

Reaction Divided on Attica Assault

Called 'Appalling Massacre'

By The Associated Press

Public officials, penologists and private citizens reacting to the bloody end of the inmate insurrection at Attica Prison have divided sharply over whether the use of force was necessary.

President Nixon, in a telephone conversation with Gov. Nelson A. Rockefeller, expressed support for the governor's response to the four-day rebellion that ended with nine hostages and 28 inmates killed.

Nixon particularly supported Rockefeller's refusal to grant the prisoner's demand for complete amnesty for any criminal acts committed during the uprising, aides to the two men said.

LATER THE President reiterated his backing of Rockefeller's stand. He did so at a meeting with Republican congressional leaders. They all agreed with Nixon, according to a report from Senate Republican Leader Hugh Scott of Pennsylvania.

Scott told reporters after a White House meeting with Nixon that the President had brought up the matter of the Attica Prison revolt and told the congressional leaders he felt Rockefeller had "no other recourse available to him under the circumstances in view of the possible danger of greater loss of life."

Scott said all of the GOP leaders present agreed that in this "very difficult situation Gov. Rockefeller had taken the only course available to him."

A similar supporting statement was issued by Col. Fred Pearson, legislative director of the American Federation of Police. He said he has been in contact with law enforcement officials throughout the United States and it seemed to be the general opinion that the action taken at Attica was necessary.

ONE AUTHORITY on prison, Dr. Vernon Fox, who once spent four days "talking down" a riot at Michigan State Prison, charged that New York officials mishandled the situation.

"What happened at Attica was despicable," said Fox, now a criminologist at Florida State University. He called the move "an appalling massacre."

"The state was legitimizing murder," he said. "There was no reason to kill anybody. Another 24 hours of talking wouldn't have done any harm and it might have saved the lives of 28 inmates and nine guards."

"The primary reason for the use of force is always to create an image for the public," said Fox, author of "Violence Behind Bars." "Intro-

duction to Correction" and the forthcoming "When Prisoners Riot."

WILLIAM D. Leeke, director of South Carolina's prison system, said he would not criticize the handling of the Attica outbreak "because I wasn't there."

"There is a great deal of controversy over the policy to follow about negotiating with prisoners," Leeke said. "Eventually you have to move in with force and let the chips fall where they may."

Mayor Kenneth A. Gibson of Newark said, "The use of coordinated, organized violence in overcoming the inmates at Attica State Prison stands as one of the most callous and blatantly repressive acts ever carried out by a supposedly civilized society on its own people. . . ."

"When we look at prison conditions and the brutal use of force at Attica we see the same face of racism which caused and then put down with force civil disturbances in this country's ghettos," he said.

ROCKEFELLER'S action won the support of many fellow governors who commented at their annual conference in San Juan, Puerto Rico.

Gov. Preston Smith of Texas said, "If they had a couple days and could not reach a solution, responsible law enforcement people had no alternative."

Ohio Gov. John J. Gilligan said, "There is no way you can parley with people on the basis of their holding hostages. It is important to move in early and with overwhelming force."

"They should have moved the first day to stop it," said Gov. David Hall of Oklahoma.

"**WE HAD** it in Maryland," said Gov. Marvin Mandel. "I went over to the prison and told the prisoners, 'You have two minutes to release the guards, or I'm leaving.' The guards were released and then I listened to them."

Rep. Herman Badillo, D-N.Y., one of a committee of observers who tried to mediate at the prison, said he regretted that Rockefeller had not allowed the negotiations to continue.

"There's always time to die," he told newsmen. "But time to negotiate is what is essential in these circumstances." Sen. James L.

Buckley, R-C-N.Y., said: "There are times when the law ought to be merciful. This is not one of them." He termed the "wanton murder" of the hostages "an act of barbarism pure and simple," and said, "punishment of those responsible must be swift and authoritative."

Sen. Jacob K. Javits, R-N.Y., said, "The governor had an awful decision to make. Lawlessness is already too rampant to allow the public security to be bargained away in amnesty agreements with ruthless criminals."

ROCKEFELLER charged that "the tragedy was brought on by the highly organized, revolutionary tactics of militants who rejected all efforts at a peaceful settlement, forcing a confrontation and carried out cold-blooded killings they had threatened from the outset."

He ordered a complete in-

vestigation "including the role that outside forces would appear to have played."

Gov. Ronald Reagan of California said the percentage of violent inmates is increasing. He added that some revolutionaries who had been active on campus now are fomenting trouble in prisons.

Bobby G. Seale, chairman of the Black Panther party and a participant briefly in the negotiations at the prison, blamed state Correction Commissioner Russell G. Oswald for the deaths.

SEALE SAID, "They (the officials) are guilty of murder. The best thing to do would be to charge Oswald and the others with first-degree outright mass murder."

Activist lawyer William Kunstler, who participated in the negotiations, said, "Today the State of New York decided that force was of more value than human life and deliberately sacrificed both inmates and hostages to the principle of political expediency." Some clergymen also denounced the governor's action.

"Even a long stalemate would have been preferable to the violent route the state chose to take," said the Rev. Dr. Robert V. Moss, president of the two-million-member United Church of Christ.

"The refusal of Gov. Rockefeller to participate in the negotiations and his precipitate action to restore order by violent means must be censored by Christians who recall the words of their Master—'I was in prison and ye visited me.'"

The Rev. Gilberg Caldwell, executive director of the Ministerial Interfaith Association,

which represents about 200 Harlem clergymen, said Rockefeller, "disregarded the humanity of the prisoners . . . especially when they happen to be black and Puerto Rican."