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OFFICER IN INQUIRY AT ATTICA SCORED

2 on Goldman Panel Urge Police Leader Be Removed

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ATTICA, N.Y., Oct. 1—The committee set up by Governor Rockefeller to oversee conditions at the Attica Correctional Facility called today for the withdrawal of a state police captain from the state's investigation of last month's rebellion.

The co-chairmen of the Goldman committee strongly criticized the participation of Capt. Henry F. Williams, who directed the troopers who retook the prison, in the investigation headed by Deputy Attorney General Robert E. Fischer.

One co-chairman, Clarence Jones, said at a news conference here: "It's an insult to the public's intelligence; it's ridiculous."

Critics have charged that Captain Williams's men fired indiscriminately in crushing the revolt, and shot and killed some hostages as well as inmates afterward. Forty-two persons, 10 of them hostages, died as a result of the five-day rebellion at the maximum security prison.

Unavailable for Comment

The captain has since become head of the state police's special investigatory unit. He and an undisclosed number of his men have taken part in the Fischer investigation. It covers all aspects of the revolt and could theoretically lead to indictments of state troopers as well as prisoners.

The captain was unavailable for comment today, but a state police spokesman said in a telephone interview from Albany, "It's up to Mr. Fischer to select the persons he feels are best capable of performing the investigation."

He declined to elaborate, and so did Emerson Moran, Mr. Fischer's spokesman, who said merely, "Captain Williams has played some role in some aspects of our investigation."

The Goldman committee's appeal attracted considerable attention because it was the first time it had so bluntly criticized state authorities' handling of matters here since the revolt, which ended Sept. 13.

The other co-chairman, Austin McCormick, said at the news conference, "If I were Williams I think I'd disqualify myself." He said it would be "like a judge disqualifying himself—it doesn't mean he's dishonest."

Mr. Jones said the committee would tell Governor Rockefeller of its views about Captain Williams, and added, "He should be immediately relieved of his responsibilities [in the investigation]; otherwise there is no basis for the public to have any confidence in it whatsoever."

Mr. Jones, the publisher of The Amsterdam News, also said the authorities in general were being far too slow to cope with the consequences of the revolt.

As he addressed newsmen outside the prison's gate, he said, "There is mounting seething impatience on the part of the black community." And, he added, "Something should be done very quickly to determine what's at the bottom of the various charges and countercharges."

Court Actions Cited

In comment, Mr. Moran, who was also interviewed at the gate, said that court proceedings against the Fischer group that have been initiated by lawyers for Civil Liberties organizations were responsible for some delays in the investigation.

"They tie up four or five of our lawyers, and we only have 10," he observed. Criticism of state penal authorities was also countered by State Correction Commissioner Russell G. Oswald in a statement issued from his Albany headquarters.

Mr. Oswald called for "a period of collective, calm reasoning and understanding in the wake of numerous unsupported charges and statements surrounding the riot and aftermath" at the prison here.

He said it was impossible to respond to "each individual complaint and accusation," particularly when a response might somehow impede an investigation.

There has been no confirmation of reports from inmates

and from one of the mediators during the revolt, State Assemblyman Arthur O. Eve, that one prisoner, Elliott Barkley, and perhaps others, were shot and killed after the troopers regained control of the prison.

Length of Inquiry in Doubt

Mr. Fischer did not comment on these charges when he appeared at a court hearing in Buffalo yesterday. Nor have he aid his aides said how long their investigation might last.

But Mr. Moran has said they will seek indictments and convictions of men they conclude committed criminal acts during the revolt. These could include guards as well as inmates and troopers.

Captain Williams, a career trooper, was present on Sept. 13 in his capacity as commander of the 54-man Troop A of the state police quartered at Batavia, N. Y., a short drive from here.

Shortly afterward he was made chief of the Albany-based S.I.U., a branch of the state police's bureau of criminal investigation.

Mr. Moran said today that an unspecified number of men from both state police units had "played some role in some aspects of our investigation out of necessity." He declined to say how many or to elaborate.

Mr. Moran also confirmed reports from Attica townspeople that Captain Williams had been in the prison since the revolt, but he did not explain what he was doing. Nor did members of the Goldman committee, who have also been visiting inside the prison's 30-foot walls.

The five-man panel got its name from the fact that it was chosen by Presiding Justice Harold Goldman of the Appellate Division at the Governor's request.

In addition to Mr. Jones and Mr. McCormick, a penologist, its other members are Donald Goff, another penologist; Luis Nunez, executive director of Aspira, the Puerto Rican organi-

zation; and Robert P. Patterson, a member of the law firm of Belknap & Webb.

In another prison development today, sources close to the prison warden, Vincent R. Mancusi, contended the prison's two regular part-time doctors, Selden T. Williams Jr. and Paul G. Sternberg, had resigned.

But Dr. Williams, interviewed at his home here, said that neither he nor Dr. Sternberg—both general practitioners—had taken formal steps toward resignation. But he said he was discontented about pay and other elements of his job. He said he was paid \$19,000 a year for his prison work, which has been criticized by inmates.