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NEW HARASSMENT CHARGED IN ATTICA

U.S. Magistrate Told Abuse
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Special to The New York Times

ATTICA, N. Y., Dec. 13—Two inmates of the Attica Correctional Facility testified before a Federal magistrate inside the prison today that no sooner had they left an interview with newsmen last month in which they complained about harassment and abuse by guards than they were subjected to new threats and mistreatment.

One of the men was Richard Clark, a black Muslim who was widely known as Brother Richard during the uprising that was crushed just three months ago today with the loss of 43 lives. He told United States Magistrate Edmund H. Maxwell that retaliation began immediately after he and five other inmates complained to reporters Nov. 16 in an interview—sanctioned by prison authorities—that conditions were worse than before the rebellion broke out Sept. 9.

Clark told the magistrate that after the interview, held in the same room in the solitary-confinement cellblocks in which today's proceedings were conducted, he was taken to the elevator by six or eight officers, including Deputy Prison Superintendent Karl Pfeil.

'Vulgar Statements' Charged

"As I proceeded to enter the elevator, I was pushed and told by some vulgar statements to get my nose and toes against the wall," he said.

Asked by his attorney, Herman Schwartz of Buffalo, to give the guard's exact words, Clark replied: "As I got ready to get on [the elevator] they said, 'You—bastard, get your nose and toes against the wall.'"

The next day, Clark went on, he was marched out of his cell and told "if I turned my head either way, they would drop me in my tracks."

"I was told," the prisoner said, "if you make one more, we're going to kill you right here."

He was taken, he continued, to a prison office where the education supervisor, William Dickinson, and Deputy Superintendent Pfeil told him he had lost his accumulated good time—for one year and four months—early release on Feb. 8 on his four-year sentence for armed robbery. He said he had not been told why he was being denied the standard early-time release.

Guards Not Identified

Afterwards Mr. Schwartz reported that, as the convict's lawyer, he had made inquiry of prison authorities about the matter and that they had said Clark had been docked only a month. Further protest, Mr. Schwartz said, elicited assurances from the State Correction Department that the inmate would get full credit for his good time.

Under cross-questioning by John H. Stenger, the lawyer for the state, 25-year-old inmate said he had been without his glasses and could not identify the guards involved in the harassment he was reporting.