

Inmate Just Released From Attica Says

By ERIC PACE

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BATAVIA, N. Y., Sept. 22—A prisoner who was released from the Attica Correctional Facility today said last week's revolt had been planned for July 4, but was postponed after 'stool pigeons' had warned the authorities. He said the revolt stemmed from prison conditions not from radical ideology.

The former inmate, who gave his name as Julio Carlos, was among eight men released this morning. Their departure came without fanfare as prison life assumed more and more of a regular routine in the aftermath of the revolt, which led to the lost of 40 lives.

Inmates' lawyers and members of the Goldman Committee of overseers went about their work quietly inside the 30-foot walls, and state investigators let it be known that their inquiry into the revolt might last three and possibly even six months.

10 Years for Robbery

Carlos, who said he had served 10 years for armed robbery, was interviewed at the bus station in this town near Attica while he was waiting to go on to New Yrk. He gave his personal account of the causes and course of the revolt without adducing any evidence except a prison document that gave the name Julio Carlos and the number T-25398.

In the hour-long interview, Carlos made the following assertions:

¶Inmates had prepared for the revolt by fashioning knives and machetes in the prison metal working shop and burying them or hiding them in boxes of athletic equipment.

¶Inmates murdered three

white prisoners during the revolt not for racial reasons, but "because those guys were stool pigeons — and you can't do nothing in front of them."

¶An inmate known as Jerry The Jew Rosenberg was "the best guy [the rebels] got." A keen jailhouse lawyer, he gave legal advice to the revolt's other leaders.

¶The authorities indirectly caused the rebels to grow more determined to hold out by letting word get out that a guard had died after being beaten by prisoners. The rebel knew this left them open to prosecution for his death.

¶Neither William M. Kunstler the radical lawyer, nor Bobby G. Seale, the Black Panther national chairman, impeded the negotiations during the revolt by inflammatory statements as has been charged by critics.

No Comment in Albany

No comment on Carlos's assertions was immediately forthcoming from state penal authorities in Albany, to whom all queries about Attica prison affairs are now being referred. The authorities have so far not let reporters interview inmates inside the prison.

It is this refusal that interest heightened in Carlos's account, which was the first by an ex-inmate who admitted to being sympathetic to the revolt. Asked what role he played in it, he said only that he knew about it ahead of time and was present in courtyard B while it was the focus of the revolt. And he asked wryly, "Why should I try to stop it?"

Carlos, who said his original family name was different, was born in Puerto Rico 31 years ago and brought to De Kalb Avenue in Brooklyn as a child.

Wearing a sports jacket and slacks, he spoke as he stood outside the bus station, peering happily at the people and houses around him, and the open sky.

He said that Black Panthers, Black Muslims, Young Lords and other groups had been active in the prison, but that the prisoners had taken to political activity "just to pass the time."

Asked whether some inmates particularly admired Eldridge Cleaver, the Black Panther figure, or Mao Tse-tung, he said they looked up to "anyone that believes in freedom."

He denounced the prison warden, Vincent R. Mancusi, saying: "We don't want him, he's the cause of all this—with the little petty things he do."

Carlos criticized medical and dental care, sanitary conditions and the guards' conduct before the revolt and said Federal prisons were far better than those in New York State.

He reported that "this thing was supposed to jump on July 4," which, he said, was the only day when the authorities let prisoners cross from one of the prison's various yards to another yard.

Precautions Taken

After the authorities heard of the plot, he said, they took precautions, including closing the yards and issuing tear gas to guards.

And so this month, he said, the revolt's leaders were careful to keep their plans to themselves, although inmates had long been making "blades" and hiding them in, among other places, in boxes used for weightlifting equipment.

He said the inmates had had no guns other than tear gas cannister launchers they seized

from guards during the revolt. The immediate grievance that led the leaders—whom he did not name—to precipitate the revolt, he said, was that guards had beaten up two inmates who had been merely "playing, body punching each other." And so the next morning, "when we came out" of cells in Cellblock D, "we decided . . . we ain't gonna take it. It's got to be their life or us."

"We were supposed to start as soon as we were out of the cells, but the guys decided we should go to the messhall," he said. "When we came out of the messhall, we start shouting and some of us had sledgehammers and hatchets" besides the "blades."

"We get possession of two tear gas guns and we have a few tear gas [projectiles]. We start running to the hospital, but we didn't get there. They had rifles all ready" and so "we start breaking windows on the laundry, there was so much tear gas it was pathetic."

Gate Welded Shut

Carlos said one inmate welded a gate shut to keep guards out and, "then we go to destroy the metal shop. We destroy the commissary" after taking food supplies.

Then "we got tables [into D courtyard] and with the representatives, the legal advisers, and the rest of us we line up in the yard with our knives in our pockets and the machetes."

He said the guards who were hostages "would have got killed if [the authorities] took immediate action against us." Some hostages, he said "got hit in the head and everything" because "anybody wearing a blue

Revolt Was Originally Scheduled for July 4

[guard's] shirt in a thing like this, he got to go."

