

1 to continue?

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2 MR. ADDISON: The basic complaint is
3 that wages are so low that working at Attica is
4 tantamount to slavery.

5 The inmates feel that the State
6 Minimum Wage Law should apply to inmate workers.
7 The pay scale for inmates ranges from 25 cents
8 a day to a high in a few jobs of a dollar per
9 day. Based on an average of 22 working days a
10 month, an inmate can earn from \$5.50 to \$22 a
11 month or to put it another way, \$66 to \$246
12 a year as of September 9.

13 From this amount, inmates purchased
14 stamps, toilet articles, when the institution's
15 supply ran out, cigarettes, towels, books,
16 magazines, diet supplements and other things
17 from the commissary. The prisoners object to
18 the high prices at the commissary. Actually,
19 the prices are high only in relation to the
20 purchasing power of the inmates, which is
21 determined by their wages and their frustration
22 comes from not being able to fulfill the very
23 specific needs they have.

24 The Correction Department apparently
25 recognized that the pay scale is inadequate for

1 the purchase of necessities, since 63
2 it permits an inmate to receive money from home
3 for use at the commissary. Most inmates, how-
4 ever, are poor and cannot turn to their families
5 for the funds necessary to support them in prison.
6 Husstling in these circumstances becomes a way of
7 life.

8 Examples of this, which have been
9 mentioned to us in interviews are:

10 Sale of homosexual favors, doing
11 laundry, cleaning cells, sale of pornographic
12 literature, legal assistance and bookmaking.

13 The average amount spent by any one
14 inmate each month in the commissary is \$10.20,
15 which exceeds the total earnings of many inmates.

16 The commissary profit margin has been
17 limited to five per cent. The director, to limit
18 profits, came from Albany in August of 1970, just
19 after the metal shop strike. One grievance
20 focused on the spending of this profit, which
21 comes to approximately \$15,000.

22 Two-thirds of it goes to buy tobacco
23 from Ahlberg to support their industry there.
24 This \$10,000, which includes the cost of papers
25 and matches, benefits the smokers in the

1 population in the form of \$4.55

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2 per year of free tobacco issued in two-ounce
3 bags once every two weeks. The \$5,000 left
4 goes for sports, recreation, law books, movies
5 and entertainment.

6 MR. MCKAY: Mr. Addison, may I
7 interrupt your presentation for just a moment to
8 say a word to the general audience?

9 I notice there are one or more members
10 of the audience who have asked to be recognized
11 by the hearings today. Let me say that I don't
12 think at this time that's possible. What the
13 reasons are for that--

14 MR. HENDERSON: Do you realize that
15 black people lost a lot of people in Attica?
16 You are going over racism that black people
17 already know about, man. No communities are
18 here because these are the people that it
19 effects, it does not effect you. You have no
20 need, man, to be placing the emphasis upon
21 where you're placing it because the emphasis
22 should be placed upon, man, what is basically
23 going to be done, not talking about this type
24 of thing that is going to draw money to other
25 institutions, but we are not talking about money,

1 we are talking about people's lives, 65
2 human treatment and the other ways this can be
3 done. This is not the prison system on trial.
4 This is America on trial, because racism has
5 sprouted all across this land, and further,
6 looking for people in Attica to treat black
7 people and Puerto Ricans--then it cannot be
8 because society bred this type of condition.

9 Unless we change the society, then we
10 are not realistically talking about anything and
11 to sit here and know our people are being turned
12 off because of the fact that you are not talking
13 about anything realistic whatsoever, anything
14 racial whatsoever because all you're doing is
15 lobbying for more money for penal institutions
16 to be able to suppress and oppress our people
17 further. And this is not what we feel this
18 meeting and this type of coverage should be for,
19 because when this Commission was set up it was
20 not set up to plead for money for the Commission,
21 it was set up to determine and self-determine
22 why the condition existed that led into it and
23 the reason why it existed was because of racism
24 and sensitivity and other things.

25 You see, I have been through the present

1 system and I know. You haven't. So, 66
2 I'm not talking of somebody who don't know, that
3 have been through the present systems such as
4 myself that could rise above this and what we
5 might do by not being in jail while still being
6 in jail because the same thing that you need in
7 jail is the same thing that I need when I go down
8 to Mayor Lindsay's office. And these meetings
9 should be cancelled because we lost a lot of
0 people. I don't know how many you lost. I know
1 we lost many.

2 MR. MCKAY: If you will give me an
3 opportunity to respond to that.

4 The members of the Commission are
5 fully sensitive to the problems you talked about.
6 We are very much aware that the prisons are but
7 one institution in the society and that's our
8 particular son to talk about, that particular
9 institution.

0 MR. HENDERSON: If you are not talking
1 about racism in America, how can you talk about
2 racism in jail?

3 MR. MCKAY: If we talk about racism in
4 prisons and in America, our assignment is to deal
5 with, as you said, the specific problems that gave

1 rise to the tragic events.

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2 MR. HENDERSON: You are not dealing
3 with that, the specific problems of the riots
4 in jail. People there do not have the self-
5 determination to get decent jobs to be able to
6 be self-sufficient and it means that we are
7 overcrowded in jail because, man, the people
8 in the street trying to motivate themselves,
9 they are eventually sent to prison and if you
10 are talking about the new, modern-day type of
11 prison, and you are not going to speak with
12 about this, you are talking about the old type
13 of prison system. We are talking about the new
14 type of prisoner, who is responsible for this
15 type of thing and unless you deal with what
16 makes this--

17 MR. McKAY: Let me have a minute. We
18 do want--we are talking about them in the context
19 of the prison situation. We have been aware of
20 the problems which arised and this is the oppor-
21 tunity for an orderly hearing of the evidence
22 that our staff has gathered over the last six
23 months. I think you will find the answers to
24 many of your questions, many of your reservations,
25 many of your duties, about the work of the

1 Commission will be answered.

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2 MR. HENDERSON: I have your addenda.

3 MR. McKAY: We insist on the--

4 MR. HENDERSON: This is orderly because
5 it is the people's business and the peoples like
6 that you talk about and if you are not talking
7 of what made the average prisoner go to jail,
8 if you are not talking about the average back-
9 ground of the prisoner that is in jail, if you
10 are not talking about these basics, because
11 you are talking about the consignment, a small
12 fragment of a person's life.

13 MR. McKAY: I am telling you one more
14 thing and then we are going on with the hearings.
15 That is to remind you what I said in the beginning
16 of the hearings today, perhaps you missed it, but
17 I want to make it very clear that we welcome,
18 after these hearings, during these hearings any
19 statements that you wish to give us in writing
20 and to things you think we should know in
21 connection with it and the prisoners' position
22 itself. If you think that we have not adequately
23 represented all the information that is available,
24 all the facts that bear upon this, we want you to
25 let us know as an individual or a group, if you

1 represent a group, that you would 69
2 like to be heard before this Commission at the
3 conclusion of the hearings we have scheduled.

4 MR. HENDERSON: You are digressing.
5 What about the people out there?

6 MR. McKAY: We think it is very
7 important that the public be advised of the find-
8 ings that we have about the conditions of the
9 prison and about the events of September 9 to 13.
10 We have information that has never been available
11 before. We think it is important to you and to
12 whomever you represent.

