids. They will be constructed at scattered sites to help break up ghetto housing complexes for the poor, both white and non-white. Since the riots, under the sponsorship of the City's urban renewal program, commitments for erection of a modern shopping center in the Baden-Ormond area have been obtained, and construction should start soon.

The City Council recently approved the Rochester Housing Authority's recommendation that application be made for 500 more units of Federal, low-income public housing. There also is pending before the Council the approval of Third Ward urban renewal plans, aimed at improving and conserving existing structures and, hopefully, eliminating ghetto conditions.

It is unrealistic, however, to expect the City of Rochester or its government, or both, to provide all of the housing needed or desired by and for low-income families. Stepped-up housing code enforcement, as anticipated by the additions of housing inspectors in the recommended 1965-66 City budget, will improve housing conditions. But it will also thin out the congested Inner City, creating additional demands for low-rent, low-cost housing. These needs must be met, not only by the City, but also by the private sector and by the community outside the City of Rochester.

There is no good reason why some of the acres of vacant and relatively inexpensive land in the Towns surrounding Rochester should not be zoned for low-income apartment use. There is no good reason why some of the needs should not be met by the private sector under Federal housing programs, such as 221-D-3. There is no good reason why all public housing should be within the City of Rochester. I recommend, therefore:

---That legislation be sought to enlarge the jurisdiction of the Rochester Housing Authority beyond the City limits or to create a Monroe County Housing Authority to operate beyond the City limits.

---That private builders and private, non-profit groups be encouraged to build, both within and outside the City, under such Federal programs as 221-D-3.

Only by this broadened activity in the housing field can conditions that developed over the last quarter-century be remedied. The alternative is a City of

low-income families and suburbs of middle- and upper-income persons. This is an essential item on our community agenda.

Criticisms of the Police

A number of criticisms of police behavior were made at the time of the riots, ranging from charges of ineffectiveness to too much restraint to demands for promiscuous use of firearms.

Rochester policemen were immediately faced with overwhelming numbers of rioters. In the early minutes, as few as five officers were attempting to cope with a mob of 500. Nearly 2,000 lawless persons were on the streets before off-duty policemen could be called up, Sheriff's deputies could be made available or State Police pressed into action.

It was not until the riot areas were inundated with personnel, including National Guard troops, that the riots were stopped. Without this massive use of manpower, it seems certain the riots would have continued longer, perhaps until the rioters quit from exhaustion.

The first contingent of State Police arrived about 7:30 a.m. July 25, 1964. Until that time, the tactical and other training given Rochester policemen, in conjunction with the International Association of Chiefs of Police, helped every officer. City policemen were assisted by Sheriff's deputies and other local forces before and after the arrival of State Police.

The claim that firearms should have been used by policemen is without justification. Their use probably would have led to a blood bath. The use of firearms directed at or over the heads of rioters is not recommended by responsible police officials. State Police commanders agreed with this judgment when they arrived here and they issued the same type of order relating to use of firearms to their men.

The charge that policemen were ineffective on these critical nights because of the presence of a civilian Police Advisory Board is without foundation. It also is an unjust criticism of policemen who conducted themselves with distinction, with courage, with common sense and with restraint.

These are the facts: More persons were arrested in Rochester than in New York City or Philadelphia, where riots also broke out. Riots were brought under control faster in Rochester than in New York City or Philadelphia. Tear gas and fire hoses were used only in Rochester. Certainly, these are all indications of determined police activity.

These facts do not represent "virtual paralysis," as suggested by the director of the Federal Bureau of Investigation, Mr. Hoover. Such comment flies in the face of the fact that State Police commanders, not under review by a civilian board, concurred in the strategy and tactics employed by local police.

Precautions Since the Riots

The Police Bureau has undertaken an extensive program of self-analysis to improve its relations with all parts of the community. A new police community relations program is expected to contribute to better understanding between policemen and the Inner City, as well as with all other segments of the population. Highly skilled personnel have been added to the Police Bureau's Youth Squad and to the office of the Public Safety Commissioner to perform preventive and rehabilitative work with youth, the most explosive part of the Inner City population.

New riot techniques have been taught members of the Police Bureau. New equipment has been purchased. Plans are near completion for a police tactical unit that can be brought to bear quickly in any potential trouble situation. Arrangements also have been made to insure quicker response by off-duty policemen and by the Sheriff's office and State forces, if needed.

All Rochesterians hope it will not be necessary to put into use any of the precautionary measures. The community is entitled, nonetheless, to know that these steps have been taken.