Carlos said the prisoners did not trust Commissioner of Correction Russell G. Oswald because he had made "too many promises" without fulfilling them.

"The first time he came in to negotiate with the rebels, he told us a lie. We knew he wasn't gonna come through, that he was going to promise and promise and in a year's time he might come up with a little better food and books."

Carlos criticized Governor Rockefeller for not visiting the scene of the revolt, and said: "The only way we would have give up was if Rockefeller came in and give us a letter from a judge," including a binding promise of amnesty. In such matters, Carlos said, the other leaders relied heavily on advice from Jerry the Jew.

During the first three days of the revolt, he said, "nobody did nothing, we wasted time hollering." He noted, "We was angry, angry, from too much suffering."

Carlos said the rebels had thought the authorities would try to break up their revolt immediately. "We was hoping for the state police to come in just with clubs," he said. The rebels would have "fought — them with the clubs and us with the knives, but unfortunately they fire from the roof" when the crackdown came.

The former inmate said that if the assault, which took place a week ago last Monday, had not come, the rebels—including a hard core whose number he put at 100—would have held out as long as possible.

He said the leaders would not

have accepted a negotiated settlement that did not provide for an amnesty and "we knew if we would have cut them people [the hostages] loose, none of us would be out of that prison. There would be a bigger massacre" than the toll when the crackdown came.

Bullets From Roofs

Carlos said inmates had beaten up the guard who died with pipes, "beat him up bad," and that the rebels got word of his death indirectly, through stool pigeons who had had word from prison officials. He did not elaborate. But he noted that the prisoners' radio earphones had been out of commission during the revolt.

When the crackdown came, he related, with the first tear gas, "everyone went blind, everyone run around."

He said he had heard on order to fire, and that inmates had been shot by the state forces while they were "trying to hide themselves."

The state troopers "were on top of the roofs" around the yard, he said "and all of a sudden the bullets came."

He said he had survived by heeding loudspeaker calls to surrender and, along with other inmates, had been roughed up afterward.

Among those beaten after the assault, he said, was Jerry the Jew.

Gantlet Running Recalled

Jerry the Jew's hand-printed alleged signature was one of the 33 inmate names signed to a brief communiqué that a civil liberties lawyer, Herman Schwarz, said he received Monday from Herbert X. Blyden, one of the main rebel leaders.

Carlos's accounts of alleged beatings after the assault re-

sembled accounts cited by other inmates' lawyers.

Robert Patterson, a lawyer who is a member of the Goldman Committee, said that alleged organized beatings known loosely as "the gantlet incident" had not been refuted by the reported independent medical panel that state prison authorities announced yesterday.

The Goldman Committee, which was set up by Governor Rockefeller to oversee conditions in the prison, had reported earlier that inmates said they had been forced to "run a gantlet" just after the assault.

But yesterday's written announcement of the medical panel's findings said "the doctors indicated that wounds and bruises that they saw had undoubtedly occurred during the course of the authorities' efforts to regain control of Cell-block D."

Shooting Defended

Special to The New York Times

ALBANY, Sept. 22—William E. Kirwan, superintendent of the state police, said today that the recapture of Attica Prison was "not a turkey shoot." There was, he maintained, "no indiscriminate firing" by law enforcement agencies.

Some hostages may have been killed, the superintendent said in his first interview since the prison was stormed, partly because of the heavy burden on the two correction officers assigned to each of the 25-man state trooper rescue teams that headed the attack.

The function of the correction officers, Mr. Kirwan said, was to identify the hostages for the troopers. They had, however, only "a short time frame" to recognize them from a distance, and were hampered by a pall of tear gas and the

clothing the hostages wore, he continued.

"It wasn't a case of their being in prison uniforms," Mr. Kirwan said, but "in bed sheets and blankets and who knows what else—just like the prisoners."

Mr. Kirwan was not at Attica and said he had "at no time" talked to Governor Rockefeller before the prison was retaken. He noted, however, that planning for the assault began on the first day of the uprising "as soon as we knew they had hostages."

Evidence Received

A chemist who headed the state police crime laboratory before being named superintendent, Mr. Kirwan said a "large quantity" of guns, bullets, and "other evidence" from Attica had been received for ballistics tests here last night.

The superintendent would not say how many projectiles, some of them apparently retrieved in autopsies on the 40 men killed, had come in.

Ballistics comparisons of the weapons and bullets will be made in an effort to aid the Deputy Attorney General's investigation of how — and by whom — the men were killed.

A lawyer with 30 years' experience in police work said today there was nothing in the statutes that required a police officer who killed someone in line of duty to appear before a grand jury.

"Theres' nothing on the books and in practice it is up to the county district attorney to decide whether such a case goes before a grand jury to determine justifiable homicide or not," the lawyer said.

A state trooper who appeared before such a jury would ordinarily be defended by the State Attorney General.