13 MR. HENDERSON: You believe this is
14 going to change the lives of the minority people?

15 MR. McKAY: This is the best we have
16 and we believe that it will do more than rhetoric--

17 A VOICE: This Commission is rhetoric.

18 MR. McKAY: What we hope to do is to
19 take the prisoner from invisible to the society
20 as a whole and make them visible. I think it
21 will do more good for the cause that you expressed.
22 I ask you to permit us to proceed.

23 MR. HENDERSON: How does this change our
24 lives?

25 MR. McKAY: Mr. Addison, will you proceed?

1 MR. ADDISON: I joined the-- 70

2 I say the statement and I place myself in jeopardy,
3 but that's okay because we are always in jeopardy.
4 I joined this Commission after a lot of thought
5 and several times I started to quit because there
6 is not and there never has been sufficient black
7 representation on the Commission.

8 Now, we have been involved in this
9 investigation--we have been involved in this
10 investigation for several months. The black
11 members of the staff and the Puerto Rican members
12 of the staff have carefully looked at each step
13 of our investigation.

14 We intend, or at least I intend to
15 fully make sure that the report comes out in a
16 way that satisfies us and in our judgment, after
17 talking to people in the black community, it
18 satisfies that.

19 Now, we have involved ourselves in this
20 investigation and if it doesn't go in that
21 direction--

22 A VOICE: It's not.

23 MR. ADDISON: If it doesn't go in
24 that direction, it won't have our support.

25 A VOICE: Then you better leave now.

1 MR. ADDISON: We can't make 71

2 that judgment now. I'm not prepared for it.

3 A VOICE: Bull shit. We say--

4 MR. McKAY: Thank you, Mr. Addison.

5 Will you continue?

6 MR. ADDISON: In the educational area,
7 this did not show up as the major concern by the
8 inmates. Inmates' complaints concerning educa-
9 tional programs generally fell into four categories:

10 The educational programs offered did not
11 go beyond basics.

12 There was little available beyond high
13 school equivalency.

14 Black literature was not included in
15 readings and many inmates were signed who were
16 not interested in learning and disrupted those
17 who were serious.

18 The school regularly provided elementary
19 education up to high school. Preparation for high
20 school equivalency exams were scheduled and 10-week
21 courses held from time to time. Prior to September
22 9 there was a hundred-man waiting list. Further
23 education was available only through expensive
24 correspondence courses or some study courses, which
25 were organized by the inmates.

1
2
3 context was available only in the Afro-American
4 history cell study course. Because all inmates
5 scored less than five on the standard--standard
6 achievement tests were required to attend school
7 and because some inmates deliberately scored
8 low in order to get what was considered an easy
9 assignment, many students were not interested in
10 learning. Since the disturbance, it has been
11 decided that there will be no mandatory school
12 assignments when the school reopens.

13 Complaints about recreation were directed
14 to the amount of time allocated and the facilities
15 available.

16 As for yard time, on September 9, yard
17 time ranged from 70 to 140 minutes per inmate,
18 depending upon his job assignment and the weather.
19 Before May 31, 1971, yard time ranged from 31 to
20 100 minutes on weekdays. These figures contrast
21 with the minimum of 15 hours inmates were required
22 to spend in the five by nine foot cells.

23 As to facilities, there are no enclosed
24 facilities for the general population, even when
25 the temperature drops below zero during the winter.
Yards are 100 square yards. The basketball courts

2 and handball courts completed by inmate 73
3 labor in 1971. The weights are made by inmates
4 out of tin cans and cement. Football and other
5 uniforms are donated. Poor athletes have little
6 chance to participate in sports.

7 There is only one recreational director
8 for the institution and his total budget is \$2700,
9 derived from the profits on commissary sales to
10 inmates.

11 The televisions available to the general
12 population are located in each yard for use by the
13 approximately 500 inmates in each block. The
14 program selections are subject to the approval of
15 the administration. Movies were shown once a week
16 from October to April and consisted mainly of
17 comedies and westerns, chosen by the administration.
18 Only films with G or GP ratings could be shown and
19 15 to \$25 was budgeted for each film.

20 As of September 9, 1971, radio was only
21 available on a three-channel prison radio, one
22 channel of which carried the audio portion of a
23 television station. Program is subject to the
24 approval of the administration.

25 Black and Puerto Rican inmates complained
of the ~~lack of programming directed toward them.~~

1
2 There are only two ways to 74
3 get books at Attica: To order them directly from
4 the publisher or to get them from the library.
5 With at least 15 hours of idle time a day in
6 cells, books and magazines and newspapers become
7 an important way to pass the time.

8 The prison subscribes to no newspapers
9 for the inmates. The prison subscribes to
10 approximately 15 magazines, one copy each for
11 the entire population.

12 Prisoners are allowed to sign our only
13 one book or magazine per week now. Before the
14 uprising it was more, probably two.

15 The prisoners don't get to visit the
16 library on a regular basis. Many have never been.
17 They must put in a tab to go there. It is most
18 accessible to inmates who use the school and next
19 most successful to inmates in G Block. Browsing
20 is discouraged. There are particularly no Spanish
21 books. The estimate is under 20. There is very
22 little black literature.

23 On March 24, 1971 an administrative memo
24 from Oswald listed 40 books that were acceptable
25 black literature. Now there is a median review
~~committee in Albany and an inmate can challenge~~

1
2 any book that is censored. There isn't 75
3 a salaried librarian on the staff, either civilian
4 or officer. The entire operation is left to
5 inmate initiative. The new books, which are
6 ordered once a year, are chosen by the inmate
7 librarian.

8 MR. LIMAN: The 15 magazines which the
9 prison subscribes to are Time Magazine, the cover
10 of which I have here, Life Magazine, Ebony, Jet,
11 Black World, Downbeat, The Atlantic, Argosy,
12 Popular Science, Popular Mechanics, GQ, Gentlemen's
13 Quarterly, National Geographic, True Magazine,
14 Outdoor Life, Field & Stream, and magazines that
15 no male prison should be without, American Home
16 and House Beautiful. Those are the 15.

17 MR. ADDISON: Needless to say, idleness
18 in cell time is the major source of inmate complaints.
19 54.5 per cent of the inmate's day is spent locked in
20 his cell. Additional cell time occurs if the inmate
21 is keeplocked, denied yard privileges or if the
22 yard is closed because of extremely bad weather.
23 The ear phones were available in each cell along
24 with three separate channels, two radio, one
25 television, but despite this variety, programming
was for many inmates, far from adequate, with very

2 little black or Spanish or re-entered 76

3 programs. If they stretch, inmates in neighboring
4 cells could play cards.

5 If none of these activities were
6 appealing, and inmate could use the time to wash
7 out a few of his personal belongings with part of
8 the bucket of hot water he got each day. The
9 only remaining options appear to be sleep or hours
10 of silent reflection.

11 According to a November 1968 memo from
12 Sergeant Ellmore to Deputy Superintendent Vincent,
13 one roll of toilet tissue is issued to inmates
14 once every five weeks. Any extra toilet paper
15 that may accumulate is used for the officer's
16 toilet and the block and the inmate's toilet in
17 the yard.

18 MR. LIMAN: That was as of September?

19 MR. ADDISON: That's correct. Before
20 the riot, showers were allowed only once a meet
21 to maintain population, including the metal
22 workers who sweat and get dirty daily. A correc-
23 tion officer maintains that inmates often get
24 showers after some recreational work-outs and
25 week-end contests, but there are no showers in
the blocks or wards, although inmates have requested

1
2 such.

