

ROCKEFELLER ASKS PANEL ON INMATES

SEP 15 1971

Bids Judge Goldman Form Group to Protect Rights of Attica Prisoners

NYTimes

By WILLIAM E. FARRELL

Governor Rockefeller announced yesterday that a "distinguished panel of impartial visitors" would be named to see that the constitutional rights of prisoners were protected during "this transitional period at the Attica Correctional Facility."

In a statement issued by his office at 22 West 55th Street, Mr. Rockefeller said that he had requested Presiding Justice Harry D. Goldman of the Appellate Division, Fourth Judicial Department, to name the panel at the request of State Correction Commissioner Russell G. Oswald.

Thus far the Governor has confined his comments on the situation at Attica to statements and has declined to meet with the media to discuss his sanctioning of Mr. Oswald's decision to storm the prison on Monday.

Purpose of the Panel

The White House meanwhile, stood by President Nixon's expressions of support for the Governor's handling of the Attica insurrection in which 31 prisoners and 10 hostages were killed, despite indications that the hostages were shot rather than knifed.

The visitors' panel was being set up, the Governor said, "so the public may be assured that the constitutional rights of the inmates are being protected."

In a telephone interview from his Rochester office, Judge Goldman said he had just re-

Continued on Page 32, Column 2

Continued From Page 1, Col. 7

ceived the assignment but hoped to name a five-member panel of "some top people in the correctional field" within the next day.

The members, he said, would be assured of a free hand in conducting inquiries at the prison and would be "pretty much going to be completely on their own."

Mr. Rockefeller, who has not yet met with the media about Attica or his sanctioning of the decision of Mr. Oswald to storm the prison, spent the day reviewing events at the prison since the insurrection began last Thursday, according to aides. According to a spokesman for Assembly Speaker Perry B. Duryea, Republican of Suffolk County, Mr. Rockefeller is scheduled to meet Thursday with Republican legislative leaders in Albany to plan the state's investigation of the Attica uprising.

The spokesman said that the meeting in the State Capitol would focus on setting up a "coordinated" investigating unit that hopefully would avoid a spate of separate inquiries.

On Monday, the Governor issued a statement saying that the uprising was brought on by the "revolutionary tactics of militants" and that he had ordered an investigation of "all the factors leading to this uprising, including the role that outside forces would appear to have played."

Criticism From Badillo

This statement drew criticism yesterday from Representative Herman Badillo, Bronx Democrat who was one of the group of citizen observers who tried vainly to negotiate a non-violent ending to the prison disruption.

Mr. Badillo, at a news conference, contended that the Governor had "prejudged" any state investigation of the origins of the uprising by his comments.

The Congressman contended that a proper inquiry could not be conducted by the Rockefeller administration or the Legislature. He said the investigative body should include members of the citizens observers' committee as well as "impartial outsiders" and "peo-

ple from a wide range of our society."

Mr. Badillo also repeated his contention that the Governor should have heeded the committee's request that he personally come to Attica.

"All of the possibilities were not exhausted and I don't see that it was so urgent to take action," Mr. Badillo said.

Rangel Attacks Decision

The Governor's approval of Mr. Oswald's decision to send troopers into the prison also was criticized by Representative Charles B. Rangel, Democrat of Manhattan who likened Mr. Rockefeller to Governor Ronald Reagan of California.

"This was a Reagan decision, a Reagan decision that the lives of the prisoners and hostages were not as important as a law and order image in New York State," the Congressman said in Washington.

There has been criticism from other quarters about the Governor's refusal to go to Attica. Aides to Mr. Rockefeller reported yesterday that the

Governor remained firm in his conviction that his presence at the prison would not have contributed "to a peaceful settlement," as he put it on Sunday.

Nor, the aides said, was the Governor convinced that his presence would have "bought time," as some critics have claimed.

In Washington, the afternoon press briefing at the White House brought reiteration of Presidential support of the Governor's handling of the prison situation.

On Monday, President Nixon specifically praised the Governor's decision not to grant the

prisoners' request for amnesty from criminal prosecution.

At yesterday's briefing, Gerald Warren, deputy press secretary, was asked whether the President had changed his mind about the wisdom of the Governor's action in view of reports that the hostages died from gunshot wounds instead of knife wounds.

"As I said yesterday and as I said this morning the President felt that the Governor had faced a very difficult decision. He said yesterday he supports the decision and that certainly stands," Mr. Warren said.