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Ex-Attica Officer Testifies on Uprising

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By MICHAEL T. KAUFMAN

A former lieutenant at Attica prison testified yesterday about his central role in a yard incident just before last September's riot, doing so in terms that clashed sharply with the recollections of an inmate witness.

Richard Maroney, who put in for his retirement as senior lieutenant at the Attica Correctional Facility on Sept. 9, the first day of the uprising, described for the McKay Commission his confrontation on Sept. 8 with an inmate named Leroy Dewer.

Like Chris Mayes, an Attica inmate who testified on Monday, Mr. Maroney said that the inmate refused to go to his cell after being told to, that 200 inmates shielded Dewer and that later that night Dewer was removed from his cell and taken to a cell in the segregation unit.

But where the inmate witness had said that Lieutenant Maroney lunged at the inmate in the yard before Dewer struck the officer, Mr. Maroney said the alleged attack on him was unprovoked. Mayes had said Dewers was 5 feet 8 inches tall and weighed 115 pounds; the former officer, who is tall and burly, said that "he was my height."

Dragged or Carried?

The inmate said he saw his friend dragged from his cell, limp and with his eyes closed. The lieutenant said the man was carried, flailing and resisting with his eyes open. Finally, the inmate said all prisoners were convinced that Dewers would be beaten on his way to the "box." Mr. Maroney said there was no such beating.

The clash in testimony pointed up the procedure used by the commission in its three-week presentation of evidence. This was underscored by the commission's chief counsel, Arthur Liman, who after Mr. Maroney's testimony made a short statement on behalf of the investigative panel.

"It is absolutely crucial to bear in mind that people will perceive the same events differently, particularly so where there are great cultural gaps involved," Mr. Liman said.

"We are interested in what people believed whether they were correct or not, because what people believed played a determining factor in what took place. Rumor becomes a dominant fact of life of a prison."

Effect of TV Described

This approach was also apparent in Mr. Liman's questioning of Dr. Warren H. Hanson, a surgeon who spent three days in the yard when it was under the control of inmates, and of Tom Wicker, a New York Times columnist, who was a member of the observer committee demanded by the inmates and added to by state officials.

Mr. Liman expressed interest in Dr. Hanson's impressions that by the second day of the rebellion—in which 43 inmates and guards were killed—the prisoners had reacted to television coverage.

"They saw themselves as important," Dr. Hanson said.

"People used to having no voice suddenly started role playing, with leaders developing a kind of megalomania."

Similarly, Mr. Liman asked Mr. Wicker what his own feelings were when on the third day of the rebellion—the day before troopers moved in—he called Governor Rockefeller.

"I thought if he came to Attica, two things would transpire," said Mr. Wicker. "First it would be a symbolic gesture to the inmates of his concern."

Second, if he would come, we could maintain the status quo for one or two or three days and thus break the impasse in negotiations. Someone might give."

Mr. Wicker said that the invitation to the Governor was extended by the committee and that there was no thought to have him speak to the inmates.

Yesterday's session was held in the television studios of Channel 13, at 433 West 53d Street.