3 Inmates take showers with
4 their company near the laundry room. Hot water
5 is distributed daily to inmates by a galley
6 waterboy. Each inmate gets a bucket, but water
7 is used for washing up, washing a few clothing
8 items, cleaning the cell and on occasion, for
9 drinking. Inmates must buy razor blades, have
10 them sent in a package or go to the institution
11 barber shop to be shaved.

12 When razor blades are purchased in the
13 commissary or requested in a package, they are
14 held by the authorities. They are issued to the
15 inmates five at a time. Every three weeks in
16 exchange for the used blades, the inmate is given
17 the new blades. This procedure leads to rashes
18 from shaving with dull blades.

19 The most frequently voiced complaints
20 centered around how the food was prepared.
21 Inmates repeatedly claimed that the food was not
22 seasoned properly, in addition to being just half
23 cooked on many occasions. These defects were
24 compounded by the food being allowed to turn cold
25 before inmates arrived to eat it. A correlary
complaint was that the food was frequently

1
2 unsanitary. Hair, flies and other 78
3 foreign matters were mentioned as being evident
4 in the food on various occasions. Inmates who
5 work in the messhall claim that the rags which
6 are used to clean the floors are the same rags
7 used to clean the inmates dinner plates. Also,
8 the utensils and glasses were said to be unclean.
9 The third complaint was that the diet was
10 inadequate. Inmates complained of a lack of
11 variety and unsubstantial breakfast, as well as
12 sugar being non-existent in the dining hall and
13 water absent from the table.

14 The most intensely expressed grievance
15 under this complaint was that the menu contained
16 too much pork. This view was expressed mostly
17 by members of the Nation of Islam. These inmates
18 felt that this was a deliberate attempt to deny
19 them the freedom to practice their religion
20 inasmuch as pork items were often cooked with
21 pork or pork derivatives.

22 A final complaint was that inmates were
23 unnecessarily restricted in the amount of food
24 that they could take from the mess hall. They
25 say they could take only four slices of bread.
Complaints about the adequacy of the diet are not

Class C visitors are relatives 80

that are not members of the inmate's immediate family. They can visit monthly after making a written request and being approved.

Class Z visitors: Friends; and

Class E: Former inmates must make written request for each visit.

From the inmate's point of view, the rules appear to be intended to keep them not only in prison, but isolated.

Prior to April 1971, the wives and offspring of Common Law relationships, in which 26.6 per cent of the Puerto Rican and 20.4 per cent of the black inmates participated, were not recognized as legitimate relatives. In addition to complaints about who could visit and how often they could come, inmates alleged that the prison is inaccessible. Even if the rules were relaxed, this would be a sincere hardship, especially for poor families who live in New York City.

Rule 57 reads: "Inmates may receive visits from the same visitor on two successive days of a week by special permission of the warden in instances where the visitor has been put to great expense in time and money in making the visit."

1 To some persons a trip from 81
2 New York City is an inordinate expense. The round
3 trip between New York City and Batavia costs \$33.55.
4 The round trip by taxi between Batavia and Attica
5 costs about \$12. A taxi is the only means of
6 transportation between Batavia and Attica. A
7 visitor must leave New York City at 12:45 p.m.
8 in order to reach Attica one and-a-half hours
9 after visiting hours begin at 10:30 a.m.

10 But there are no guide lines which
11 enable visitors to determine whether or not they
12 will be allowed to visit for two days. One
13 long-term inmate told us:

14 "It used to be fair. My family wasn't
15 embarassed to come. Then Mancusi put up the
16 screen. It bothers me and my family. The first
17 screen couldn't be seen through. Now at least
18 you can see. Before Mancusi there was no screen.
19 My mother went to see Mancusi and made a stink.
20 She was one of the first to get a visit with the
21 old screen. Mancusi told her it was to protect
22 her. She said 'From my son?' It was probably
23 to cut down on contraband. Now you could pass
24 stuff through the screen, so it serves no purpose
25 except to prevent kissing. It is an indignity.

1 "In federal prisons they
2 have tables in rooms. Here they make an animal
3 of you. They bugged the visiting room from the
4 beginning. It was built in 1966. The old room
5 was bugged, too. It was the electrician who
6 put the bugs in. It wasn't listened on a
7 regular basis, but could be if a guy like
8 Rosenberg got a visit. They are scared of him
9 and possible escapees. They tape his visits.
10 A civilian electrician told me the purpose of
11 the mikes."

12 MR. LIMAN: You have just been quoting
13 from an interview with an inmate?

14 MR. ADDISON: That's correct.

15 All inmate correspondence except legal
16 mail is required to be written on special forms.
17 This form is essentially a sheet of ruled paper,
18 set up in the letter form with a detachable part
19 at the top.

20 MR. LIMAN: Can we get a camera on this?
21 You can't pick it up. It is available for anybody
22 that wants to take a look at it.

23 MR. ADDISON: Information on the addressee
24 and addressor are required on the front of the
25 detachable portion. The back reads as follows:

"This letter is returned

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to you, the inmate, because:

"1. You did not sign it properly;
you did not fill out the stub properly; the
name of the addressee has not been approved;
letters addressed to general delivery are not
permitted; it contains criminal or prisoner
news; begging for packages or money not allowed;
you are not permitted to receive the articles
requested; the articles requested can only be
received from a dealer; correspondence with
newspapers or newspaper employees is not permitted;
you can not have a visit with the person named in
your letter, unless approved by the superintendent;
inmate who wrote letter for you did not sign name;
special letters must be submitted Saturday, Sunday
or Holidays; you did not stick to your subject;
you have no stamps on deposit."

Before Commissioner Oswald took over
the Department of Corrections, Rule 47 of the
inmate handbook governed who an inmate could
write to and receive mail from. It included
people from the approved list of relatives and
such others as may be approved by the warden.

On April 7, 1971, this list was expanded

1 to include Common Law wives and offspring 84
2 from such unions.
3

4 In April of 1971, inmates were given the
5 right to write confidential letters to various
6 elected officials, official representatives and
7 lawyers.

8 MR. LIMAN: By confidential letters,
9 you mean letters in sealed envelopes?

10 MR. ADDISON: That's correct.

11 These same officials had the privilege
12 of responding in the same confidential manner.

13 Many officers thought that this was a
14 bad policy and few accused legislators of sending
15 in inflammatory literature. Generally strict
16 rules induced by inmates--induced many inmates to
17 attempt circumvention of the rules to maintain
18 those contacts due to them.

19 To illustrate the point, I have copied
20 the words of an inmate taken from a confiscated
21 letter written in 1970. In it the inmate instructs
22 the mother of his child, not his wife, how to
23 circumvent the rules to get letters to him.

24 "Darling. I know you will be surprised
25 to get this, so please read it carefully several
times. I had it smuggled out. Here are my

1 instructions. You can write to me. 85

2 Address it like this. When you write, make sure
3 that you don't make a mistake and write your name.

4 I have your two pictures. I put them in frames
5 and that's all I have to remember you by." So
6 desperate is the need for contact that he further
7 admonishes her to contact him through a radio
8 program. Now I am reading from the letter.

9 "I listen to WMYR, Rochester, from 6:30
10 to 7:30 in the evening after supper. You call
11 in and he will give requests. I will be able to
12 hear your voice on the earphones. Ask him to
13 play "I am so afraid of losing you" and say hi to
14 me. I will start listening as soon as I mail
15 this."

