



Associated Press

ON WAY TO TESTIFY ABOUT ATTICA: Two unidentified inmates arriving at the Federal Courthouse in Buffalo in handcuffs. A hearing was held on prison conditions.

Attica Proposal for Monitors Ignored, Inquiry Head Testifies

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BUFFALO, Oct. 4—The co-chairman of the committee set up at Governor Rockefeller's request to oversee conditions at the Attica Correctional Facility in the wake of last month's revolt testified today that the state had not yet acted on a recommendation that an independent monitor force be placed in the prison.

The committee was appointed by President Justice Harry D. Goldman of the Appellate Division's Fourth Department.

Clarence Jones, co-chairman of the Goldman Committee, said at a Federal Court hearing that he and the other four members of the panel had advised Walter Dunbar, deputy commissioner of correction, on Sept. 17, four days after the rebellion was crushed, that the monitors were needed.

building, a post he had held since December.

Charles Colvin, 24, convicted of second-degree manslaughter, said that immediately after the revolt ended he was beaten and his life threatened by a state trooper who put a rifle to his head and said, "You're gonna die, nigger, you're gonna die."

Mr. Jones, editor and publisher of The Amsterdam News, said the monitors were needed because an atmosphere of "controlled hostility" between the prison's 1,200 inmates and 400 guards still pervaded the prison.

Committee Lacks Power

Noting that the committee had no legal power to appoint monitors, Mr. Jones said he assumed Mr. Dunbar still had the recommendation "under consideration." Mr. Jones did not recommend a specific number of monitors.

He testified at a hearing before Judge John T. Curtin on requests by inmates' lawyers that the prison be enjoined from allegedly physical abuse of the prisoners and destruction of their legal materials, in violation of their constitutional rights, since the revolt ended. The inmates' lawyers have said privately that one of the reliefs they hoped Judge Curtin might order in the prisoners' behalf would be Federal monitors.

Judge Curtin ruled that two of the persons subpoenaed by the inmates' lawyers would not have to appear in court, as expected tomorrow. The two were Deputy Attorney General Robert E. Fischer and Mr. Dunbar.

Judge Curtin said he would not order Mr. Fischer's appearance in court because he was conducting the state's investigation of the uprising and that to have forced to testify on his investigation would be improper. He said Mr. Dunbar would have no special knowledge of conditions at the prison.

Judge Curtin also said he would try to give a decision on the case by Wednesday. He adjourned the hearing until tomorrow.

Three Attica inmates testified today that they had seen, or been subjected to, beatings by guards, and the loss of legal materials. The first of them, William Jackson, a 25-year-old inmate convicted on a marijuana charge, was the first white prisoner to testify at the hearing, which opened last Thursday with the testimony of three black inmates.

Jackson said he had not been involved in the revolt, and that on the day after it was crushed, he had seen prisoners being hit by guards with "billyclubs." When three inmates were pushed past him, one of them "all bloody," Jackson said, a guard had explained, "He fell down the stairs. He's a nigger anyway."

Jackson also said he had been on a clean-up detail when he saw "legal books, inmates' legal papers, toothbrushes, eyeglasses and hobby materials" packed into barrels and loaded into a dump truck. He said that last week he had conferred in the prison with one of the inmates' lawyers and that on Saturday prison officials told him he could not longer work as a clerk in the administration