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Vicious Attack' Cited By Attica Prosecutor

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BUFFALO, April 2 — The prosecutor in the Attica murder trial angrily accused one of the two defendants today of committing a "cowardly, unmanly and vicious attack" on a guard who was beaten to death during the early hours of the four-day state prison rebellion in September, 1971.

Prosecutor Luis Aidala, in one of the few emotional outbursts during two days of summation by defense and prosecution, pointed his finger at John B. Hill, former Attica inmate, and said that Hill and his co-defendant, Charley Joe Parnasilice, killed correctional officer William Quinn in a fit of rage.

They "literally tore away his man brain" by bludgeoning him with a club, Aidala said.

Aidala asked the jury, which has heard five weeks of testimony, to convict Hill and Parnasilice of murder.

Aidala's charge followed a colorful conclusion of a defense summation by Hill's lawyer, William M. Kunstler, in which Kunstler coupled Attica and Watergate in a plea for a return to "some kind of sense of decency."

Referring to Hill by his Mohawk Indian name, Kunstler said, "My brother, Dacajewah, is in your hands. Do well by him. He's a young innocent man . . . I say do justice, and you will have Godspeed."

Kunstler, who became a national figure in the trials of the Chicago Seven and other radical activists, then broke down in sobs and embraced Hill.

Former Attorney General Ramsey Clark, Parnasilice's lawyer, also embraced Hill, while a number of youthful supporters of the Attica inmates cried openly in the crowded State Supreme Court chamber.

Later, alluding to Kunstler's plea during his own summation, Aidala said, "I wonder if Mr. Kunstler ever referred to Mr. Quinn as 'my brother.' I wonder if Mr. Kunstler ever once shed a tear for the wife of Mr. Quinn, the children and the parents . . ."

Although 11 correctional officers died during the riot and its aftermath, Quinn was the only one to die at the hands of inmates. The others, along with 29 prisoners, died in a fusillade of bullets when the state police stormed an inmate yard known as Times Square.

Aidala said eyewitnesses had firmly established that Hill struck Quinn twice with a heavy board moments after prisoners broke through a security gate. Parnasilice, Aidala contended, was seen striking the officer as Quinn struggled to get up.

Aidala argued that the defense, while "attempting to rewrite the truth," had failed to diminish the credibility of the witnesses, most of them former inmates who since have been granted parole. Their releases, the defense contended, were given in exchange for perjured testimony.

One of the inmate-witnesses, Tom Collins, testified that Parnasilice told him at one point during the riot, "When I left the square, I made sure the hack was dead."

Aidala said eyewitness evidence collected in the first days of the investigation shows that Quinn's murderer was a white inmate in his early 20s, of which there were only 51 in Attica. Hill and Parnasilice, both 23 and of American Indian extraction, are light-skinned.

Aidala said that by a "process of logical reasoning," and descriptions that fit particular facial characteristics of Hill, the defendant was a prime suspect early in the probe.

Quinn died, Aidala said, because he "had the misfortune of being the Times Square officer that day . . . He was the symbol of authority that day."

During the summations, about 400 students from the University of Buffalo demonstrated outside the Erie County Court House in support of the defendants. Five demonstrators were arrested, but the crowd moved to a nearby square when Hill left the courtroom during a recess and implored the demonstrators to heed the directions of the police.

Talking through a bullhorn, Hill urged the crowd to move "before the man gets too jumpy," adding, "It looks like we're going to get an acquittal anyway."

The murder case is the first among 38 cases involving former inmates under indictment on a broad range of charges in connection with the bloodiest prison revolt in American history. It is expected to go to the jury after instructions Thursday by Justice Gilbert H. King.