NEW YORK STATE SPECIAL COMMISSION ON ATTICA

In the Matter of the

Public Hearings

at

NEW YORK, NEW YORK

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433 West 53rd Street,
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April 18, 1972
10:30 a.m.

Before:

ROBERT B. McKay, Chairman,
MOST REV. EDWIN BRODERICK,
ROBERT L. CARTER,
MRS. AMALIA GUERRERO,
AMOS HENIX,
BURKE MARSHALL,
WALTER N. ROTHSCHILD, JR.,
MRS. DOROTHY WADSWORTH,
WILLIAM WILBANKS,

Commission Members
PRESENT:

ARTHUR L. LIMAN,
General Counsel

MILTON WILLIAMS,
Deputy General Counsel

JUDGE CHARLES WILLIS,
Deputy General Counsel

DAVID ADDISON,
Deputy General Counsel

HENRY ROSBACHER,
Deputy General Counsel

STEVEN ROSENFELD,
Deputy General Counsel

MARC LUXEMBURG,
Deputy General Counsel

ROBERT POTTS, JR.,
Communications Consultant

ANDREW LIDDLE,
Inspector

LEONARD POLAKIEWICZ,
Investigator

JOHN E. CARTER, JR.,
Assistant Counsel

MR. McKay: This is the opening session of the fifth day of the hearings of the
New York State Special Commission on Attica.
Our first witness this morning will be Sergeant Miller.

SERGEANT RICHARD MILLER, having been duly sworn by Mr. McKay, was examined and testified as follows:

MR. FINANSON: May I note for the record that Mr. Miller is represented by counsel, Mark K. Benenson, from the office of Murray A. Gordon, P.C., 401 Broadway. We are counsel to Mr. Miller's union.

EXAMINATION BY MR. LIMAN:

Q Say your full name for the record.
A Richard William Miller.

Q What is your occupation?
A I am a Correction Sergeant at Attica Correction Facility.

Q How long have you been a sergeant at Attica?
A Since February 3 of this year.

Q How long have you been a correction officer?
A Oh, about eleven years.

Q How much of that time was spent at Attica?
A Ten years.

Q How old are you?
A Forty-three.
Q  Sergeant, in September of 1971, what were your duties?

A  At that time I was, along with other correction officer duties, assigned as a lock repairman in the Attica facility.

Q  Do you have other duties besides examining and repairing the locks at Attica?

A  Yes. I did general officer duties, reliefs in the hospital, Center Square, Amos Gate and I also did transportation of inmates for medical care at Buffalo and some transportation at other institutions.

Q  Under what circumstances would you escort an inmate to Buffalo?

A  Primarily for medical purposes, to see doctors, therapy and this type of thing.

Q  How frequently would your duties call for you to do that?

A  At one time I was doing this quite a bit, probably sometimes two or three times a week, four.

Q  Now, Sergeant, would you describe what the function of what we call Times Square is at Attica?

A  Well, Times Square is basically centrally located between the cell blocks and was designed to control traffic moving through the institution. It is four gates that can be closed to seal off the square
itself and it leads, a corridor to each one of the four blocks.

Q Each gate leading to a block had a separate lock on it; am I correct?
A That's correct.

Q Was this constructed so that if there was trouble in any one block that could be isolated?
A Well, this was the reason, I believe, behind the square, so that you could isolate the blocks, keep them separate.

Q Now, on September 9, the gates at Times Square gave, the gate from A-block into Times Square; am I correct?
A That is correct.

Q Did you, after the prison was retaken by the authorities, have occasion to examine that gate?
A Yes, I did.

Q Did you make an effort to determine how this gate came to give?
A Yes, sir.

Q Would you tell us what you found and what your conclusions were?
A Well, basically, the gates in the corridors, or two gates that swing together and are locked by a cream on bolt lock system or a three point lock system.
If this explains it better, a rod going into the ceiling, one into the floor and one into the gates as they come together.

Now, the rod leading to the ceiling was broken probably about fifteen inches down from the top and this broke -- it had been welded -- as this broke, it left the release spring apart so that the rest of the mechanism gave and left the two gates open.

Q The bar that goes to the top which was broken was intended to withstand pressure; am I correct?

A I would believe that's correct, yes.

Q Have you determined why it broke?

A Yes. I guess about fifteen inches down from the top, there was a splice in the rod, a weld. I would have to say at this time, not a very good weld.

Q That weld wasn't supposed to be there in that fashion?

A I would think, sir, that the rods would have been much better had they been continuous rods rather than spliced, and most of them, by the way, are continuous rods.

Q Did you know by September 9 that this rod
had been spliced?

A  No, sir.

Q  Was it visible?

A  No, sir. Because these rods had been painted and it would have been impossible to tell that it had been welded at that time.

