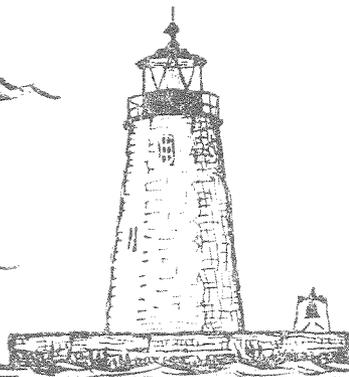


# The GREEN

# LIGHT



## BULLETIN OF THE POINT ASSOCIATION OF NEWPORT, RHODE ISLAND

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VOL. XV

OCTOBER 1970

NO. 4

The Annual Point Association Meeting at St. John's Guild Hall, Poplar Street, at 8:00 p.m., October 22, 1970, will be devoted to stimulating a major community effort to control and reduce the excessive violence, robbery and vandalism which have been an increasing disgrace to our City, State and Nation in the last few years.

Edward P. Gallogly, Chief Judge, Family Court of Rhode Island, will be the principal speaker at this meeting.

Therefore, this issue of The Green Light is devoted to a general statement of the situation, excerpts from recent correspondence with State officials, and a draft of a positive program that your Board will present to you at the October meeting.

You are urged to discuss these matters with your friends and to attend the meeting in order that we may have the greatest possible participation and understanding of this vital challenge.

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### THE SITUATION

There no longer is any doubt that the standard of living in the United States has been seriously reduced by unrestrained crime, vandalism, and neighborhood violence.

There is no doubt whatever that our State and National judiciary and penal institutions are generally obsolete and ineffective.

This sad and dangerous situation is caused by such a complex combination of circumstances that it is difficult to determine the difference between cause and effect. We know, however, that the wide use of drugs, a major change in social and moral values, parental neglect and ineptitude, racial tension, and finally, frustration at the continuation of international violence, all contribute to domestic turmoil and violence.

As a result we face two great dangers: There is the danger of a retreat from life, a loss of faith in humanity and a cowardly shriveling of our own personalities in the face of apparently intractable problems; and there is the danger of developing hatred, the spirit of revenge and the desire to meet violence with counterviolence.

What can we do to avoid these two destructive reactions? Fifteen years ago, The Point Association was formed: "To improve the Point Section, maintain the historical and colonial treasures of the area, and promote community spirit." Since that time we have done much to improve this section of Newport and to set an example for other parts of the City.

OUR THREE OBLIGATIONS

We have to protect our homes and the concepts of a decent civilized society. We have to protect the mass of decent young people from contamination and ultimate destruction by the minority of law breakers. We have to protect these same young people from themselves for some of them are capable of rehabilitation and ultimate development into useful citizens. In this connection, we must realize that continued official leniency in the face of repeated defiance of decency and authority will not rehabilitate them. Quite the contrary is true. In many cases such leniency only makes them more contemptuous of public officials and civilized society.

Somehow we must devise, institute and enforce humane constructive penalties for young offenders such as deferred sentences for some and a form of "extra duty" public service for others. In this connection, simple manual labor in supplementing the endless work of our public works force might help.

THE CAUSES

Many people mistakenly believe that our problems in the administration of justice and the maintenance of law and order are chiefly caused by a deliberate Communist conspiracy.

This is by no means true. While undoubtedly the Communists and the Mafia and unscrupulous businessmen exploit the deficiencies in our judicial system, they are not its primary cause. On the contrary, our whole judiciary system is bogged down because:

- A. It has been overwhelmed by too many trivial laws;
- B. There has been too much concern for legal technicalities not related to the substance of fact and justice with consequent excessive appeals and inordinate delays.
- C. There has not been a proper separation of criminal versus noncriminal courts.
- D. Our courts are undermanned.
- E. Some judges have been incompetent and lazy.
- F. Some lawyers are unscrupulous and unethical in exploiting legal technicalities.
- G. Legislators are more interested in passing new laws than in repealing obsolete or confusing laws.

The cumulative effect of these correctible deficiencies has been to bring about general contempt for the law and the Courts. This, together with obsolete and self-defeating penal institutions and the horrible drug situation, has contributed to the present conditions in our cities.

THE ACTION TO TAKE

The issues posed by this situation transcend partisan political considerations. They are, however, political in that they can be dealt with only through the use of the political process. That is, the elected and appointed officials must be emphatically and continually reminded that they cannot remain in office unless they face up to these problems.

