

1920 — 1960 FORTIETH ANNIVERSARY YEAR

NEWS RELEASE

AMERICAN CIVIL LIBERTIES UNION, 170 FIFTH AVENUE, NEW YORK 10, N.Y.

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June 1, 1960

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(ADVANCE) NEWARK, N. J., JUNE 5.--The American Civil Liberties Union announced today the formation of a state-wide New Jersey affiliate, the ACLU of New Jersey.

Patrick Murphy Malin, executive director, said that the national ACLU Board of Directors had approved the group's constitution and by-laws and that official affiliation would be granted on June 16 at the affiliate's first organizational meeting in Newark.

Malin will address the organizational meeting to be held at the Continental Ballroom, 982 Broad Street, Newark. The meeting, which will feature also reports on key civil liberties problems in the state, will begin at 8:30 P.M. Members of the public are invited.

The American Civil Liberties union of New Jersey is the 28th affiliate of the national civil liberties organization which this year is celebrating its 40th anniversary. Over 1,600 of the ACLU's 50,000 members reside in New Jersey. At various times in its history, the ACLU set up local New Jersey civil liberties groups, but this is the first time that an organization is being formed on a state-wide basis. In recent years, the South Jersey ACLU Chapter, working mainly in the Camden area, and Emil Oxfeld, Newark attorney who served as the ACLU state correspondent, represented the ACLU in the state. Supplementing their efforts were 30 cooperating attorneys in 21 communities who volunteered their services in handling key civil liberties cases.

In commenting on the organization of the ACLU of New Jersey, Oxfeld, who is acting as president pro-tem, said the affiliate was organized because of the growing pressures on civil liberties in the state. "The maintenance of freedom depends on people who are always alert to the denial of constitutional rights. There are many areas in which civil liberties are either being violated directly or disregarded. We hope, through the ACLU of New Jersey, to change this situation. We believe that the liberties in the Bill of Rights belong to every American, to all the people in New Jersey regardless of their political beliefs, race, religion or national origin. We believe these freedoms must be exercised if democracy in our state is to grow and thrive."

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Oxfeld emphasized that the ACLU of New Jersey is concerned only with defense of civil liberties, and like the national ACLU, would do its work in a non-partisan manner. Political parties and candidates will not be endorsed by this group.

Using the ACLU's three categories of civil liberties defense, freedom of speech, association and religion; due process; and equal treatment under the law, Oxfeld listed several problems that require the attention of the ACLU of New Jersey. these are:

(1) Official censorship. "Sweeping arrests without warrants of persons allegedly selling obscene literature is a particular problem," Oxfeld said. "In these cases swarms of police enter an establishment, search it from top to bottom while forcibly holding the proprietor and interfering with his normal business relationship with his customers."

Oxfeld emphasized that such tactics resembled police practices in totalitarian countries and had no place in a democratic society. "We believe that free people should make their own choice of what they want to see, read, or hear. This is what the First Amendment protects," he said.

(2) Maintenance of the principle of separation of church and state. "The ACLU is neither pro-religious nor anti-religious," Oxfeld said. "Our members come from all religious faiths and some do not hold a formal religious faith. But we are united on the civil liberties principle that our nation and state should adhere strictly to the First Amendment principle of church-state separation. This principle has allowed both the state and religion to develop in freedom without the pressures and bitterness that exist in countries that do not follow the separation principle. That is the essence of our democratic society."

Oxfeld said that in addition to Sunday Blue Law problems, there are many cases concerning the question of religious practices in public schools, such as the singing of religious hymns and saying of grace. Another problem in the area of conscience and religious scruples are the cases of people who, because of their beliefs, refuse to participate in air raid drills.

(3) Due Process problems in the courts. "This is especially important in the magistrates' courts where civil liberties issues are raised by failure to acquaint defendants sufficiently with their right to assigned counsel, excessive detention before a hearing is granted and persons being held incommunicado without a chance to notify their family and attorney of their detention," Oxfeld declared.

"A very large problem area is how juvenile defendants are to be treated. Because juveniles are not charged with committing a crime, it is argued that the constitutional rights to which adults are guaranteed -- trial by jury, counsel, cross-examination -- do not apply to young people. This is a complicated problem which needs careful study to make certain that the due process rights of juveniles are protected."

(4) Racial discrimination. "Although progress is being made through our State Division Against Discrimination," Oxfeld said, "there are still large gaps that must be filled. Of particular importance is the question of racial discrimination in housing. The recent decision by the New Jersey Supreme Court in the Levittown case was another landmark in this field. We need to build on this, for the core of racial segregation in our communities is housing discrimination."

Oxfeld outlined how the ACLU of New Jersey would work in the ACLU's three areas of operation, legal, legislative and educational.

"The ACLU of New Jersey, through cooperating attorneys, hopes to test important civil liberties questions in the courts. We are not a legal aid society in the sense of providing counsel in all cases, but we are concerned with establishing through the courts a clearer definition of constitutional rights. This will be done by assigning counsel to cases where civil liberties questions are raised and by filing friend of the court briefs in which we concentrate on constitutional points.

"We plan to take public positions on bills affecting civil liberties before the state legislature and county and local government units. We will support this legislative activity by discussion with state and local government officials on civil liberties matters affected by administrative agencies.

"Backing up this legal and legislative work will be continuing educational activity, such as meetings, publications and radio-tv discussions. In the final analysis, civil liberties are best defended when individuals know and understand what their freedoms are."

In addition to Oxfeld, other pro-tem officers of the ACLU of New Jersey are: Charles Crabbe Thomas, Camden attorney, vice-president; Robert Marks, Short Hills businessman, secretary; and the Rev. John R. Green of Trinity Cathedral of Newark, treasurer. Other pro-tem members of the Board are: Ida Barhash, teacher, East Orange; Dr. Seymour Charles, pediatrician, South Orange; Emerson Darnell, attorney, Lake Pine; Milton Gurny, attorney, Orange; Timothy Hayworth, industrial relations, Burlington; C. Willard Heckel, Professor of constitutional law and associate dean, Rutgers Law School (Newark); Joel R. Jackson, president, New Jersey State CIO, Union; Howard R. Levine, businessman, West Orange; Robert May, engineer and marketing specialist, Whippany; Robert Morris, professor of law, Rutgers Law School (Camden); Arthur Shara, businessman, East Orange.

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