

12 Guards Said to Refuse Order to Let Attica Inmates Exercise

By ERIC PACE

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ATTICA, N. Y., Sept. 26—Attica prison guards refused to obey instructions to let prisoners out of their cells to exercise on one occasion last week, a source close to the prison administration said today.

The informant said the guards had agreed to let the prisoners enter an exercise yard at the maximum-security facility only after other guards were posted at nearby vantage points armed with rifles, to shoot at the prisoners if they became unruly.

No official comment was forthcoming about the reported incident. It was the first alleged instance in which Attica guards have disregarded an order since the inmates' rebellion, in which 42 men—10 hostages and 32 inmates—were killed two weeks ago.

Situation Still Tense

However, one highly placed official said privately tonight, "I did hear they had some sort of trouble like that." Since the revolt, prison guards here and throughout the state have expressed great nervousness, sometimes bordering on terror, about the possibility of another rebellion.

There were these other indications of continuing tension today:

Members of the Goldman Committee, appointed by Governor Rockefeller to oversee prisoners' conditions at Attica, reported that guards had been breaking prisoners' toothbrushes in half, apparently to make them less useful as handles for homemade slashing weapons. Prisoners used razor blades mounted to toothbrush handles as murder weapons in a recent outbreak of violent at San Quentin Prison

in California.

Sources close to the administration here said more than 40 state troopers were still on special duty inside Attica prison. They were said to be conspicuously on hand at times when groups of prisoners were let out of their cells. Troopers were used to crush the revolt Sept. 13.

The authorities made known that visitors who come here on Wednesday for the first visiting day since the rebellion will be allowed to spend only one hour inside the prison and will be forbidden to bring packages for convicts.

12 Guards Involved

The informants said the guards, no more than 12 in number, had refused to unlock the cells of several hundred inmates now housed in Cellblock C, none of whom are known to have been leaders in the rebellion.

The sources said the occasion was particularly delicate, because it was the first time that any inmates were to have been let out for exercise since the revolt was crushed.

Inmates from a neighboring cellblock, D, overwhelmed guards and held them hostage when the rebellion started in a similar exercise period. The sources said the Cellblock C guards were armed, as is customary, only with truncheons.

Lawyers for Attica inmates said guards had taken away all prisoners' eyeglasses after the revolt was crushed, and a member of the Goldman committee charged that one alleged rebel leader, Jerry Rosenberg, complained today that he was still without his glasses. Donald Goff, a member of the Goldman panel, reported that at the Clinton Correctional Facility at Dannemora "there is

a general feeling that something may occur in the institution. He reported that 40 state troopers were still manning watch towers there.

Members of the Goldman Committee visited Attica inmates today, as did several lawyers affiliated with civil liberties organizations. No spokesman for the state penal administration was available to comment on any matter late today, and a spokesman for Deputy Attorney General Robert E. Fischer, who is investigating the revolt, declined to comment on the report that guards had refused to unlock the convicts.

The informants reported that the exercise period was postponed when the guards made their refusal known and, reportedly, got the support of at least one guard's union official. Sometime later, when the riflemen had taken their places, the guards finally consented to unlock their charges, the sources said.

But they reported that only a few prisoners left their cells to exercise. They said it was not clear whether the others stayed indoors because they were afraid of the riflemen. It was also considered possible that they might be staying in their cells as a form of protest.

Rangel Critical of Warden

Representative Charles B. Rangel, Manhattan Democrat, who is a member of the Congressional committee investigating the Attica prison revolt, charged yesterday that the prison's superintendent, Vincent R. Mancusi, was "a hard liner" who "is insensitive to human need."

Mr. Rangel said he had talked to Mr. Mancusi last week when the committee visited the prison and that the warden had told

him that the uprising had been led by "colored Communist Maoist inmates."

"This type of thinking is repugnant to decency and to reform," the Congressman said on the WNBC-TV "Newslight" program, where he appeared with Frank J. Brasco, Brooklyn Democrat, who is also a member of the committee.

In another development yesterday, the medical examiner's office said it had cleared up confusion over the identities of the bodies of three inmates killed at Attica.

John Devlin, deputy chief medical examiner, said that the bodies of Thomas Hicks and Harold Thomas had been properly tagged but that an undertaker had mistakenly confused the bodies. The body of a third man, Frank Williams, also was identified.

Families of the men confirmed the identifications at the Bellevue Hospital morgue, Mr. Devlin said. On another television pro-

gram on the Attica revolt, State Senator John R. Dunne, chairman of the Committee on Crime and Correction, said that his investigation had indicated the inmate take-over had been planned.

"From the preliminary information we have, it seemed to have been a well-coordinated effort. It was not a spur of the moment action."

"And I think it's a signal to us the same thing can happen elsewhere," Mr. Dunne said on the WABC-TV program "Eye-witness New Conference."

Meanwhile, the Fortune Society, an organization of former convicts, released a letter it said had been written by a white prisoner at Attica, who asserted that prisoners and hostages had been killed as a result of indiscriminate shooting rather than cross fire, as state officials have said.

The letter was addressed to Steve Shestakorsky, a lawyer for the society. The society did not identify the writer.

GUARDS AND STATE PURSUE PACT TALKS

ALBANY, Sept. 26 (AP)—Another meeting between dissident prison guards and representatives of Governor Rockefeller's office is set for Wednesday here in an effort to conclude an agreement that will head off the correctional officers' threat to lock-in prisoners at the state's correctional facilities, starting Oct. 7.

A spokesman for the Governor's office confirmed today that representatives of Council 82 of the American Federation of State, County and Municipal Employees, had scheduled a meeting later this week with Abe Lavine, state director of employe relations.

Mr. Lavine was among several state officials who met Friday for nearly eight hours with Council 82 officials to discuss a list of demands for prison reforms submitted by the correctional officers.

Among the major recommendations made by the union was that the state establish a "maximum" security institution for so-called high-risk prisoners.

The correctional officers also want the state immediately to re-hire all of the prison guards laid off earlier this year in an economy move.

The officers say that unless they get a satisfactory response from the state they will lock all prison inmates in their cells on an around-the-clock basis to prevent another uprising such as the one early this month at Attica.