16 Letters to and from inmates have always
17 been censored as part of the security measures.
18 Rule 50 of the Inmate Handbook states that in
19 order for an inmate to have permission to write
20 or receive mail, he must sign a paper giving the
21 warden the right to censor and withhold mail as
22 he may deem proper. Rule 49 states that all papers
23 and periodicals must be reviewed by employees
24 designated for this purpose by the warden.

25 Since Commissioner Oswald took over, he

1 has made the process for censoring 86
2 periodicals more uniform throughout the correctional
3 institutions and provided a mechanism for review.
4 He did this by establishing a media review
5 committee in each institution and spelled out
6 guidelines for the acceptability of literature that
7 is not letters. A negative decision reached by
8 such a committee was to be tentative until a
9 central review committee reviewed the decision and
10 registered it's support or disapproval of the
11 institution's decision.

12 On a monthly basis, this same central
13 committee would have published a listing of the
14 material it reviewed and the decisions it reached
15 on each. Listed below are samples of periodicals
16 and books that were disapproved on review for
17 inmate consumption in the month of September, 1971
18 by the departmental media review committee in
19 Albany. For sensibly inciting hatred and disobéd-
20 ience towards officers or prison personnel, the
21 following are the periodicals: Amsterdam News of
22 November 13, 1971 and October 30, 1971; Black
23 Journal, the inaugural issue; four additions of
24 the Buffalo Challenger; Essence Magazine of
25 November 1971; Ramparts of July 1971; several

1 editions of Mohammed Speaks.

2 For defaming, violating or inciting hatred
3 towards persons because of their race, religion,
4 creed or national origin, the following was
5 censored:

6 Black Poetry by Rambo; Black Pride by
7 Donnelly; Black Scholar, 1971; Essence Magazine,
8 November 1971. The November list did not
9 contain which guidelines were used to disqualify
10 the periodicals, however, below are a few of the
11 items which were disapproved.

12 Several editions of the Buffalo Challenger;
13 several editions of the African World; a couple of
14 editions of Black Scholar Magazine; four editions
15 of the Amsterdam News; the Black Panther Paper;
16 books with articles on prison or court life.

17 Among the articles and books approved
18 were Ready to Riot by Nathan Wright, Jr. and
19 Revolutionary Analysis, Strategy and Tactics Today
20 by various authors.

21 On September 7, 1971, Commissioner Oswald
22 sent out a bulletin instructing the heads of
23 correctional institutions to make arrangements to
24 comply with a Court decision by Judge Walter
25 Mansfield. That decision provided:

"Notice of proposed censorship 88

must be given to the inmate. Some opportunity, either orally or in writing must be given to the inmate to appear. The decision must be made by anyone that can be expected to act fairly."

Therefore, Attica inmates now receive notice of proposed censorship and an opportunity to express in writing an explanation of his desire for the literature.

Inmates don't understand the logic of requiring that periodicals be sent to them from the publisher. This practice, of course, costs the inmates money.

However, from the administration's point of view, it eliminates the necessity of going through every single magazine to search for contraband.

The question of religious freedom concerns many of the members of the Nation of Islam. Their grievances before the riot was that the administration did not provide a meeting place for the little over 200 Muslims, nor did they secure a Muslim minister to visit regularly.

Moreover, they say the administration persistently revealed its hostility by not

1 allowing inmates to gather in large 89
2 groups in the yard for the purpose of running
3 their own services. The Muslims feel they were
4 persecuted because the officers equated black
5 pride with violence and raticalism and resented
6 the respect accured to the Muslims because of
7 their disciplined demeanor.
8

9 They feel that the menus were deliberately
10 filled with pork dishes or foods cooked in pork or
11 pork derivatives. The whole month of Romonodon
12 (phonetic), the 30-day fast period, November through
13 December, was not accorded the same status as
14 Christmas and Hannukkah. The religious program
15 Mohammed Speaks was not permitted over the inmates'
16 radio channels until March 1971. Officers and
17 deputies fail to say that efforts were made more
18 than a year before the riot to secure a Muslim
19 minister, however, those contacted refused to come.
20 Those inmates who claim any knowledge of this
21 effort say that the terms they set were too
22 severe and revealed their insincerity.

23 For example, the minister could not be
24 an ex-convict. This, the Muslims thought, was
25 unreasonable since many Muslims are recruited
in prisons and their reputations for rehabilitating

convicts and addicts is well-known.

90

1
2 The Protestant minister, Dr. Renier
3 (phonetic), reported to us that he discovered
4 in 1970, when looking through old correspondence,
5 that efforts had been made to secure a Muslim
6 minister. He then arranged to secure a minister
7 and a room for services. However, it was only
8 when he investigated a dispute during the service
9 that he learned that there were two sects:
10 Orthodox Muslims, represented about 30 people
11 before the riot and the larger group of followers
12 of Elijah Mohammed, who were commonly called
13 Black Muslims.

14 The minister he had secured was an
15 Orthodox Muslim. Until the present liaison
16 committee was formed, inmates had no channel for
17 expressing grievances collectively.

18 If an inmate wanted to complain
19 individually, he could drop a tab to the warden.
20 By the amendment of June 1971 he was able to
21 write uncensored letters to the President,
22 members of Congress, the Governor of the State of
23 New York, members of the legislature, the Commission
24 of Corrections, chairman of the Parole Board,
25 Judges, attorneys of record and their assistants.

1 The overriding grievance of 91
2
3 the inmates is not among those that I have dis-
4 cussed, but the Court system of which the inmates
5 are reminded with each busload of inmates who
6 arrive at Attica. At a later time in our hearing
7 we will deal with the Courts and the Parole Program.

8 MR. LIMAN: Mr. Addison, you mentioned
9 that inmates do not have any channel for organized
10 protest or grievance. I think it's probably
11 appropriate at this time to discuss the efforts
12 that inmates did resort to prior to September 9
13 in order to bring about change.

14 MR. ADDISON: Organized protest at
15 Attica prior to September 9, 1971 took three forms:

16 The metal shop strike of July 7--July
17 1971 was a job action to obtain high wages and
18 related reforms.

19 The July 1971 manifesto, signed by five
20 inmates, was a written presentation to Commissioner
21 Oswald of grievances and demands directed at
22 improving the quality of prison life.

23 The Jackson Day Fast and the sick call
24 strike were both events of late August, 1971.
25 Unlike the metal shop strike and the July manifesto,
 they were not organized around specific demands for

1 reform. The Jackson Day Fast was a 92
2 memorial to George Jackson's death. The sick call
3 strike occurred in the expectation that Commissioner
4 Oswald would be present at the hospital that
5 morning. The events occurred on August 22 and
6 on or about August 30 respectively.

7 You, together with Commissioner Oswald's
8 visit on September 2, may provide a sense of the
9 mood at Attica during the two weeks prior to
10 September 9.

11 In late July, 1971, the 450 inmates
12 assigned to the metal shop strike went on strike
13 demanding higher wages. While there were no
14 written demands setting for the reasons for the
15 strike, our interviews with inmates and officers
16 have shown that several principal issues,
17 all connected in some way with wages, were
18 involved.

19 Inmates in the metal shop earn from
20 six cents to twenty-nine cents per day or from
21 \$1.20 to \$5.80 per month, of which half was
22 required to be saved for their release. What
23 remained was not enough to cover their own basic
24 personal needs while in prison.

25 In comparison, inmates at Auburn Prison

1 could earn \$15 to \$20 a month making 93

2 license plates.

