

# Critic of Attica Inquiry

Bernard Stearn Meyer

NYTimes

DEC 22 1975

Bernard S. Meyer, the special state investigator of the Attica prosecution, describes himself as an "analytical" person, whose basic legal philosophy is that "it is as

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be done." The

571-page, three-volume report that he submitted to Governor Carey, the first part of which was released yesterday, seems to bear out this approach to law—"that people have the right to know the basis on which a decision has been reached."

And for Mr. Meyer, a State Supreme Court justice in Nassau County from 1959 to 1972, there are no second thoughts once a decision has been reached.

That is because "all second thoughts should be part of the first round of thoughts," he explained in an interview yesterday.

The job of investigating the Attica prosecution, which he began in April, was "tremendously interesting," he said, but "difficult in the sense that it's always difficult to reconstruct events, particularly regarding the way an investigation was carried out, rather than of the underlying events themselves."

## 15-Hour Working Days

It was, for a man who says that "law is my avocation and vocation," a job that made 15-hour working days the norm, according to members of his staff, who reported seeing him at work on the project from 6 in the morning until 9 o'clock at night.

Ironically, one day after his appointment to head the investigation was announced by Governor Carey and by Attorney General Louis J. Lefkowitz on April 17, Mr. Meyer, who was divorced three years ago, remarried. His wife, the former Edythe Birnbaum Gilbert, said yesterday that although Attica sent them on their honeymoon in the British Virgin Islands, the 59-year-old former judge took the time to learn to snorkel, as she did also.

The Meyers live in a 60-year-old two-story white clapboard house in Hewlett

Neck, L.I., with two of Mrs. Meyer's children, Michael Gilbert, 21, who attends Adelphi, and Gail, 16, a junior at Hewlett High School.

Mr. Meyer's daughter, Patricia, is a music teacher in New Haven, Conn.; his other daughter, Susan, died at the age of 18 in 1961. An Antioch College student, she was served as a camp counselor as part of a college training program when she fell through the ice on Clear Lake, near Battle Creek, Mich., and drowned.

Mrs. Meyer said that her husband had encouraged her to go back to school "to become a paralegal, and then perhaps to go to law school." "He's an inspiration to me," she added. "He absolutely supports me in this."

Born in Baltimore on June 7, 1916, Bernard Stearn Meyer Hopkins University and the University of Maryland Law School. During World War II he served in the Navy as an air combat intelligence officer assigned to a torpedo squadron.

In 1947 he moved to New York and engaged in a law practice that included commercial, corporate, estate and real estate cases. Later, as a judge, he was chairman of the committee of the Association of Supreme Court Justices that published a two-volume work on model jury instructions for different kinds of civil cases. In 1968 he was instrumental in establishing the Fair Trial Free Press Conference.

## A 'Reformer' in Law

"More than anything else, I think of myself as a reformer in the law, in an effort to make the application of the law more uniform and easier," Mr. Meyer said. As a judge, he was also known to be a supporter of civil liberties, ruling in favor of the rights of the individual.

Tall, lean, with gray hair and "piercing blue-gray eyes," according to his wife's description, Mr. Meyer is a partner in the law firm of Meyer, English and Cianciulli in Mineola, L.I., where he earns \$175 an hour, a fee he reduced to \$150 an hour, up to \$35,000, to conduct the Attica investigation. He concedes, however, that "I will certainly never lose my interest in the bench."

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