Emergency Powers Need Clarification

The power to declare an "emergency" under City Charter powers was most helpful last July. It is felt that there is a need to spell out what may be done under this general power, given conditions similar to those experienced last summer. An ordinance proposed for this purpose is attached as Exhibit VI.

Rochester in Adversity

It must be said that the people of Rochester closed ranks to protect their City in July 1964. All public officials gave the utmost cooperation. The Sheriff gave unstintingly of his time. Councilmen returned early from vacation. The County Manager offered all possible assistance. State Police and National Guard officers were most helpful. Local Civil Defense personnel performed in the highest tradition of service to the public. Assistance was generously rendered by some of the surrounding towns, as well.

Several local civil rights leaders, clergymen and individual citizens did their best to stop the rioting and to restore order---some at considerable personal risk. The cooperation of local citizens, businesses, industries and civic groups was outstanding---often at the loss of considerable sums of money. The local newspapers and radio and television stations did outstanding work in keeping the public accurately informed. This helped the public understand the necessity of complying with such stringent measures as the curfews that were imposed.

The reaction after the riots, despite the hardening of racial attitudes by many persons, has been encouraging. The fact that nearly all of the 250 businesses damaged during the riots have returned is a demonstration

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of confidence in Rochester and in the areas of the City involved. So, too, is the decision of developers to build in these areas.

Conclusion

The violent outbreaks in Rochester in July 1964 must not happen again. This community and its government know that violence only destroys. Doing what is right, simply because it is right, must continue. New outbreaks of violence will set back the "right" and positive programs, if not destroy them.

The energies of all the people in the community must be directed to the positive effort of improving, rather than destroying. There are, even now, enough doors open and enough positive programs under way or planned that recourse to lawlessness and disorder is the method of only those who want nothing else.

Respectfully submitted,


P. W. Homer,
City Manager

PWH:bb
Exhibits I through VI, attached

E X H I B I T I

CHRONOLOGY

- July 20, 1964 Northeast Mother's Association made application with Commissioner of Public Safety for a permit for a street dance to be held on Nassau St. between Joseph Avenue and Joiner St. on Friday, July 24, 1964 between the hours of 8:30 and 11:30 P.M.
- July 23, 1964 Permit for street dance was issued by Department of Public Safety after normal investigation, and two (2) police officers were assigned to the dance to maintain street and traffic control.
- July 24, 1964 Street dance commenced. Over 200 youths in attendance.
- July 24, 1964
11:00 P.M. Patrolmen on duty observed a youth at the dance, Randy Manigault, conducting himself in an unruly manner. The unruly actions of the youth were brought to the attention of Mr. Gene Stevens, one of the chaperons at the dance.
- July 24, 1964
11:25 P.M. Mr. Gene Stevens (a chaperon) requests police officers to take police action against an unruly youth (Randy Manigault) who was intoxicated and creating trouble at the dance. The two police officers on duty placed Manigault under arrest for "Public Intoxication". Manigault violently resisted arrest and was very abusive verbally. Two plainclothes officers present at the dance immediately assisted the two uniformed men, and succeeded in getting the subject handcuffed. The subject continued his abusive language and made remarks about being beaten by the police. Much taunting and shouting from the crowd ensued, and a number of youths tried forcibly to take the prisoner from the police.
- July 24, 1964
11:30 P.M. One of the plainclothesmen present called for assistance, and K-9 officers responded. With the help of K-9 dogs, the police placed Manigault in a police wagon and removed him from the scene.
- July 24, 1964
11:40 P.M. Police radio dispatcher orders all cars to Joseph and Nassau Streets. Crowd, increased in size to about 500 people, became more violent, and refused to disperse. Crowd began to throw stones and bottles at Police officers, police vehicles and civilian vehicles containing white people.
- July 24, 1964
12: P.M. Commissioner of Public Safety and Chief of Police notified of the troubled situation.
- July 25, 1964
12:30 A.M. Police Chief arrives on scene. Mob out-of-hand and growing steadily. All efforts at dispersal were unsuccessful.
- July 25, 1964
1:30 A.M. Six persons arrested for disorderly conduct in the first hour of trouble released without bail by Police Chief and directed to return to midst of rioting in hope that this action would assist in quelling the riot action.