3 Inmates knew that metal cabinets they
4 made were sold for \$60 to \$70 each, and they
5 viewed the metal shop as a multi-million dollar
6 industry. Its sales for 1969-1970 were in fact
7 almost 1.2 million dollars. Profits for the
8 same period from the metal shop and the garment
9 shop combined to 150 thousand dollars.

10 Prices in the commissary rose without
11 equal rises in wages. Monies sent to inmates
12 from outside were supposed to go into an interest
13 producing account. This interest, together with
14 commissary profits, was to be used for recreation
15 equipment and there was no evidence that it was
16 being so used.

17 These were the basic grievances. The
18 events connected with the strike, according to
19 inmates, were as follows:

20 MR. LIMAN: This is based on the inter-
21 viewing of inmates again?

22 MR. ADDISON: That is correct.

23 Prior to the strike itself, several
24 inmates approached the shop supervisor to demand
25 an increase in wages. They were keeplocked--or

1 locked in their cells and transferred. 94

2 Subsequently a profit-sharing arrangement was
3 instituted, but no one ever received the bonus
4 it called for. Finally, on July 29, 1970,
5 approximately 450 inmates sat down and refused to
6 work. They were returned to their cells and
7 called to the block office one by one to see the
8 superintendent. A number of the strike leaders
9 were transferred the following day.

10 On the following day, almost all of the
11 inmates in the metal shop refused to work and the
12 commissioner was called. He talked with two
13 elected inmate representatives and agreed to
14 increase the range of wages to 25 cents from 6 cents
15 and to \$1 per day from the previous 29 cents
16 maximum.

17 Further, according to Attica's 1970-'71
18 annual report, directives were received from the
19 main office of the department limiting commissary
20 profit to five per cent and a survey of all
21 institution pay scales was made. This survey
22 resulted in a uniform pay schedule being placed,
23 in effect, at all correctional facilities.

24 The metal shop strike was a non-violent
25 protest organized around specific grievances. It

1 resulted in a number of lasting reforms 95
2 outlined above. Inmates interviewed felt that
3 the strike was well-organized and that the
4 grievances were legitimate. Many correction
5 officers were in sympathy with the inmates as
6 well, though they feared the precedent that it
7 set.

8 Almost a year later, on July 2, 1971,
9 a group of five inmates, styling themselves The
10 Attica Liberation Faction, sent to Commissioner
11 Oswald a manifesto of demands.

12 The accompanying letter and preface to
13 the demands reads as follows:

14 "To the Hon. Russell G. Oswald--" This
15 is dated July 2, 1971.

16 "Dear Sir, Enclosed is a copy of our
17 manifesto of demands. We find that it is necessary
18 to forward you said copy in order for you to be
19 aware of our needs and the need for prison reform.
20 We hope that your department don't cause us any
21 hardships in the future because we are informing
22 you of prison conditions. We are doing this in a
23 democratic manner and we do hope that you will aid
24 us. A copy of this was sent to Governor Rockefeller.

25 "We, the imprisoned men of Attica Prison,

1 seek an end to the injustice suffered 96
2 by all prisoners, regardless of race, creed or
3 color. Preparation and content of this document
4 has been constructed under the unified efforts
5 of all races and social segments of this prison.
6 It is a matter of documented record and human
7 recognition that the administration of the New
8 York State Prison System have restructured the
9 institutions which were designed to socially
10 correct men into the fascist concentration camps
11 of modern America. Due to the conditional fact
12 that Attica Prison is one of the most classic
13 institutions inhumanity upon man, the following
14 manifesto of demands are being submitted.

15 "We, the inmates of Attica Prison, have
16 grown to recognize, beyond the shadow of a doubt,
17 that because of our posture as prisoners and
18 branded characters as alleged criminals, the
19 administration and prison employees no longer
20 consider or respect us as human beings but rather
21 as domesticated animals selected to do their bidding
22 and slave labor and furnished as a personal whipping
23 dog for their sadistic psychopathic hate.

24 "We, the inmates of Attica Prison, say to
25 you, the sincere people of society, the prison

1 system of which your Courts have rendered 97
2 unto us without question the authorative fangs
3 of a coward in power.

4 "Respectfully submitted to the people
5 as a protest to the vile and vicious slavemasters."

6 A copy of this was sent to the Governor
7 of New York State, the New York State Department
8 of Corrections, the New York State Legislature,
9 the New York Courts, the United States Courts and
10 the Parole Board.

11 "The inmates of this prison--and I am
12 continuing--

13 MR. LIMAN: You are continuing with the
14 prior?

15 MR. ADDISON: I am continuing with the
16 prior.

17 "The inmates of this prison have vested
18 the power regarding the settlement of stipulated
19 demands with the judgment and control of five
20 signators. All and any negotiations will be
21 conducted by prison and state authorities with
22 these five men. These demands are being presented
23 to you. There is no strike of any kind to protest
24 these demands. We are trying--"and that was
25 underlined--"to do this in a democratic fashion.

1 We feel there is no need to dramatize 98
2 our demands."

3 The manifesto was in two parts. The
4 first was a group of 28 demands dealing with such
5 issues as parole, political, and racial discrimina-
6 tion, salaries and working conditions, medical
7 treatment, visiting conditions and food. The
8 demands were prefaced by the following statement:

9 "We, the man of Attica Prison, have
10 been committed to the New York State Department of
11 Correction by the people of a society for the
12 purpose of correcting what has been deemed as
13 social errors in behavior. Errors which have been
14 classified--or which have classified us as socially
15 unacceptable until reprogramming with new values
16 and more thorough understanding as to our value
17 and responsibility as members of the outside
18 community. The Attica Prison Program, in its
19 structure and conditions, has been enslaved on
20 the pages of this manifesto of demands with the
21 blood, sweat and tears of the inmates of this
22 prison. The program which we are submitted to
23 under the facade of rehabilitation is relative
24 to the ancient stupidity of pouring water on a
25 drowning man inasmuch as we are treated for our

1 hostilities by the program administrators 99
2 with their hostility as a medication.

3 "In our efforts to comprehend on a
4 feeling level and existence contrary to
5 violence, we are confronted by our captors
6 as to what is fair and just.

7 (Continued on page 100.)
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1 "We are victimized by the exploi- 100
2 tation and the denial of the celebrated due
3 process of law. In our peaceful efforts to
4 assemble and to dissent, as provided under this
5 Nation's Constitution, we are in turn murdered,
6 brutalized and framed on various criminal charges,
7 because we seek the rights and privileges of all
8 Americans.

9 "In our efforts to intellectually expand
10 in keeping with the outside world, through all
11 categories of news media, we are systematically
12 restricted and punitively offended to isolation
13 status, status when we insist on our human rights
14 through the wisdom of awareness.

15 "We demand the constitutional rights of
16 legal representation at the time of all procedural
17 hearings.

18 I am now reading the manifesto.

19 "We demand a change in medical policy
20 and procedure.

21 "We demand adequate visiting conditions,
22 facilities.

23 "We demand an end to the segregation
24 of prisoners from the main line population because
25 of their political beliefs.

tion and punishment of prisoners who practice
the constitutional right of peaceful dissent.

"We demand an end to political perse-
cution, racial persecution and the denial of
prisoners' rights to subscribe to political papers,
books, or any other educational and current
media chronicles that are afforded through the
United States Mail."

MR. LIMAN: Mr. Addison, you are
reading excerpts from this now?

MR. ADDISON: I am reading excerpts
from the manifesto.

"We demand that industries be allowed
to enter the institutions and employ inmates to
work eight hours a day.

