

Leader in Attica Revolt Calls Inquiry 'Whitewash'

By MICHAEL T. KAUFMAN

Richard Clark, one of the leaders of last September's rebellion at Attica prison, yesterday challenged the autonomy and objectivity of the McKay Commission, the state panel that is investigating the uprising.

Clark's statement, which was made in the name of 80 inmates currently housed in a separate unit at Attica as a result of their participation in the disorders, came during a recess on the sixth day of the panel's public presentation of evidence. The hearings are being held at the studios of Channel 13 at 433 West 52d Street.

The witnesses at the session included an inmate who described life in the convict-held D yard of the upstate prison during the four days of the uprising and two men who participated in negotiating efforts.

Written Comments Invited

Clark, who was released from Attica last February, had been invited to testify, but he told the committee earlier that he would not submit to questioning nor swear to his testimony. Instead, he said, he wanted to read the statement from the 80 men explaining

why they would not cooperate with the commission.

Dean Robert McKay of the New York University Law School, the commission chairman, said was unacceptable, and Clark was invited to forward in writing whatever he had to say.

Clark arrived in the studio just before Mr. McKay adjourned the morning session. Then, during the break, he read to newsmen the statement from the men in Housing Block Z.

It accused the commission of having spoken to "thousands of inmates" but of having done "nothing favorable for them."

The commission, the statement went on, "is solidly connected with the privileged class, which makes it a whitewash group. . . It is under Governor Rockefeller's power and influence and is attempting to fabricate a facade for the Governor's criminal misdeeds, and . . . It is trying to make us scapegoats for the penal system's monstrosities and inhumanities."

Clark asserted that another reason for the reluctance of the 80 men to testify was "that we are all under investigation by the grand jury of Wyoming County" and that

this body could "subpoena" the McKay Commission files.

He charged further the commission staff was "highly insensitive" to the problems of blacks and Puerto Ricans and that blacks appointed to the commission had "sold their blackness to obtain information from us."

Arthur Liman, the commission's chief counsel, who stood listening to Clark's comments, responded by saying that the commission could not be subpoenaed to produce its files and that the comments about black staff members were a defamation.

The afternoon session began with statements from three black commission members, all of who said they had reservations about their roles on the panel but had concluded that they were not being "used and would quit if they ever felt that they were."

A witness, Charles Ray Carpenter, 40, a black man serving 15 years to life manslaughter, described the conduct of prisoners in D yard during the rebellion as "democratic." He said they were all solicitous of the well-being and comfort of the guard hostages.

Carpenter said that the final vote on whether to accept or reject the package of 28 concessions made by prison authorities came hours before state troopers assaulted the yard on the morning of Sept. 13.

"A majority voted 'no good,'" said Carpenter, who contended that most of the prisoners knew an attack was imminent. He added, however, that most thought sticks rather than guns would be used, and he said that if the inmates had known the troopers would enter the prison with guns, the vote "might have gone the other way."