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- July 25, 1964
1:20 A.M. City Manager, Corporation Counsel, Chief of Police meet at Public Safety Building, establish emergency headquarters, establish press office, call for off-duty officers, call Sheriff for assistance.
- July 25, 1964
3:00 A.M. City Manager declares "State of Emergency" and calls are placed to office of the Governor requesting assistance from State Police.
- July 25, 1964
1:--3:00 A.M. Tear Gas and firehoses used in attempt to quell riot and disperse crowds of increasing size; but with little success. Extensive looting and vandalism occurred on Joseph and Clinton Avenue, and 52 arrests were made.
- July 25, 1964
3:00 A.M. First attempts to disperse the crowd having failed, a field command post was set up at Central and Joseph Avenues, forces were regrouped and officers were assigned to block off traffic in a perimeter area.
- July 25, 1964
4:00 A.M. Potential clash of hundreds of white and negro youths near Main Post Office averted by small force of police and firemen using fire hoses, etc.
- July 25, 1964
5:05 A.M. Advised that State Police dispatched by Governor's office to assist.
- July 25, 1964
5:45 A.M. Additional busload of about 50 local policemen arrived on scene. With the use of fire hoses and tear gas grenades, several attempts were made by the police detail to disperse the crowd, but police were forced back by barrage of bottles and rocks from roofs, behind buildings etc., and the presence from crowds of women and older people. These second attempts to disperse the mob having failed, perimeter points were further strengthened in order to contain the riot action.
- July 25, 1964
7:30 A.M. First units of State Police arrive--together with City and County forces a total of 250 officers, with the mob now grown in size to close to 2000. Police moved down Joseph Avenue in close order formation, but, despite many additional arrests, the mob could not be dispersed.
- July 25, 1964
9:30 A.M. Police and State troopers withdrew and assumed positions around the perimeter of 20 block area to contain the rioting. Mobile and foot patrols were formed to make arrests for looting.
- July 25, 1964
10:30 A.M. DPW crews placed in service to clean up debris in riot area. Area merchants contacted to make arrangements to board up their stores to prevent further looting by rioters.
- July 25, 1964
11:00 A.M. Except for scattered incidents of looting, quiet restored to riot area.
- July 25, 1964
11:00 A.M.-
6:30 P.M. Under direction of Colonel John Roche of the Division of State Police, City and State Police staff formulate plans for meeting anticipated riot action. The City Manager proclaimed a curfew for the City of Rochester to take effect on July 25 at 8:00 P.M. and continue through 7:00 A.M., July 26, 1964; said proclamation to be in effect each day thereafter until the emergency was terminated. Also, upon the request

of City officials, the State Liquor Authority prohibited sale of alcoholic beverages in the City of Rochester and adjacent towns from 5:00 P.M. July 25, 1964 through 5:00 P.M. July 26, 1964, to continue for succeeding days until the termination of the public emergency. First discussions of possible use of National Guard held with State officials. No action at that time.

July 25, 1964
6:30 P.M.

243 Police officers assigned to the Northeast riot area and 71 additional officers assigned to special posts including third Ward area, Main Street East and West, Midtown, and Atlantic and University Avenues.

July 25, 1964
8:00 P.M.

Sporadic acts of rioting and looting by small groups broke out in the business areas of the Third Ward. In all areas after curfew went into effect, police were much involved in arresting violators of the curfew order.

July 25, 1964
9:00 P.M.

Incidents began breaking out in the Fifth Ward adjacent to the Third Ward on Central Park, and outbreaks of breaking in stores and looting became more violent in the Third Ward. Over 100 officers were moved out of the Northeast area by bus into the Third Ward area and additional personnel were assigned to the Central Park area. Wholesale arrests were made as violations were observed.

July 26, 1964
12:15 A.M.

Rioting in all areas ceases.

July 26, 1964
12:15 A.M.-
12:00 P.M.

Control maintained by Police throughout the day, with over 500 arrests having been made by 6:00 A.M. Non-riot caused helicopter crash at 3:15 P.M. Additional personnel mobilized throughout day so that by 6:00 P.M. had estimated strength of 550 police officers. In addition, security assistance was given by the auxiliary police of the Monroe County Civil Defense.

The request of the City Manager for National Guard assistance was authorized by the Governor on July 26, and the first contingents arrived on July 26 in the late afternoon. Their first action was to drive through the riot areas to confirm their presence in the City.

In the late evening of the 26th, prisoners from the City's male detention block were transferred to the exercise yard of the Monroe County Penitentiary.

Also, in the late evening of the 26th there were outbreaks on Joseph Avenue by Negro youths throwing Molotov cocktails at police personnel and vehicles from rooftops - these were dispersed by use of fire hoses.

July 27, 1964

Emergency meeting of City Council.

July 29, 1964

Curfew terminated at 7:00 A.M.

July 30, 1964

Phasing out of State police commenced, with 100 men being returned to their respective troops.

July 31, 1964

Additional 100 men phased out of State Police.

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August 2, 1964
12:00 P.M.

State Police assignment terminated.