"We demand that inmates be granted the
right to join or form labor unions.

"We demand that inmates be granted the
right to support their own families..

"We demand that correctional officers
be prosecuted as a matter of law for any act of
cruel and unusual punishment where it is not a
matter of life or death.

"We demand that all institutions using

1 inmate labor be made to conform with the State 102
2 and Federal minimum wage laws.

3 "We demand an end to the escalating
4 factors of physical brutality being perpetrated
5 upon the inmates of New York State prisons.

6 "We demand the employment of three
7 lawyers from the New York State Bar Association
8 to full-time positions for the provisions of le-
9 gal assistance to inmates seeking post-conviction
10 relief and to act as liaison between the adminis-
11 tration and the inmates.

12 "We demand the updating of industry
13 working conditions.

14 "We demand the establishment of inmate
15 workers' insurance plans to provide compensation
16 for work-related accidents.

17 "We demand the establishment of union-
18 ized vocational training programs.

19 "We demand annual accounting of the
20 inmates' recreation fund and formulation of an
21 inmate committee to give inmates a voice as to
22 how much funds are used.

23 "We demand that the present parole
24 board appointed by the Governor be eradicated and
25 replaced by a parole board elected by popular vote

1 vote of the people.

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2 "We demand that the State Legislature
3 create a full-time salaried Board overseer to
4 the State prisons.

5 "We demand an immediate end to the agi-
6 tation of race relations by the prison adminis-
7 tration of this State.

8 "We demand the Department of Corrections
9 furnish all prisons with the services of ethnic
10 counsellors.

11 "We demand an end to the discrimination
12 on the judgment and quota of parole for black and
13 brown people.

14 "We demand that all prisoners be sent --
15 be present at the time that their cells and pro-
16 perty are being searched by the correctional
17 officers of State prisons.

18 "We demand an end to the discrimination
19 against prisoners when they appear before the
20 Parole Board."

21 Most prisoners are denied paroles solely
22 because of their prior records.

23 "We demand an end to the unsanitary
24 conditions that exist in the mess hall.

25 "We demand that better food be served to

2 "We demand that there be one set of
3 rules governing all prisoners in this State in-
4 stead of the present system where each warden
5 makes the rules for his institution as he sees
6 fit.

7 "We demand four months per year off our
8 maximum sentence for good behavior."

9 Now, some of the other specific demands
10 or complaints were:

11 Inmates can get haircuts only once a
12 month, yet cannot grow their hair to whatever
13 length they want.

14 Razor blades are not provided by the
15 institution.

16 Water for drinking and washing in the
17 evening is brought around to the cells in unsani-
18 tary buckets.

19 Showers are allowed only once a week to
20 the main line population, including metal plant
21 workers who sweat and get dirty daily.

22 Commissary prices have risen along with
23 inmate pay increases, so that our buying power
24 remains static.

25 Foods and beverages, which require open-

1 ing are sold at the commissary, but no stoves or 105
2 no openers are provided for cooking these items.

3 Institutionally issued coats are not
4 allowed in the mess hall. One must leave them in
5 the hall on the floor before entering the mess
6 hall.

7 Inmates are required to respond to the
8 banging of the officers' billy on the walls, on
9 the command to march, stop or to be quiet.

10 Sugar is non-existent in the mess hall.

11 One television is placed in the recrea-
12 tion yard to be reviewed -- to be viewed there
13 the entire year round. The programs are chosen
14 by the administration instead of by the inmates.

15 The second part of the manifesto lists
16 twenty-one grievances drawn up by the signers,
17 at least partly from suggestions they solicited
18 from other inmates. The grievances deal with day-
19 to-day life at Attica and are related to such
20 things as hot water, showers, and lockers in
21 cells, toilet articles, typewriters and the
22 movie schedule.

23 MR. LIMAN: You have read part of
24 those judgments a moment ago.

25 MR. ADDISON: Yes, I did.

1 MR. LIMAN: All right. Go on. 106

2 MR. ADDISON: On July 7, 1971,
3 Commissioner Oswald made the following reply
4 to the manifesto.

5 MR. LIMAN: Do you wish me to read
6 it?

7 MR. ADDISON: I would like you to read
8 it.

9 MR. LIMAN: This is a letter from
10 Commissioner Oswald dated July 7 to the inmate
11 who sent him the manifesto.

12 "Dear Mr. -- and I will omit the name.

13 "I have received your presentation of
14 demands and will give careful consideration to
15 the entire list before responding in full. I
16 have taken note of the fact that you have given
17 assurances that your approach will be in a demo-
18 cratic fashion and I applaud this as a rational
19 and reasonable approach.

20 "You may have noted that some change
21 has already come about and I assure you that
22 greater change toward a more progressive, humane
23 and rehabilitative system is in the planning
24 state. I will be in contact with you as soon as
25 I have studied and evaluated your entire presen-

1 tation and I thank you for taking the time 107

2 to bring your views to my attention.

3 "Signed, Russel Oswald, copy sent to
4 Superintendent Mancusi and Deputy Commissioner
5 Dunbar."

6 MR. ADDISON: On July 19, the
7 Attica Liberation Front Chairman wrote once again
8 to Commissioner Oswald. His letter reads, in
9 part, as follows:

10 "Dear Mr. Oswald, I have your letter of
11 July 7, 1971.

12 "First let me say that the sincerity
13 of your endeavors toward the rehabilitation of
14 the inmates of the State Correctional institutions
15 are in no way questioned because of the belief of
16 your sincerity is in definite existence through-
17 out the institutional organizations and general
18 populace, but the sincerity of the State Executive
19 and Legislature is in question and there is a
20 definite fear that you are laboring under mis-in-
21 formation and misapprehensions. We also want you
22 to know that we feel that the Chief Executive,
23 Rockefeller, and the State Legislature are playing
24 games with our very lives and the lives of our
25 families and the people of the State at large.

1 Their intent seems to be to put rehabilitation 108
2 process for prison inmates on paper and present it
3 to the public while demanding more taxation for
4 the rehabilitation of inmates while, at the same
5 time, cutting the Department of Corrections' bud-
6 get for rehabilitation, hiring more institutional
7 officials to build a stronger voter constituency.

8 "We, the Attica Liberation faction, are
9 in communication with all factional groups in
10 the institution and those inmates who are not
11 associated with any particular group or groups, and
12 we find that all grievances are the same; all
13 petitions sent out have at least the majority of
14 the population approval through communicational
15 watch-dog committees in each block.

16 "There is only one noted change since I
17 heard from you, and that was on July 7. That day,
18 at the noon meal, there was water pitchers on the
19 table for the first time. The conditions listed
20 in the last two pages of our manifesto still
21 exist, namely, dirty metal food trays, which should
22 be replaced with plastic ones, due to the rust
23 and not properly cleaned; the repetitious diet of
24 pork and the lack of any other type of meat, with
25 the exception of ground beef mixed with pork, corn

1 flakes and bran.

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2 "In closing, the lack of recreational
3 facilities mandates that all yards be kept open
4 to the general population at least on weekends.
5 All yards are open to the population on the 4th
6 of July every year without incident. The closed
7 yards only serves the purpose for the convenience
8 of officers resting in their chairs.

9 "It is hopeful that you correct these
10 ills.

11 "P.S. Inclosed is menu which looks good
12 on paper with its pork diet."

