

2 DOCTORS VERIFY THAT GUNS KILLED 9 ATTICA HOSTAGES

Pathologist Findings Agree
With Those of the Monroe
Medical Examiner
SEP 20 1971
INMATES ALSO CHECKED

27 Convicts Found Dead of
Bullet Wounds and 3 of
Multiple Stabbings

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ATTICA, N. Y., Setp. 19—

Two pathologists who re-examined the bodies of the nine hostages killed during the assault on the Attica Correctional Facility last Monday today verified an earlier finding that all had died of gunshot wounds.

The pathologists, Dr. Michael Baden, deputy chief medical examiner of New York City, and Dr. Henry Siegel, the Westchester County Medical Examiner, said in separate interviews that they concurred with the autopsy results announced last week by the Monroe County Medical Examiner.

The Monroe County official, Dr. John F. Edlund, had announced that he had found no knife wounds on the dead hostages except for a superficial cut on the back of one guard's neck.

Cross Fire Blamed

His findings led state officials to conclude that the hostages had died in a cross fire from the guns of policemen who stormed the prison to retake it after it had been controlled for five days by rioting convicts.

The finding of gunshot deaths by Dr. Edland came after State Correction Department officials, including the deputy commissioner, Walter Dunbar, said that some of the hostages had been killed by convicts who had slashed their throats.

Dr. Baden also said today that he had re-examined the 30 inmates found dead after the prison had been retaken by state troopers and had found that of the 27 killed by guns, some had been shot in the back, some in the front and some in the side.

He also said that three inmates had died of knife wounds—one more than had been announced previously—and that each had been stabbed at least 20 times.

Other Developments

The findings of Dr. Baden and Dr. Siegel came on a day that also saw these other developments:

¶Lawyers from the Legal Aid Society and the American and New York Civil Liberties Unions charged that some inmates had been awakened in the middle of the night and interrogated by state authorities, although they were not represented by counsel.

¶State Senator John R. Dunne, a member of the observers' committee that sought to end the rebellion and chairman of the Senate Committee on Crime and Correction, said that, given the inmates "intansigence" over unacceptable demands, he saw no alternative to storming the prison.

Dr. Baden said that it would be difficult to determine the precise angle of fire that killed each inmate without knowing whether the victim was standing or lying down at the time. And he added that it would be nearly impossible in cases where buckshot was used since "buckshot comes from all

Continued on Page 29, Column 4

Continued From Page 1, Col. 1

angles—a bullet may go up and a bullet may go down."

The confirmation that the hostages had died of gunshot wounds—a fact that many in this saddened village refused to believe—came as crowds of worshippers filled the churches for Sunday morning services. A cold rain fell steadily, and most stores that are normally open Sundays were closed.

The rain kept the town quiet and local and state police cars cruised constantly through the streets to spot any would-be demonstrators and sightseers. But only an occasional car from out of town passed the prison slowing as the occupants peered out at the rain-streaked walls.

The re-examinations of the bodies by the two physicians were requested by Mr. Fischer and the State Department of Correction, Dr. Baden said that he also had seen the bullets that Dr. Edland had removed from the dead men.

Bullets Described

The bullets were of at least two types, Dr. Baden said. One was buckshot, each cartridge containing 10 to 12 pellets—"each pellet the size of a .32-caliber bullet, so each bullet's effect is like shooting 10 hand guns at the same time, and they scatter," the doctor observed.

