

Tragedy at Attica Prison: How It

(EDITOR'S NOTE: New York Times columnist Tom Wicker was one of the members of the citizen "observers" group summoned to Attica by the prisoners and authorized by state authorities to try to find a peaceful solution to the siege.)

By TOM WICKER

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ATTICA, N.Y. — At 9:43:28 yesterday morning the power went off in the small, littered Steward's Room on the second floor of the Attica Correctional Facility administration building.

The hands of an electric

THE STATES-ITEM

Began and Why

NEW ORLEANS

FIVE

Negotiations Failed

clock on the wall pointed to that second for almost two hours, while state policemen and other officers put a bloody end to a massive uprising by about 1,500 inmates — mostly black and Puerto Rican.

To the 17 men in the room, the hands marked the moment of truth — the second when the end came for four days of emotional and exhausting effort to avoid the bloodshed that every one of them had feared from the beginning. For 28 of the prisoners with whom they had vainly "negotiated" and for nine of the hostages the prisoners had been holding, death had been signalled.

AT 9:48 A.M., five minutes after the lights went out, armed troopers moved behind fire hoses down the littered, gasoline-smelling corridor the 17 men and their colleagues had used in a series of harrowing visits to the prisoners' stronghold in cell block D and its exercise yard.

Other assaulting forces came over the walls that sur-

rounded the exercise yard. By about 11 a.m., the prison authorities said that the institution was virtually "secure," although some cell block areas remained to be finally cleared. Active resistance had ceased.

Some members of the unusual group of citizen "observers," summoned by the prisoners and authorized by state authorities to try to find a peaceful solution, had believed all along that none could be devised. Others had hoped to the last. All had drained themselves emotionally and physically, when failure put an end to their efforts and to the lives of 37 men.

TWO MEMBERS of the citizens group, Rep. Herman Badillo of New York and this correspondent, assured each other that they had done all they could—and each saw in the other's eyes that the assurance was needed.

"There's always time to die," Badillo said. "I don't know what the rush was."

Behind him, at another window, a young lawyer and penologist named Julian Tepper said in a flat, tired voice: "I can see eight bodies on the ground dead."

There were a few moments of silence. Then:

"YOU KNOW," said Bill Gaiter, a black who heads the BUILD community action organization in Buffalo, "I was amazed at Kent State . . . shocked by Jackson State . . . but this . . . to see a decision being formulated that leads to so many deaths . . . I don't believe I'll ever be able to forget this."

This is the story—at least a first attempt to tell it—of a strange, interracial, interfaith, ad hoc, semiofficial, semipolitical, always desperate effort to achieve some other decision, and of the more than 20 men who failed in that effort.

The committee was summoned by the rebellious prisoners themselves. Soon after they had seized cell block D and 38 hostages, they issued a preliminary list of 15 demands and appended a roster of persons they wished to have participate in negotiations for a settlement.

INDIVIDUALS listed, who later participated, were William Kunstler, the left-wing "movement" attorney;; assemblyman Arthur O. Eve of Buffalo; Clarence Jones, editor and publisher of the Amsterdam News in New York; Tom Wicker of the New York Times; Richard Roth of the Buffalo Evening News and Jim Ingram of the Michigan Journal. AND THIS CORRESPONDENT

Organizations from which representatives were asked were the Solidarity Prison Committee and the Young Lords Party.

Several other individuals, none of whom proved able to take part in the committee, were listed. They included Huey P. Newton, the Black Panther leader, and minister John B. X. of the Black Muslims.

AROUND THIS core group, state officials—summoning some members themselves, as in the case of Badillo—allowed a much larger group to form.

The prison uprising began Thursday morning; by Friday afternoon, most of the members had reached Attica and had been led through bands of guards into the tense atmosphere of the prison buildings.

On Saturday night, accompanied by the Black Panther leader, Bobby Seale, they made another trip into the yard.