13 On August 16th, you wrote the Commis-
14 sioner another letter, which includes these state-
15 ments:

16 "Dear Sir, A new policy is in effect
17 at this institution. This policy was put in ef-
18 fect by Superintendent Mancusi approximately two
19 weeks ago when on or about August 4 and on August
20 12 and 13 respectively, articles appearing in the
21 Buffalo Courier Express . about this institution
22 were cut out upon arrival at this institution by
23 the officers under orders from Superintendent
24 Mancusi. This incident is causing more unrest
25 to those inmates receiving cut-up newspapers. It

1 is not believed that you support this policy. 110
2 Therefore, I am bringing it to your attention. We
3 do not know what Superintendent Mancusi is try-
4 ing to prove or hide by ordering those articles
5 to be cut out before being delivered to the in-
6 mate subscribers. It should be interesting to
7 know that what he ordered cut out of those news-
8 papers were on the radio news and also that
9 the articles were available for reading anyway.

10 "The Courts ruled in 1952 that prison
11 wardens were prohibited from destroying articles
12 of news which appears in our newspapers. You
13 never acknowledged receipt of my prior letter to
14 you dated July 19 in which I brought to your atten-
15 tion the plight of inmate X and also the conditions
16 that still exist in the mess hall.

17 "We are anxiously awaiting your evalua-
18 tion of our manifesto. I realize that you are a
19 busy man, T.V. and all that, but I do hope that
20 you will drop me a few lines and let me know
21 what's happening. I would rather not receive a
22 letter from any of the Deputy Commissioners. That's
23 all for now."

24 MR. LIMAN: On August --

25 MR. ADDISON: "P.S. -- P.S. The

1 officials here are now beginning to 111
2 harass systematically those who desire prison
3 reform and have begun to search cells while the
4 men are how, taking petitions, manifesto demands,
5 and locking up men for investigation. However,
6 we will continue to strive for prison reform in
7 a democratic manner."

8 That same day, Commissioner Oswald wrote
9 the following reply --

10 MR. LIMAN: It is again addressed
11 to the Inmate whose name we won't mention.

12 "Dear Mr. Blank, in response to your let-
13 ter of July 20, let me first acknowledge your
14 expression of attitudes over some of the changes
15 already brought about and those contemplated in
16 the correctional facilities. I am sure you realize
17 that complete change cannot be brought about in
18 just a short time and that no change can be accom-
19 plished without the constructive and receptive
20 admiration of administration staff employees and,
21 of course, inmates. Reports from each correctional
22 facility indicate that attitudes are changing
23 all along the line and this, in itself, is evidence
24 that change is imminent. Since the Department of
25 Correctional Services came into being in January

1 of this year with new leadership and plans for 112
2 new directions, much continuing effort has been
3 made to determine what has been under the past
4 system and what will be under the new system.

5 I am certain that there was much apprehension and
6 concern among the inmate population as to what po-
7 licy action would be forthcoming under the new
8 Department leadership. Understandable, this same
9 apprehension exists among staff personnel as well.
10 In such a situation, attitude changes are necessary
11 and we are attempting to reattitudinize all par-
12 ties, personnel and inmates alike. It is hearten-
13 ing to find that attitudes are changing, but we
14 still face difficulties from rigid personnel and
15 rigid inmates, but even in the face of these dif-
16 ficulties, we have accomplished some change and
17 will continue to do so.

18 "Our plans and actions are twofold:

19 "One is to study and evaluate conditions
20 and situations for improvement in day-to-day
21 routine;

22 "Two, to develop greater long-range pro-
23 gramming with increased community involvement.

24 "I note from your letter that this ap-
25 proach is much in line with your own thinking and

1 consistent with the list of problem items you 113
2 presented in early July. I want you to know that
3 I have assigned several staff members to do a
4 thorough job of developing information in line with
5 that list and that this information will provide
6 a base for action, not just at Attica, but through-
7 out all facilities. One of the major concerns,
8 again not unlike your own, is to maintain consistent
9 standards, rules and policies in all facilities,
10 and to develop some meaningful channels of communi-
11 cation.

12 "While I regret the time it has taken to
13 respond to your list, I am sure that you would
14 want us to give the most careful thought and study
15 to each item before reaching a decision.

16 "I assure you this is being done and you
17 will be hearing from us in the very near future.
18 I appreciate your patience and kind words of
19 support and hopefully we, all of us, administration,
20 staff and inmates throughout the system, can bring
21 about the kind of system that is humanly and pro-
22 gressively correct and is truly and meaningfully
23 rehabilitative. Very truly yours, signed Russel
24 Oswald."

25 MR. ADDISON: The July manifesto, like

1 the metal shop strike, was an attempt at 114
2 peaceful change. Unlike the strike it dealt with
3 a broad range of inmate grievances, and unlike the
4 strike, it resulted in no positive action.

5 Twelve of the demands listed in the
6 July manifesto appeared in September among the
7 twenty-eight demands of the inmates in D-yard.

8 On August 22, 1971, after the fatal
9 shooting of George Jackson at San Quentin, there
10 was a memorial at Attica. Most companies were led
11 by black inmates as they marched to mess instead
12 of the usual two tallest inmates. Most black
13 inmates wore black armbands. There was almost
14 complete silence in the mess hall. Few inmates
15 ate anything at the first meal. Those who ate,
16 did so either because they did not agree with the
17 protest or because word of the protest had not
18 reached them. A minority of white inmates said
19 they fasted from fear of reprisals from black
20 inmates if they did not. An occasional inmate
21 said he refrained from eating because he thought
22 the demonstration was to protest the food.

23 By the noon meal, however, everyone
24 knew of the reasons for the protest and at lunch
25 and dinner very few inmates ate. Most of the in-

1 mates interviewed felt that the Jackson Day 115
2 demonstration illustrated their unity and ability
3 to organize.

4 Many also believed it scared the offi-
5 cers. On or about August 30, 1971, more than
6 three times the usual number of inmates showed up
7 for sick call. The reason for this appears to have
8 been two fold.

9 It was a general protest against the
10 medical care at Attica and some inmates seemed
11 to have thought that Commissioner Oswald would
12 be visiting the prison and that he usually stopped
13 at sick call. They hoped to dramatize their medi-
14 cal grievances and also thought this might be
15 their only opportunity to see him.

16 The organization of the protest is un-
17 clear. Most of the extra inmates were from a
18 block and some inmates say that a note urging
19 them to report to sick call was passed from cell
20 to cell the night before. Reactions to the pro-
21 test were not very strong. No disciplinary action
22 was taken against the inmates. Commissioner
23 Oswald did come to Attica a week later, but his
24 visit was cut short and he saw very few inmates.

25 Instead he recorded the following mes-

1 sage which was broadcast over radio on September 116

2 3.

3 MR. LIMAN: Before we play the tape,
4 Mr. Addison, I thought that it would be useful
5 to read some of the notes that were taken of
6 Mr. Oswald's talk with one of the few inmates he
7 saw who happened to be the inmate who had written
8 him the letters that we previously read. We are
9 now reading from those notes, which were not taken
10 stenographically and are really not complete, but
11 they get the sense of that interview.

12 Commissioner Oswald speaking -- and I
13 am quoting from the memo. "Interested in your
14 material about change. I want to tell you that
15 you must believe we intend to make changes. Some
16 things can be done immediately. I have been in
17 for eight months with all kinds of problems. After
18 four months, I have had some staff. This is
19 possibly the State's worst fiscal year. Now we
20 have Federal funds."

21 There was then a discussion of particu-
22 lar complaints, including the showers, the con-
23 ditions in the mess halls, and the other matters
24 brought up in inmates' letters and the manifesto.