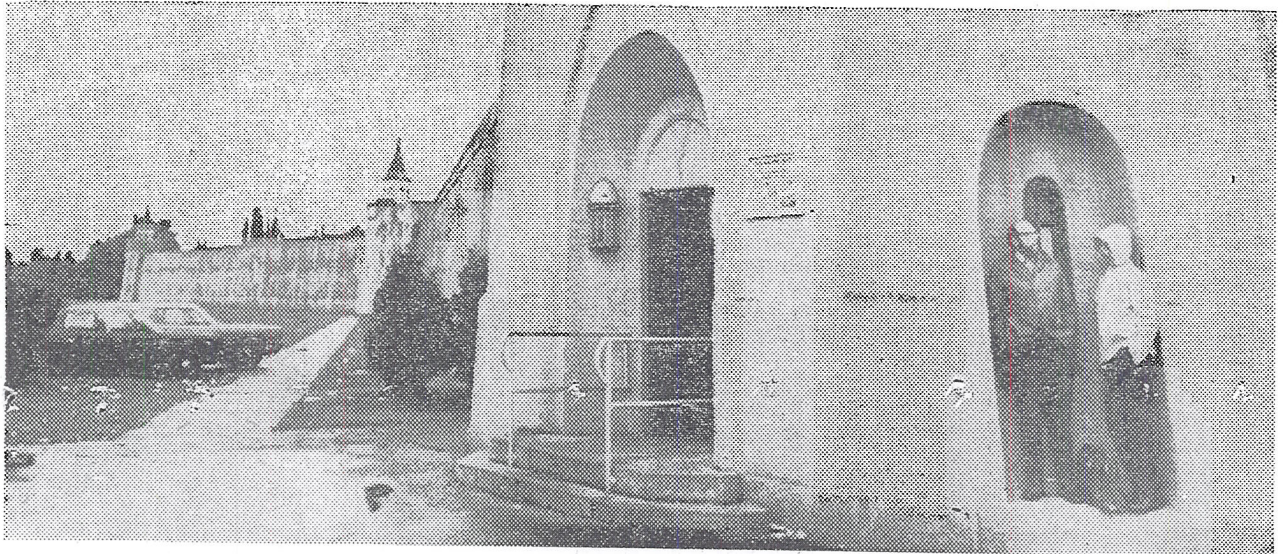
The other type of bullet found was of .270-caliber, according to Dr. Baden. Asked if so-called "dum-dum," or expanding, bullets had been found, Dr. Baden replied:

"These aren't expanding bullets, except that any lead bullet expands when it hits bone. These were not meant to be dum-dum bullets." He added, however, that he had not examined bullets removed from the wounded, only from the dead.

Newsmen found several empty ammunition boxes in the trash outside the prison late last week, among them a box labeled: ".270 Winchester 130 gr. expanding bullet." A description on the box reads:

"These Winchester cartridges feature the exclusive Silvertip bullet with controlled expansion. The soft-jacketed bullet tip combined with the tough outer Lubaloy jacket gives deep penetration with uniform upset performance at all practical hunting ranges."

One state trooper interviewed said that such ammunition was regularly issued, but he did



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William E. Hellerstein of the Legal Aid Society, left, and an associate waiting to enter Attica prison yesterday

now whether it had been used by the forces that assaulted and retook the prison last Monday.

Dr. Baden said that close examination of the gunshot wounds had led him to conclude, as Dr. Edland had, that "all seem to be distant shots." Dr. Baden said: "We don't have any so far where obviously someone held a gun up against somebody's head."

Dr. Baden said his examinations had confirmed that 36 men died at the time of the assault—9 hostages and 27 inmates. Four other men died before the assault, and none died afterward, the doctor said.

One hostage, William Quinn, a guard, died two days before the assault from head injuries reportedly suffered during the inmates' take-over on Sept. 9. Three inmates died of slashed throats a day or two before the assault, Dr. Baden said.

"They were cut up and stabbed," he reported. "There were more than 20 stab wounds in each."

Two of those inmate deaths had been reported previously by Dr. Edland. The third had been examined by another physician who had not made public the findings.

Dr. Baden said he was making detailed microscopic and chemical tests to determine the areas of bruises, to see if anyone had been mistreated prior to the assault. Dr. Edland had reported that hostages' bodies showed evidence of being beaten around the heads, and one on the back.

One hostage had a broken arm, Dr. Baden said, adding that "a number of these guys had black eyes and bullet wounds of the head." He said that since a fractured skull can produce a black eye, the bullets may have been responsible for the black eyes of some hostages. His tests would help determine that, he said.

Several surviving guards, including Philip J. Watkins and Frank Kline, have told newsmen that injuries, such as bruises and broken arms, occurred while inmates were struggling with the guards to seize the prison. Both Mr. Watkins and Mr. Kline said that to their knowledge no hostages had been beaten after the prison was under the inmates' control.

Dr. Baden was reached today in his New York City office as he worked on other cases. Dr. Siegel, reached at his home in White Plains, told of

his basic findings, but he would not give the details that Dr. Baden offered. Both men praised Dr. Edland.

"Edland did a very professional, top-notch job," Dr. Baden said. "There are very few places in the United States that could have done it."

Because of that and the re-examinations, Dr. Baden said, "it will definitely not turn out like the John F. Kennedy death—there will be no question about the causes of death."