

Ex-Inmate Says He Saw 2 Attica Defendants Hit Guard

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BUFFALO, March 10—In testimony at the Attica murder trial, which is entering its third week, a witness today for the first time identified both the defendants as the men he saw beat Correction Officer William Quinn at the outset of the 1971 prison rebellion.

The witness, Edward Zimmer, a 24-year-old former Attica inmate, was asked, like many of the 13 witnesses who had preceded him, to retrace his movements leading to the morning of Sept. 9, 1971, when the prison was overrun and guards were taken hostage. Speaking in a monotone, the blond steel worker from Endicott, N.Y., explained how he had been brought to the prison a month before the riot to begin serving a term of up to four years for the theft of two motorcycles.

He told how he had been placed in a gallery for new arrivals, where he came to know the two defendants, John Hill and Charles Joseph Parnasilice. And he explained how his company had been returning from breakfast when, after clearing the central prison checkpoint called "Times Square," disorder flared both ahead of the men and behind them in the long prison corridor.

As did earlier witnesses, he told of a group of men who rushed up the corridor yelling and shouting to the by then locked gate at Times Square, where correction officers, including Mr. Quinn, stood. "They tried to pry open the gate and it opened," said the witness.

'Hit a Couple of Times'

"What happened to Mr. Quinn?" asked Louis Aidala, the prosecutor.

"I recall seeing him get hit a couple of times" the witness replied, adding that Mr. Quinn had been hit with a stick and that one blow had landed on the side of his head.

"Did you recognize the man who hit him?"

"Yes."

"Who was that man?"
"John Hill."

Mr. Zimmer then pointed to the heavyset defendant, who was flanked by his lawyers at the defense table. During this time, Mr. Hill, who prefers to call himself by his Indian name, Dacajewiah, stared impassively and chewed gum. The Mohawk name means "Splitting the Sky."

'He Just Lay There'

"Did a time come when you also saw Mr. Quinn on the floor of Times Square?" the prosecutor asked.

"Yes, I saw him get hit on the shoulders."

Was Mr. Quinn lying still?" Mr. Aidala asked.

"No, he was trying to get up," Mr. Zimmer said.

"Did you recognize the inmate who struck him?"

"Yes, Chuck Parnasilice," said the witness, this time pointing to Mr. Hill's slightly built, 21-year-old co-defendant.

"Did he move after that?" Mr. Aidala asked.

"No, he just lay there."

Mr. Hill had been identified by two correction officers and two other inmates as the man who had beaten a guard in Times Square. However, until today, no one had even placed Mr. Parnasilice at the scene.

Mother's Visit Recalled

Under further questioning by the prosecutor, Mr. Zimmer acknowledged that he had first told his story to state investigators shortly after his mother visited him at the prison two weeks after the riot had been quelled. No mention was made in court of what his mother had said to him, but the witness said that it was after this visit that he had asked to see a minister. And, he said, it was a result of talking with the clergyman that he had asked to see state agents early in October, 1971.

It was Mr. Zimmer's identification to the agents that formed the basis of the state's prosecution in the murder of Mr. Quinn, the only guard to have died at the hands of inmates during the rebellion.

The inquiry into Mr. Quinn's death has proceeded during the last three and a half years concurrently with scores of other Attica-related investigations. To date there have been 42 indictments—all against prisoners—but the Hill-Parnasilice case is the only major one that has moved to the trial stage.

It was late in the day when the defense began its cross-examination of Mr. Zimmer. As he had done in examining other former-inmate witnesses, William M. Kuntsler, Mr. Hill's lawyer, questioned Mr. Zimmer hard about his criminal past and about his motivation for testifying.

"Did it cross your mind that you might be charged with a crime?" Mr. Kuntsler asked.

"It crossed my mind, yes," the witness replied.

'Staggered a Little'

Mr. Kuntsler then confronted the witness with transcripts of his testimony before the grand jury and a pretrial hearing.

Under cross-examination, Mr. Zimmer repeated what he had told Mr. Aidala: that he had

seen Mr. Hill strike Mr. Quinn on the side of the head. He added that, after he blow, the officer had staggered and fell.

Mr. Kuntsler then read material from the pretrial hearing, which quoted Mr. Zimmer as saying that Mr. Quinn had "staggered a little, but remained upright." And he quote again from the grand jury testimony in which Mr. Zimmer had said that Mr. Hill hit Mr. Quinn "in the upper part of the body, not the face."

Aren't you telling us that's the only blow you saw John Hill strike — that Mr. Quinn staggered but did fall down and that you did not see John Hill hit Mr. Quinn again at Times Square?" Mr. Kuntsler asked.

"Yes," the witness said.