



**Record Group:** Capital Punishment Study Commission (1964)  
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### Institutional History

On 5 May 1964, Gov. Richard J. Hughes signed Joint Resolution No. 7 (originally SJR No. 3), creating the Commission to Study Capital Punishment. The commission organized in June 1964 under the chairmanship of William F. Tompkins, former Assemblyman from Essex County (1951-1954) and a Newark attorney. The formal charge of the commission (JR No. 7) was "to study capital punishment and to weigh the question of its place in present-day society, and to inquire into possible substitutions therefor." The commission concluded its study in October 1964 with the submission of its findings to Governor Hughes and the Legislature in a published report. The commission had one predecessor, the Senate Committee to Inquire into the Subject of Capital Punishment, in 1907.

Punishment for capital crimes in colonial New Jersey was administered in the English common law tradition. The first state death penalty law was enacted on 18 March 1796, prescribing hanging for persons convicted of capital crimes. In 1906 electrocution was substituted for hanging (L. 1906, ch. 79). The 160 death sentences carried out in New Jersey between 1907 and 1963 were all for murder convictions; however, murder is only one of four capital crimes in the state. Others are treason (R.S. 2A:148-1); assault on high executive officials of government (R.S. 2A:148-6); and since 1933, kidnapping for ransom (R.S. 2A:118-1). The death penalty was mandatory for capital convictions in New Jersey until 1916, when it was made discretionary except for cases of treason (L. 1916, ch. 270, p. 576).

On 5 January 1915 the first attempt to abolish the death penalty in New Jersey was defeated in the General Assembly, 29-20. Numerous other unsuccessful abolition attempts followed throughout the 20th century. Interest in the abolition movement increased during the 1950s and 1960s. Resolutions to establish a study commission were presented in the Assembly each year beginning in 1957, but none passed the Senate until 1964.

### Content Note

The archives' holdings consist of the personal files of commission chairman William F. Tompkins and counsel Theodore L. Abeles pertaining to the 1964 commission. The files include correspondence to and from individuals and organizations invited to appear before the commission at hearings in July 1964. In addition, the files contain copies of the minutes of the commission's organizational meeting, a capital punishment study questionnaire, the joint resolution creating the commission, a detailed preliminary report on the past history and current issues of capital punishment, and drafts of the commission's final report to the Governor.

### Contents

Title/Dates

Senate Joint Resolution No. 3 [copy], 20 January 1964

Preliminary report on capital punishment, with appendices, Theodore L. Abeles, 1964

Minutes [copy] and filings, organizational meeting, 1 June 1964

Questionnaire, capital punishment study, 1964

Correspondence, 29 June - 28 July 1964

Correspondence, August - November 1964

List of speakers at public hearings, 1964

Hearing transcript, 10 July 1964

Hearing transcript, 24 July 1964

Crime statistics, New Jersey, New York City, National, 1940-63

List of New Jersey Death House inmates, 1907-64

"Report of New Jersey Commission to Study Capital Punishment" [printed], October 1964

Newspaper clippings, 1964

**Bibliography**

State of New Jersey, Commission to Study Capital Punishment. Report of the New Jersey Commission to Study Capital Punishment, 1964.

Bedau, Hugo Adam, "Death Sentences in New Jersey, 1907-1960" Rutgers Law."

"Thirty-seven Questions on Capital Punishment," New Jersey Council to Abolish Capital Punishment,

Indianapolis: John Woolman Press, 1963.

Cobin, Herbert L., "The Struggle over Capital Punishment in New Jersey," in The Death Penalty In America,

H.A. Bedau, ed., 1964.

Koestler, Arthur, Reflections On Hanging, New York: The Macmillan Co., 1957.

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