August 3, 1964
4:00 A.M.

City Police Bureau returns to normal operations. National Guard units phased out.

EXHIBIT II

ARRESTS FOR RIOT OR RIOT-RELATED ACTIVITIES
JULY 24, 25 and 26, 1964

PERSONS ARRESTED: 893

<u>Residence</u>		<u>Color</u>		<u>Marital Status</u>	
City	856	White	128	Unknown	1
County	14	Negro	720	Single	401
State	13	Other	<u>45</u>	Married	413
Out of State	3	Total	893	Divorced	9
No Home	<u>7</u>			Separated	59
Total	893			Widowed	<u>10</u>
				Total	893

PLACE OF BIRTH, BY COLOR

<u>White</u> - City	69
State	23
Out of State	26
Foreign	13
<u>Negro</u> - City	39
State	16
Out of State	660
<u>Other</u>	<u>47</u>
Total	893

TYPE OF ARREST

Group 1	Riot	143
Group 2	Unlawful Assembly	246
Group 3	Assault, Burglary, Grand Larceny, Possession of Dangerous Weapons, Discharging Firearms	53
Group 4	Curfew, Vagrancy, other	<u>451</u>
	Total	893

EXHIBIT II (Continued)

NUMBER ARRESTED BY OCCUPATION AND COLOR

OCCUPATION	COLOR			Total
	White	Negro	Other	
Armed Forces	0	0	0	0
Self Employed	10	22	1	33
Professional	0	0	0	0
Skilled	4	22	0	26
Unskilled	52	345	19	416
Entertainer	0	0	0	0
Civil Service	1	1	0	2
Student	9	13	1	23
Office	0	0	0	0
Miscellaneous	2	3	0	5
Unemployed	50	314	24	388
TOTAL	128	720	45	893

NUMBER CHARGED WITH RIOT, BY COLOR AND PLACE OF BIRTH

COLOR	PLACE OF BIRTH					TOTAL
	City	State	Out of State	Foreign	Other	
White	3		2	1		6
Negro	7	2	114		1	124
Other	0	0	0	0	11	11
TOTAL	10	2	116	1	12	141*

* Totals vary from totals shown elsewhere because of errors in coding.

EXHIBIT II (Continued)

NUMBER OF ARRESTS FOR UNLAWFUL ASSEMBLYBY COLOR AND PLACE OF BIRTH

COLOR	PLACE OF BIRTH					TOTAL
	City	State	Out of State	Foreign	Other	
White	27	7	8	1		43
Negro	9	5	175			189
Other	0	0	0	0	12	12
TOTAL	36	12	183	1	12	244 *

* Totals vary from totals elsewhere because of errors in coding.

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AGE OF PERSONS ARRESTED BY RACE, RESIDENCE AND MARITAL STATUS

AGE	RACE						RESIDENCE												MARITAL STATUS																											
	White		Negro		Other		City			County			State			Out			Home			Single			Married				Div			Sep			Widow											
	M	F	M	F	M	F	W	N	O	W	N	O	W	N	O	W	N	O	W	N	O	W	N	O	W	N	O		W	N	O	W	N	O	W	N	O	W	N	O						
16	9		27		2		9	27	2																9	27	2																			
17	4	1	19	6	1		5	24										1							5	22	1			3																
18	9	1	35	3	2		8	36	2	2								2				10	34	1			4	1																		
19	9		26	1	4		7	25	4	2	1				1							9	27	1						3																
20-24	42	4	149	12	8		41	155	6	2	3		2	1	2	1					2				28	84	4	15	67	4	1			2	3				1							
25-29	15	3	139	15	9		16	152	9	2					2							4	45	4	12	96	5	1					13			1										
30-34	6		114	13	3		5	124	3	1					1			2				1	36	1	4	72	2	1	1		1	7				1										
35-39	14		106	12	6		14	117	5						1	1						6	34	2	6	75	4	1	1		1	7				1										
40-44	8	4	61	6	7		9	63	7	3					3						1	2	19	2	5	36	5	1	1		4	8		1	3											
45-49	4		31	3	2		3	33	2										1	1		2	12		1	20	2						1	2												
50-54	5		16		1		5	15							1	1						1	6		1	7					1	2	2			1	1									
55-59	1	1	7	1	1		2	6	1												2	2	2	1		4			1			1														
60-64	4		1	2			4	3															1		3				1																	
65-70			1					1																														1								
70+			1					1																																						
TOTAL	130	14					128			12		2			1			1				79			47			4			11		3							144	White					
			733	74			782			4		10			3			8				349			384			4			61		9							807	Negros					
					46		42								4										19			26		1										46	Others					