AS THE situation grew more tense, correction commissioner Russell G. Oswald grew more concerned for the committee's safety.

Late Sunday afternoon a nine-man group entered block D again — as it happened, for the last conference between the prisoners and the committee. The nine were Eve, Jones, Kunstler, minister Franklin Florence of Rochester, Juan Ortiz and Jose Paris of the Young Lords, minister Jabarr Ali Kenyatta of the Black Muslims, Tom Soto of the prisoner Solidarity Committee, and this correspondent.

THE PRISONERS' purpose in seeking this "conference," witnessed by the more than 1,000 inmates holding out in block D, was for the black, white and Puerto Rican press

to interview some of the hostages, ascertain their safety and well-being, and allow them to make television appeals to the public.

The observers' committee had the additional purpose of "gaining time" — which, by then, with substantive negotiations at an impasse, most members felt was the only thing left to do.

An appeal to Gov. Nelson A. Rockefeller to come to Attica to consult with the negotiators was broadcast by radio. The observers' committee wrote the appeal and the prisoners' leaders had approved it.

THE LAST SESSION in block D lasted from 3:45 p.m. to 6:17 p.m., with several members of the group addressing the prisoners in emotional terms, with three of the prisoners' hostages being interviewed for television camera.

With understandable unanimity but unexpected fervor, the five hostages — Capt. Frank Wald, Sgt. Edward Cunningham, and three correction officers, Frank Strollo, Art Smith and Mike Smith — appealed to Rockefeller to come to Attica, for "complete amnesty" for the prisoners, and for the prison authorities to do nothing that would provoke the inmates into action against the hostages.

They also testified that their own plight had given them greater understanding of the conditions in which prisoners

lived at Attica.

Later, the prisoner interviews were to be seen on television and heard on radio, but little more was to be accomplished by the long, last gathering in block D. In fact, it had almost not come off at all, because of what many members of the observers' committee regarded as a serious blunder by state authorities.

Other members, particularly some blacks and Puerto Ricans who considered themselves more nearly the prisoners' representatives than neutral observers, suspected the authorities had deliberately sought to undermine the committee.

Apparently within minutes after the six-man subcommittee had arranged with Richard Clarke, through the barred gate, for the interview session with the hostages, Commissioner Oswald sent in to Clarke a letter requesting immediate release of the hostages and negotiations on "neutral grounds."

This apparently caused the prisoner leaders to believe briefly that the six-man observers' subcommittee had been stalling the prisoners along and "lying" to them.

In any case, as the nine-man group was leaving cell block D, Richard Clarke sent an unequivocal response to Oswald's proposal:

"THE NEXT MOVE is entirely up to him. Anything that results will be the result

of the commissioner moving, not us."

Those who heard these words, as Oswald later did by tape recording, knew this left a violent ending to the revolt all but a certainty. They meant that the prisoners would not leave block D to negotiate on "neutral grounds" and Oswald had already ruled out any further negotiation within the prisoner stronghold.

It was already clear that Rockefeller would not—if he could—grant the prisoners' single crucial demand, which was for complete amnesty for any criminal acts committed during the uprising. Brother Richard's refusal to leave block D meant there was no further opportunity to persuade the prisoners to accept anything less than "complete amnesty."

What lingering hopes anyone still had were further dashed when Rockefeller issued a statement refusing to come to Attica in person.

ON SUNDAY night, when the impasse seemed complete, the observers were still trying. Members implored Oswald to hold off the armed assault and made it clear that they believed great loss of life could result.

It was in all probability on Saturday night in block D that hope of a peaceful solution came to a practical end. On that occasion, the entire observer group entered the pris-

oners' area bearing a list of 28 points agreed to by Oswald.

Marching in with them was Bobby Seale thought to have great influence with the prisoners. It had been hoped that

he would urge them to accept the 28 points. Instead, he told the prisoners that he would first have to consult with Huey P. Newton and other Black Panther leaders.

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