

Ex-Con Testifies**Racial Hate at Soledad***By Drew McKillips*

A former white inmate of Soledad's maximum security ward told a U.S. District Court jury yesterday about racial hatred that existed at the prison before the killing of three black prisoners on January 13, 1970.

Robert Wendekier, 27, who was sent to Soledad in 1968 for possession of a sawed off shotgun, was called as the second witness in a \$1.2 million civil rights case in which the families of the slain inmates are suing ten officials and guards from Soledad.

Wendekier was questioned by attorney Scott Hansen about the state of hostilities between the whites, Mexicans, and blacks.

"They shouted at each other," Wendekier testified, "threw ---- at each other spit at each other threw hot water on each other, made zip guns and shot at each other, threw darts at each other, and threw bombs at each other."

"If I was on a tier with a black inmate I did whatever

I could to hurt him in any way I could. If I had a knife I would try and kill him. If I was outside his cell I would throw ---- on him. I would throw cleanser on him. If I had a zip gun I would try and shoot him."

Wendekier, who has been on parole since 1972, said that on the day of the killings, eight black and eight white convicts were admitted into the "O" wing exercise yard one-by-one. He said all the inmates and all the guards knew there was going to be a shooting.

He said he went into the yard anyway, because it was a question of manhood and retaliating for numerous racial insults.

Wendekier said that after he had been in the yard only a few minutes W.L. Nolen, 25, one of the three men killed came up to him and punched him on the forehead.

"I knew he was a boxer," Wendekier said. "I knew I couldn't play his game, so I decided to street fight him. I reached down and grabbed him by the cuffs of his cov-

eralls and started to jerk his feet up when the first shot rang out."

Wendekier said he saw Nolen lying on the ground with a glassy-eyed look. He said a total of four shots rang out and he saw two other inmates — Alvin Miller, 23, and Cleveland Edwards, 20, lying on the concrete exercise yard.

He said there were no warning whistles or warning shots fired by the tower guard — O.G. Miller.

Under cross-examination by Deputy Attorney General Wayman Robertson, Wendekier said he realized that the tower guard was aiming the rifle at him and a white buddy.

So he knocked the other man out the way as the shot sped between their two heads.

Wendekier also conceded that he had been involved in fights with fellow white inmates — one such fight being over a copy of Playboy magazine.

The trial is being heard before U.S. District Judge

Samuel Conti and a six-man, four-woman jury. The plaintiffs claim the killings were deliberate and fostered because of a racial hatred conspiracy among some of the prison officials.