EXHIBIT V

NUMBER OF RIOT AND RIOT RELATED ARRESTS, BY CHARGE AND DISPOSITION

NUMBER OF ARRESTS - 997

ARREST CHARGE	DISPOSITION								TOTAL
	C o n v i c t e d	D i s m i s s e d	B e n c h W a r r a n t	N o B i l l	F a m i l y C o u r t	P e n d i n g	O t h e r A u t h.	R e a r r e s t e d	
Assault Felony	3	1	1	3					8
Assault 3rd.	6	2	3			1			12
Burglary	14	1		5		4			24
Dis. Conduct	7	2				1			10
Dis. Conduct (curfew)	283	2	10			13			308
Dis. Conduct (Fireworks)	15					1			16
Fugitive							3		3
Grand Larceny	2			3					5
Intoxication	96		4			2			102
Mal. Mischief	2	1							3
Petit Larceny	26	1				3			30
Poss. (air pistol)	3					1			4
" (blackjack)	2								2
" (Burg. Tools)	1								1
" (Knife)						1			1
" (razor)	1								1
" (Revolver M)	4	1				2			7
" (Revolver F)	2			5		1			8
" (Stolen Property)						1			1
Resist Arrest			1			1			2
Riot	77	5	4	45	1	25			157
Robbery						1			1
Unlawful Assembly	249	1	2			6			258
Vagrancy	7	11	2					10	30
Viol. Probation	2								2
Poss. (Shot Gun)	1								1
Grand Total	803	38	27	61	1	64	3	10	997

EXHIBIT VI

PROPOSED ORDINANCE

AMENDING VOLUME II OF THE MUNICIPAL CODE BY ADDING NEW CHAPTER TO BE NUMBERED CHAPTER 51.1 AND ENTITLED "RESTRICTED CONDUCT RELATING TO PUBLIC EMERGENCIES".

Be it ordained by the Council of The City of Rochester as follows:

Section 1. Volume II of the Municipal Code, as last amended, is hereby further amended by adding a new chapter to be known as Chapter 51.1, to follow Chapter 51, and to read as follows:

CHAPTER 51.1

RESTRICTED CONDUCT

- Sec. 51.1-1. Definitions.
- Sec. 51.1-2. Incendiary missiles.
- Sec. 51.1-3. Emergency powers.
- Sec. 51.1-4. Notice.
- Sec. 51.1-5. Curfew.
- Sec. 51.1-6. Penalty.
- Sec. 51.1-7. Effect of invalidity in part.

Sec. 51.1-1. Definitions. For the purposes of this Chapter the below listed terms shall have the following meanings:

- (a) "City Manager", shall mean the City Manager of the City of Rochester, New York.
- (b) "Municipal Code", shall mean the Municipal Code of the City of Rochester, New York, as last amended.
- (c) "Molotov Cocktail", shall mean a gasoline-filled bottle or container with a fuse type wick inserted in the neck (commonly used in World War II).

Sec. 51.1-2. Incendiary missiles. No person shall make, carry, possess or use any type of "Molotov Cocktail", gasoline or petroleum base fire bomb or other incendiary missile.

Sec. 51.1-3. Emergency powers. During the period of a declared state of emergency the City Manager shall have the power to invoke any or all of the following provisions:

- (a) Alcoholic beverages. No person shall consume any alcoholic beverage in a public street or place which is publicly owned or in

any motor vehicle driven or parked therein within a duly designated restricted area.

(b) Weapons. No person shall carry or possess any rock, bottle, club, brick or other weapon, who uses or intends to use the same unlawfully against the person or property of another.

(c) Restricted areas. No person shall enter any area designated by the City Manager as a restricted area, unless in the performance of official duties or with written permission from the City Manager or his designated representative or such person shall prove residence therein.

Sec. 51.1-4. Notice. Should the City Manager deem it necessary to invoke any or all of the above provisions of Sec. 51.1-3 of Volume II of the Municipal Code, he shall be required to give notice of the same by means of a written proclamation issued to news media for immediate dissemination to the public.

Sec. 51.1-5. Curfew. During the period of a declared state of emergency, the City Manager shall have the power to declare a curfew during the hours of which no person shall be allowed in the public streets or places throughout the City of Rochester, New York, or in any designated sections of the same.

Sec. 51.1-6. Penalty. Any violation of a provision of this Chapter shall be a misdemeanor.

Sec. 51.1-7. Effect of invalidity in part. If any word, clause, sentence, paragraph, section or other part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, clause, sentence, paragraph, section or other part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 2. This ordinance shall take effect after the requirements of publication have been completed.