Q  So that inmates and correction officers alike could not have known that there was this type of weld splicing together this rod?

A  In my opinion that is true.

Q  This weld gave when the gate was shut — shaken.

A  Under the strain of pressure on the gate, yes.

Q  Would you characterize this weld as a defective weld?

A  Yes, I would. I would term it as a butt weld? Would you like a better explanation of that, sir?

Q  Yes.

A  Well, if you put two pieces of metal together, if you grind them so that you can get a weld, a flow around it, and burn it in, you would get a good weld, but if you just put two pieces of metal together and put them butt together, there is no place to
weld.

So this was ground off. Actually, there was less than a sixteenth of an inch holding all the way around this particular rod.

Q When was this weld put in?
A I have no idea. I have an opinion.
Q What is your opinion?
A My opinion is, it would have been original installation.

Q Back in 1930 or so?
A Well, '28, '30, whenever the Center Square area was built, yes.

Q Did you also examine the gates leading from the corridors into the various blocks?
A Yes, sir. As we wanted to secure the institution, certainly when we seen what happened at this gate, we started scraping the paint on the other bars and checking them.

Q Did you find that other bars had welds of this type?
A I found two other bars that had been welded. Both of these bars being in A-block.

Q Did you make any determination or do you have an opinion as to how inmates were able to get into C-block, B-block and D-block through the gates there?
A    No, sir.

It is my belief, probably that either the officers didn't have a chance to secure these gates or the inmates had keys to them.

Q    Where would those keys have come from?

A    Possibly from Center Square. They did get the keys to Center Square after this one gate closed. Possibly from this area. They may have brought some down with them from A-block.

These keys probably shouldn't have worked, but it is possible that one of them did open another gate.

Q    When you say they shouldn't have worked, each gate is supposed to have its own special key, am I correct? In general?

A    We did have some duplications in Attica from one corridor to another where there wouldn't be a gate leading directly to one another, but there were some duplications, yes.

Q    What did you mean when you said these keys shouldn't have worked, but it's possible that some of them did?

A    Well, I think our locks had been wore, used a number of years, and it's possible that a key from another gate could have opened it.
Q Sergeant, I understand that you were on duty on September 8 in the evening at Times Square when two inmates were taken to the box.

A That's right.

Q Would you describe their condition as they passed Times Square?

A As I recall --

Q And if you can, differentiate between the black inmate and the white inmate.

A As I recall, the black inmate was being carried and the white inmate was walking between the two officers.

Q Was there any conversation with the black inmate as he passed through Times Square?

A As I recall, Sir, somebody, one of the officers that was carrying him, possibly one of the ranking officers, asked him at this time if he would like to walk, and as I recall he left a little profanity at this time, but chose not to walk.

Q How was he being carried?

A There was about two officers on his legs and arms and supporting his head.

Q Were there any visible signs of bruises on either of these inmates as they passed through Times Square?
A Not to my knowledge, sir.

Not that I could see.

Q Was there any -- were the eyes of the black inmate closed as he passed through Times Square?

A No, sir.

Q He was conscious?

A Yes, sir.

Q Did you or anybody else, to your knowledge, make any effort to communicate the fact that the inmates were conscious to the inmates back in A-block?

A I didn't.

I don't know whether anybody else did or not.

MR. LIMAN: I have no further questions.

MR. McKay: Are there any questions from members of the Commission? Bishop Broderick?

BISHOP BRODERICK: Sergeant, would there be such a thing in Attica as, I think they call it a master key, one that would open all the doors? We saw a demonstration yesterday of about five thousand different keys, and I wondered whether there would be a master key, and secondly, who would have it if there was one?

THE WITNESS: On the prison locks --
this would be the gates -- big post-type keys, no, sir, they are not master. The small door locks that we have in individual buildings, like the hospital and some of these areas, are masters, but these are small, regular keys like you would use on your house, but the prison locks, no.

BISHOP BRODERICK: Thank you.

MR. McKAY: Mr. Henix.

MR. HENIX: My only question, Sergeant, is: as I heard the testimony at this point, it is that you have the position of sergeant --

THE WITNESS: That's right, sir.

MR. HENIX: In the institution.

Also, I am under the impression that your major responsibility is in this area of dealing with locks and security.

THE WITNESS: Not at this time. Not as sergeant, no.

MR. HENIX: But at that time --

THE WITNESS: At that time, yes.

MR. HENIX: It was?

How does this pass on? I mean, what would be your responsibilities outside of this area?

THE WITNESS: Do you mean outside of
MR. HENIX: Yes.

THE WITNESS: Yes, sir. I worked approximately in the days that I was in the institution and wasn't assigned to a regular officer detail, if I was working the locks, I worked approximately four hours a day on lock or lock repair and the rest of the time I was assigned to various officer's assignments.

Like I said, relief in the hospital, AMS gate, Center Square.

