

12 INMATES NAMED IN ATTICA CHARGES

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Some Are Led Into Court in
Shackles for Arraignment

—2 Accused of Murder

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WARSAW, N. Y., Dec. 18—

Twelve convicts or former convicts were led, shackled, into court today to face the first charges growing out of the Attica prison uprising of 1971. The charges included murder, kidnapping, assault and attempted arson.

Among those accused of murder as the court opened the first of 37 sealed indictments was Charles J. Pernasilice, who allegedly was caught up in the uprising while at Attica only briefly as a 19-year-old youthful offender awaiting transit with no serious criminal record. He was accused of having fatally beaten a prison guard, William Quinn, on the first day of the revolt, Sept. 9, 1971.

All of those arraigned today were already in custody in state prisons for previous offenses.

Two men accused of killing Mr. Quinn, Mr. Pernasilice and an inmate identified as John Hill, face a charge that carries the death penalty. The murder of a prison guard or a policeman is the only capital crime under state law.

A third suspect, Mariano Gonzalez, was accused of having fatally stabbed Michael Privitera, a fellow Attica inmate.

The insurrection at Attica

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12 Convicts Named in Charges Arising From Attica Rebellion

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was ended after five days on Sept. 13, 1971, when state troopers stormed the prison's D yard. A total of 43 men—32 inmates and 11 prison employes—died in the incident and more than 80 were wounded.

Mr. Quinn and three inmates died during the period the prisoners were in command of the correctional facility, and 29 inmates and 10 guards and civilians held as hostages died of gunshot wounds during the police assault.

Today, at this arraignment, some of the suspects appeared bewildered, but others saluted friends firmly as they hobbled in leg chains from prison vans into the red-brick courthouse. One inmate, Vernon Lafranque, had to be carried in after he refused to cooperate. He said he had been summoned from a prison movie and had been told to pack with no reason given.

The suspects were kept waiting for more than five hours for the arrival of Deputy Assistant Attorney General Gerald Ryan, who is in charge of the arraignment of what is expected to be a total of several dozen individuals throughout the week.

None of those accused today entered pleas. Defense lawyers obtained adjournments of up to one month to enable them to study the charges and prepare defenses.

The arraignments are being made before State Supreme

Court Justice Carmen Ball on the basis of indictments handed up by a special grand jury sitting here at the county seat, 15 miles from the State Correctional Institution at Attica.

The investigation that led to the indictments was under the direction of Deputy State Attorney General Robert E. Fischer, a special prosecutor appointed by Governor Rockefeller.

Although Governor Rockefeller declined to go to Attica during the rebellion, he directed the state's responses and subsequently came under sharp criticism.

The criticism was continued today by a score of demonstrators who marched outside the courthouse opposite the Warsaw Civil War memorial, which was decked with holiday bunting.

Lawyers from the Attica Defense Committee objected repeatedly that the use of sealed indictments was unnecessary, because most of the accused are in prison already. The real intent, they charged, was to disorganize the defense and distract attention from a Federal Court hearing in Buffalo today dealing with inmates' charges of brutality.

The other accused inmates and charges are as follows: Vernon Lafranque, possession of weapons; Robert Johnson, kidnapping and coercion; William Ortiz, assault; Otis McGaughy, assault; William Bennett, possession of; weapons; William Outlaw, attempted arson; Calvin Hudson, robbery and assault; Eric (Jomo) Thompson, coercion, and José Quinones, coercion.



Associated Press

An unidentified man, in handcuffs and leg irons, being carried from a van into the courthouse at Warsaw, N.Y., yesterday. A defendant in the charges stemming from the Attica prison rebellion, he refused to walk in irons.