

Rockefeller Talks Of Attica Decision

He Defends Attack On Prison

Washington Post Service

Attica, N.Y.

New York Governor Nelson A. Rockefeller yesterday accepted "full responsibility" for the assault on rioting prisoners in Attica correctional facility, which left ten hostages and 32 convicts dead.

Rockefeller said: "I don't see how I could have done any differently."

At a news conference in his Manhattan office yesterday, Rockefeller said that he had seen not evidence that the rebellious inmates had shown a "real desire to settle" the dispute by negotiation.

POSITION

"Their position had hardened, not softened," the Governor said. "I did not think my meeting with the prisoners or observers' committee would serve any useful purpose."

He was asked: "Is it possible that state troopers, by mistake, killed hostages?"

"I would say it was possible," he answered.

The governor also appointed the state's "super cop," Deputy Attorney General Robert E. Fischer, to head an investigation of the whole Attica incident. Fischer heads the state's task force on organized crime.

PROBE

At the prison, an aide to Fischer, Emerson Moran, said the investigation would go "up to and including the attack on the prison by police."

It was reported Tuesday that eight of the hostages who died in the assault were killed by bullets and buckshot. State police had fired weapons in the Monday invasion of Cellblock D, but officials have reported finding

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no guns among the rebellious convicts.

The state Corrections Department's top officials had been saying since the siege that some of the hostages' throats had been cut by the inmates as the attack began.

A medical examiner who autopsied eight of ten dead hostages said that they were all killed by gun wounds, and that none had throat wounds. Another doctor who examined a ninth dead hostage

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said that he, too, was killed by a bullet.

But in acknowledging that he had put out misinformation on the deaths, Corrections Commissioner Russel G. Oswald insisted that "a physical inspection of the bodies showed slash marks on the throats, and backs of necks, puncture wounds, apparent broken arms, black-

ened eyes, broken faces, abrasions on nearly every hostage, some hostages only with gunshot wounds. Two hostages now in the hospital are known to have lacerated throats."

To add to the confusion, the mortician who examined hostage Richard Lewis' body yesterday said he found no bullet wounds in the body. The Monroe county medical examiner, Dr. John F. Edland, said Tuesday that Lewis died of bullet wounds.

A funeral was held for Lewis yesterday, but because of the confusion, state police ordered his body not to be buried.

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AID

In an apparent attempt to clear up the continuing confusion over how the hostages died, state police called to Attica the medical examiners of Westchester county and of New York City to assist.

An aide to Oswald, Gerald Houlihan, said all prisoners have now been accounted for. He said the death toll now is 42, adding the death of a prisoner who underwent surgery in a Buffalo hospital.

Houlihan also said that not all of the leaders of the prison rebellion, in which 38 hostages were seized, had been killed on Monday and that prison officials are "going through the process of sifting them out."

Rockefeller told reporters that "I'd have to say that the new facts that have been uncovered just go to deepen the tragedy of the whole Attica affair."

DEFENSE

Rockefeller defended his refusing to go to Attica, as the hostages, inmates and a citizens' observer committee had pleaded with him to do.

He said he had talked with several of the observers by phone for 1½ hours and that "they agreed with me that there could be no further concessions to the prisoners and still preserve the concept of law in a free society."

That drew no agreement from one of those observers, attorney William Kunstler, who in New York told reporters that Rockefeller was a "murderer" and insisted that the inmates' insistence on amnesty had been negotiable. "If they had waited until today," Kunstler said, "40 more people would be alive today."

'LIES'

Mentioning the misinformation about the deaths put out by state officials, Kunstler said, "there is no credibility in government. It was all lies and it was done to justify mass slaughter."

He called for Rockefeller's resignation, and also called for demonstrations in demand of prison reform outside prisons all over the country on October 2.

At another of New York state's 22 prisons, Great Meadow at Comstock, 230 corrections officers sent a letter to Rockefeller calling for Oswald's resignation for mishandling the Attica situation. Earlier in the day at Great Meadow, inmates engaged in a four-hour spree of bottle-throwing but the disturbance was put down without injuries, according to the superintendent.

Outside the prison at Attica, one guard who refused to be identified said that the rebellious inmates deserve to be executed. "They should get the chair — the whole bunch of them," he declared. But they won't. They won't because of Rockefeller's politics."

DENIAL

The head of Attica's guard union, meanwhile, insisted that the hostages had not been shot by troopers.

Hollis Chase, president of Local 1040, State, County and Municipal Workers, said, "We've got people, our fellow guards, who carried off the bodies of those hostages. Their hands and feet were bound, their throats were slit from ear to ear . . . It's pretty sickening to see the atrocities.

"Inmates have been found mutilated and we feel they were mutilated by their fellow inmates. They took pictures. The public should see those pictures. They would answer the questions in everybody's mind."