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Fact-Finding for Attica^{OCT} 1 1971

Chief Judge Stanley H. Fuld of the Court of Appeals and the presiding justices of the four departments of the state's Appellate Division, given an unusual responsibility, have discharged it well. In the wake of the tragedy at Attica, with its aftermath of outright falsifications and unanswered questions, Governor Rockefeller properly turned to the bench for impartial selection of a fact-finding group that would itself be free of bias. The Governor's only mandate to the judges was that they name panel members representing "all elements of the community."

As unveiled by Judge Fuld and his colleagues yesterday, the panel consists of nine members, some white, some black and one Puerto Rican. Seven are men, two women. The representation runs all the way from high church office to ex-convict, from law school dean to criminal-justice school student. None of its members hold public office; none participated in any way in the Attica affair.

This seems, in sum, an excellent panel of public-spirited citizens who have responded to an unusual judicial request for their services. Dean Robert B. McKay of New York University's School of Law will serve as chairman. He has headed important study groups before and serves as the current chairman of the Citizens Union. Under his leadership, the panel promises to bring a high degree of intelligence, compassion and doggedness to its task. It should command the confidence of the public at large, as well as the community at Attica where prison personnel and their families live, the urban slums where criminals are spawned and the political leadership which must respond positively to the group's findings.

Governor Rockefeller and the State Legislature must now make certain that this extraordinary citizen group has adequate tools with which to work. It will need money and special subpoena power. To investigate "the events leading up to—during—and following" the awful climax to the Attica prison uprising is a monumental responsibility. The newly selected panel needs and deserves maximum freedom of operation and fullest cooperation, official and public.