In turn, we citizens being both voters and taxpayers, must realize that ultimately we must pay the very real costs of improvement. This is still another problem. How do we convince the ignorant, frustrated young offenders and their indifferent parents that every dollar spent on extra police, more and better probation officers and Courts, and on more detention facilities, must be subtracted from the money available

for health, education and recreation? How can we convince them that every act of destruction and vandalism ultimately must be paid for by higher repair and maintenance bills and higher insurance rates and that they thus directly reduce the standard of living for themselves and their children to come? It is absurd to think that letters to the Governor, the Jurists and Legislators will of themselves bring substantial corrective action. The letters are necessary to inform them of community feeling and community problems.

They must be followed up by massive and continuing concern and action by the individual members of the community. You, John Doe, and you, Jane Doe, must write personal letters to these officials in which you support the actions and letters of your Executive Board. When things go wrong, you, John and Jane, must telephone the police and cooperate with them in all subsequent investigations.

You, John and Jane, must attend Council meetings and speak up.

These are your personal responsibilities and obligations. You can't expect results if you don't do your part.

Nothing is more futile and ridiculous than to bemoan the sad state of affairs to your friends while at the same time you demonstrate your indifference by refusing to support those who are working for you.

Let's Face It--Up to now, many residents of The Point have been too preoccupied or indifferent to stand up for their rights as citizens --that is, they have not exercised their civil rights. Many have preferred to stay home "minding their own business," rather than appear at City Hall and Point Association meetings, where they can state their views and help attain better conditions. We all have been guilty. We now are suffering the inevitable consequences.

If we wish to reduce the ultimate costs and danger to our concepts of civilized society, we must pay more taxes and take an interest in how tax money is spent; work harder and accept more personal responsibility in community affairs; avoid self-deception. If we are unwilling to do these things, then we must accept the discomfort and personal danger of a deteriorating society, for we will have proven our ineptitude and general unfitness for the harsh modern world; a world quite different than any romantic illusions as to the "good old days."

Finally, we all must realize that this is only a beginning. We must follow through with determination and pursue these matters until positive results are achieved.

This is my personal message to the individual members of The Point Association.

Henry E. Eccles, President  
The Point Association of Newport

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CORRESPONDENCE WITH OFFICIALS

On August 25th the following letter was sent to Governor Licht, Judge Roberts (Supreme Court), Judge Mullen (Superior Court), Judge Laliberte (District Court), and Judge Gallogly (Family Court):

"Sir:

"The Point Association of Newport is deeply concerned at the theft, vandalism, open use of drugs, and overt defiance of civil authority and decency in this area. In particular, we are unhappy that the acknowledged leaders of this continuing disorder remain at large apparently free to perpetrate all manner of offences including the threat of physical violence, in spite of frequent arrests and appearances before the Courts.

"We fully realize that the police and city officials are gravely handicapped by the low state of judicial efficiency and the ineffectiveness of penological rehabilitation in this nation and in Rhode Island which in turn has been brought about by the cumulative effect of bad decisions by the Supreme Court of the United States, and the underfinancing and undermanning of our Courts and judicial system, and by the underfinancing, undermanning, and unimaginative administration of our probationary and training institutions.

"These matters, particularly as brought out by the recent splendid statements of Mr. Chief Justice Burger, are matters of common knowledge and need no special or detailed elaboration.

"We, as citizens whose rights are constantly being violated by thieves and hoodlums, want to know what you propose to do in the way of official executive or judicial action and what legislative steps you recommend to start to alleviate this continuing and increasingly alarming degradation of our society.

"In particular, we would like to be informed as to the corrective and preventive measures now being instituted in order that we may work together to increase the public support for such constructive action.

"Respectfully,

/s/ Henry E. Eccles, President

The Point Association of Newport"

\* \* \*

Judge Roberts answered, in part, as follows:

"I am in full agreement with your view of the need for a revision of our judicial and penal systems. It is, in fact, a most urgent need. In Rhode Island we have been moving towards judicial reform for some time. In . . . 1969 . . . the General Assembly, . . . adopted legislation providing for a unified court system and vesting in the Chief Justice of the State authority to direct the administrative affairs of the courts. . . . This authority first vested in me as of September 15, 1969.

". . . I appointed a Court Administrator, Mr. Walter Kane, who (is also) Clerk of the Supreme Court. . . . we secured the services of a man with considerable expertise in the techniques of court management and systems analysis. . . . (he is) now attending an institute for court management . . .

"(We intend) this fall to undertake a study which would result . . . in a . . . speed-up in the prosecution of petty offenders in our District and Superior Courts. . . . speedy and effective prosecution of those . . . petty crime and acts of violence will have a substantive

and immediate effect on the volume of such crime. This (is) a first step in . . . right direction . . . (This) will give substantial support and encouragement to the police . . .