25 Commissioner Oswald ended the meeting as

1 follows:

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2 "We all intend to keep our cool and work
3 these things out together."

4 The inmate responded:

5 "Well, I believe in working through the
6 system for reform. I don't want to be no leader."

7 Commissioner Oswald then left behind the
8 tape which Mr. Addison referred to, and that was
9 played for the inmates. The next time that Commis-
10 sioner Oswald spoke to the inmates of Attica, he
11 was in the yard on September 9. I think we can
12 now play this tape, which was done on September 3,
13 1971, made less than a week before Attica exploded.

14 TAPE:

15 GENTLEMEN: This is Commissioner Oswald.

16 I know many of you had expected and wan-
17 ted to see me today on my very brief visit to
18 your institution and I apologize that I was unable
19 to spend the appropriate time here today to see
20 and talk with those of you who wanted to see me.

21 I had originally planned to spend two
22 days here, but unfortunately an emergent situa-
23 tion in the office, plus the fact that my wife
24 has been taken to the hospital, dictates my early
25 return to Albany.

2 months ago, my staff and I have been working toward
3 development of a redirection in overall program-
4 ming for all New York State correctional facili-
5 ties. Many of you are already aware of my philo-
6 sophy in new directions and some of the steps
7 already taken. As a matter of face, many of you
8 have written favorably with reference to some of
9 the changes already brought about. Of course,
10 the main impact of the new directions we envision
11 for the Department is the recognition of the
12 individual as a human behind with dignity and the
13 need for basic fairness throughout our day to
14 day relationships with each other.

15 Many of the things you want and many of
16 the things that we want are very much the same and
17 at first glance would seem easy to do, but it
18 is unfortunate that at a time when the Governor,
19 the Legislature and the administration of this
20 agency are looking for new directions in correc-
21 tional services, that we are faced with the worst
22 fiscal year in remembered State history. Addition-
23 ally, this department has been fiscally starved
24 over the years, which only adds to the difficulties
25 of our current budget crisis. Nevertheless, we

1 have, as I mentioned earlier, made 119

2 considerable changes and anticipate continuing in
3 the direction of progressive change.

4 Now, let me tell you some of things
5 we are planning for this department. We were
6 fortunate this year to obtain substantial Federal
7 funds, allowing us to implement several new
8 programs and projects. Some of these are - one, we
9 will over the next few weeks install full and com-
10 plete law libraries in six of the major institu-
11 tions of the department. These libraries will be
12 for the use of all inmates who need and desire
13 access to proper legal reference materials.

14 Two, we have received money to conduct a depart-
15 ment-wide program for training in meaningful
16 rehabilitative methods of all personnel working
17 in all of the institutions and in our parole ser-
18 vices. Three, in the interests of extending our
19 programming into the community, funds were re-
20 ceived this year to set up four community treat-
21 ment centers throughout the State to help bridge
22 the gap between institutional life and your homes
23 and working lives in the community. Four, we
24 will initiate a program for the purpose of en-
25 couraging community volunteers to join us in the

1 task of modernizing our correctional prog- 120
2 rams, both within the institutions and in the
3 community setting. Five, finally, academic and
4 vocational programs will be extended into the
5 evening hours in four of the major facilities of
6 the department on an experimental basis.

7 While I am sure that these items are of
8 significant interest to you, I am equally sure
9 that you are at least as interested in the normal
10 day-to-day routine changes that we are hopeful of
11 bringing about.

12 Some of you, I am sure, are interested
13 in the work release programs. We are formulating
14 for budget presentation an extension of work re-
15 lease, not only here, but in other correctional
16 institutions as well.

17 I am already on record as recommending
18 to the Legislature the changing of law to allow
19 home furloughs for weekends and additionally
20 for educational and vocational training.

21 We have started a procedure to review
22 reading materials and, as a matter of fact, we
23 are exploring the entire area of censorship.

24 While I am on the subject of censor-
25 ship, I think it important for you to know that with

1 the change in policy allowing sealed mail 121
2 to and from public officials and department re-
3 presentatives, I have received numerous protests
4 about the kind of mail being sent to Federal and
5 State officials. It is unfortunate that there
6 are some few who take unfair advantage of rule
7 changes which are meant to benefit all of you and
8 it is equally unfortunate that many of the public
9 officials who have supported me in bringing about
10 certain rule changes are now having second thoughts
11 as to whether or not these changes are wise in
12 view of the kind of indecent and abusive mail
13 they have been receiving from a few who have
14 misused this policy.

15 But let me get back to the positives.
16 We are certainly concerned with the quality of
17 day-to-day living in each of our facilities and
18 chief among these concerns is to bring about as
19 much as possible a measure of fair and uniform
20 consistency throughout the entire system. I have
21 heard from many of you who have told me and my
22 staff, in visits to facilities verifies that we
23 have numerous inconsistencies between institutions.
24 These seem to generally fall in the following
25 areas:

- 1 1. Authorized personal possess-
- 2 ions.
- 3 2. Personal State-issued items.
- 4 3. Problems relating to food service.
- 5 4. Standardized cell furnishings.
- 6 5. Health and dental services.
- 7 6. Standardization of a code of per-
- 8 sonal appearance.
- 9 7. Issues relative to recreation,
- 10 sports activity and visiting.
- 11 8. Issues relating to recognition of
- 12 mutual rights and responsibilities of both staff
- 13 and inmates.

14 On all of these issues I want you to know

15 that my staff and I are reviewing, and will con-

16 tinue to review, the numerous aspects of each

17 single item under these broad headings and will

18 implement them as soon as reasonably possible in

19 light of both manpower needs and as money is

20 available. I also want you to know that I am

21 not using lack of money as a cop-out for not

22 doing things and, where possible, will initiate

23 the changes by adjusting priorities now and

24 budgeting more effectively in the future.

25 Many of you have voiced confidence in me

1 and in the directions I have talked 123
2 about; and I genuinely appreciate this. I am
3 certain that you realize that change can't be
4 accomplished overnight, but I can assure you
5 that changes will be made just as some change
6 has already taken place in the brief period of
7 eight months.

8 Some of your suggestions have been help-
9 ful to us in formulating policy and direction
10 and Superintendent Mancusi and I welcome your
11 constructive suggestions and views.

12 Let me conclude by saying that I appre-
13 ciate your patience and your expressed trust
14 and confidence in what we are trying to do,
15 together.

16 MR. LIMAN: Mr. Addison, Commis-
17 sioner Oswald, in that note I read, said "We
18 all intend to keep our cool." In connection with
19 the interviews that we did of inmates, can you
20 state what the reaction was to the taped message
21 which we have all heard?

22 MR. ADDISON: The reaction to the
23 Commissioner's speech was mixed. While some in-
24 mates were pleased by it and wrote the Commissioner
25 to that effect, many felt that it was full of

1 empty promises and excuses for inaction. 124

2 Some inmates said that it was nothing. Most in-
3 mates felt it was nothing. A good number of in-
4 mates said that they took their earphones off
5 and threw them on the ground. A few inmates
6 thought that he had a few good ideas. The majority
7 of correction officers expressed to us the view
8 that it was full of empty promises and excuses
9 for inaction.

10 MR. LIMAN: Thank you.

11 MR. MCKAY: The hearings will recess
12 until two o'clock this afternoon.

13 (Whereupon, at 1:00 p.m., a luncheon
14 recess was taken.)

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