". . . we appreciate the interest . . . of The Point Association . . . We would appreciate your continued support of our efforts . . ."

\* \* \*

Judge Gallogly answered, in part, as follows:

"I think your letter says it all in varying degrees. Unfortunately, this Court offers no panacea to correcting human behavior. The determination of that behavior starts long before any youngster is ever referred to this Court, more especially in the home. We cannot provide responsibility there. As an institution of the State, we simply try to fill these voids and our ability to do so is many times fettered by the very things which you point out in your letter - under-financing, undermanning, obeying the law as enunciated by our Supreme Court, etc.

". . . I do think that many people in the State, like . . . your Association, are becoming more and more aware of the fact that this is not just a problem for the Family Court or the police, but is indeed a community responsibility.

". . . May I suggest that one year ago last June the voters of this State rejected a \$2,500,000 bond issue, which would have provided this Court, . . . with better physical facilities to assist in the treatment of young people. This bond issue will again be presented to the people of the State in November. . . .

". . . express my sincere appreciation for your concern and ask you . . . to recognize the limitations under which we labor. . . . I will continue to do everything humanly possible to stem the tide with whatever resources are available to us."

\* \* \*

Judge Laliberte answered, in part, as follows:

"Since the inception of this Court last September, (it has) . . . initiated many innovative procedures to speed up the trial of cases and to cut down the existing backlog. With the help of the Governor's Committee on Delinquency and Criminal Administration, this court has secured the services of the Legal Systems and Resource Planning Corporation of Washington, D.C., for a study pointing toward 'calendar and prosecution improvement' in the court. We are sure that this study will indicate other and further improvements in our efforts to close the gap in the waiting time for trial of criminal cases. The court in this way is attempting to utilize modern 'tools' with which to carry on the administration of justice, for it was apparent that all too long have the courts relied on antiquated methods.

". . . thank you and The Point Association . . . for it is only with the active support of groups such as yours that meaningful reform in our judicial system can be effectuated."

\* \* \*

Governor Licht answered, in part, as follows:

". . .

"As you may know, I re-established the Governor's Committee on Crime, Delinquency, and Criminal Administration by executive order in February, 1969. Since that time the committee has developed a comprehensive law enforcement planning system, and has funded over \$3,000,000

in projects and programs to improve law enforcement activities--including the courts, the police, and corrections. During the next five years, under the committee's direction, over \$64 million in federal, state, and local funds will be expended in an effort to improve our criminal justice system in Rhode Island.

"In your own city of Newport, the programs of the Governor's Committee on Crime include improving police records and communications, creating police community relations units, establishing a youth service bureau to deal with delinquency, and funding a comprehensive law enforcement planning agency for the Aquidneck Island area. In addition, a special discretionary grant of \$81,803 will be used to increase the manpower of the Police Department by five officers and to increase the number of patrol cars from five to eleven. My experience as a trial judge in the Superior Court has shown me that improving police services alone is not the cure-all for crime. We in the State of Rhode Island are attacking crime on a large scale, on a broad front, and ultimately I am sure that we will succeed if we can muster adequate public support.

"Ancient evils like crime do not yield to easy solutions. We must join in common action to conquer the most important single domestic problem that our society faces. I welcome the support of your organization for the improvement of our criminal justice system, . . ."

\* \* \*

ACTION PROGRAM FOR THE POINT ASSOCIATION

I. AS A GROUP, CALL FOR:

- Modernization of State judicial and penal systems.
- More and better probation officers and rehabilitation methods and facilities.
- More police for Newport.
- Continuing attention to enforcement of minimum housing codes.
- More parks and recreation facilities in Newport.
- Improved lighting on The Point.

II. AS A GROUP, SUPPORT:

- The proposed \$5,000,000 Social Welfare Bond Issue in the November election.
- The increase in tax revenues necessary to improve lighting, police, rehabilitation and recreation.
- Cooperation among other neighborhood associations.

III. AS INDIVIDUALS, MEMBERS OF THE POINT ASSOCIATION SHOULD:

- Write to or telephone to individual Councilmen and Legislators and advocate the Point Action Program and your personal support for measures to increase tax revenues.
- Vote for and persuade your family and friends to vote for the bond issues to improve our judicial and penal systems.
- Call the local police when you observe suspicious circumstances--  
Operation VIGIL.
- Increase your own participation in Point Association work and, in particular recruit more younger people.
- Work with newly established Youth Service Bureau at Newport Boys Club.

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Let's all work the year around to keep the Point clean and beautiful. Try  
to teach children to respect the trees, and to pick up paper, not throw it down.

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