MR. HENIX: As you already testified, these men that are the officers that passed you with these two inmates, if you -- did you have the authority to ask them, to stop them and say, "Well, what's going on?" "What condition is this person in?"

Would they have had to respond to these questions?

THE WITNESS: I don't feel that I had the authority at this time, because they were escorted by a superior officer.

MR. HENIX: Okay. Thank you.

MR. McKay: Mrs. Wadsworth?

MRS. WADSWORTH: My question is in
the system itself.

Is this system, the block system, the one that was devised when Attica was built? Is it the same system that we are using?

THE WITNESS: To the best of my knowledge, yes.

MRS. WADSWORTH: Is this periodically reviewed for strength and bringing it up to date?

THE WITNESS: Yes. We try to go through this. However, we probably wouldn't have covered the lock devices unless we had specific complaints of some lock not working right. We didn't have the time, always, to make a routine check because of the shortness of staff. Like I said at one time, I was making many trips and so forth, and we didn't have the help to spend the amount of time probably on the locks that should have been spent.

MRS. WADSWORTH: We hear a great deal about lack of budget being a reason for so many of the deficiencies. Would you say, then, that lack of budget, therefore, lack of staff, is the reason that these were not reviewed as often as they might be?

THE WITNESS: Well, certainly I will
make this statement: I feel that lack of budget has been a lot of our problems.

MRS. WADSWORTH: Thank you.

MR. McKay: Mr. Carter.

MR. CARTER: So that I understand the significance of your testimony, maybe it came clear to other people, but I want to be sure, and I correct that this defective lock gave and that in part, or rather in great part, this was what contributed to the fact that the inmates got control of what they got control of; is that correct?

THE WITNESS: Well, certainly this was a contributing factor. Had this lock held, then the disturbance may have been confined more to one area.

MR. CARTER: Contained? It would have been contained?

THE WITNESS: I can say I hope it would have been contained.

MR. CARTER: Would you -- do you think that you would have had a better opportunity or chance to confine it had this lock not given; is that correct?

THE WITNESS: Certainly.
MR. McKay: Mr. Rothschild.

MR. ROTHSCHILD: Sergeant Miller,

one question. We heard a good deal -- in the
course of the taking of the institution -- of the
various doors that were sprung one way or another,
it never was clear to me which doors -- and I
don't mean by details -- were opened because the
inmates had a key to open them, which were opened
because they brought welding equipment from the
shops and burned them open, which they ran fork-
lift trucks through, and what have you.

Is the only door that gave under what
one might call normal usage, if you will, the
one at Times Square?

THE WITNESS: I would think the only
one that I found that had a default and was con-
tributed to this was the one at Center Square.

MR. ROTHSCHILD: And the only one which
could normally have given way to any inmate pres-
sures without outside assistance of ram rods,
et cetera, tools and what not, was that one, then?

THE WITNESS: Let's say all the other
gates that I examined showed where possibly some-
thing else had been used. However, if you get
enough manpower against any given gate, that is con-
structured by man, it probably can be tore down by man. This is my belief, yes, that the gates -- probably some of them could have been, through sheer power if enough people get ahold of them, tore down.

MR. McKAY: Sergeant Miller, you have testified that the problems that arise when locks may be made insecure or broken down. Let me ask the converse question.

What if there were an emergency in the institution, a fire, let us say, that made some of the keys unavailable, but it was necessary to evacuate prisoners or officers who were locked in in various areas. What alternative way is there to unlock or to make insecure your otherwise secure institution?

THE WITNESS: Well, all our gates are usually manned when they are locked, and there are people available with keys in secure places. However, there is no alternative means, other than the key, as far as these gates are concerned.

MR. McKAY: So, if the keys and persons who have access to the keys are unavailable, individuals could be locked in the premises and there would be no way, other than breaking down
the bars to get them out; is that right?  

THE WITNESS: I would say this is true.

MR. McKAY: Thank you.

Mr. Liman, have you questions?

EXAMINATION (cont'd) BY MR. LIMAN:

Q You mentioned that a superior officer was accompanying the two men being taken to the box on September 8. Was that Lieutenant Maroney?

A Yes, sir.

MR. McKAY: Sergeant Miller, I think you have been advised, and you are invited at this time, if you wish, to make a statement that need not relate to questions that have been put to you.

Is there anything that you would like to tell the Commission and the public at this time?

THE WITNESS: I think, sir, the only thing I would like to say -- I have read so many things in the papers, television, about the brutality, the officers -- I think they have made all the officers look a little bit like we have horns and certainly I don't think this is true.
In the length of time I have worked at Attica, I haven't seen this brutality. I don't believe it exists, or at least it hasn't existed in the last ten years. This, I think, is probably the only statement I would like to make.

MR. McKay: Thank you, Sergeant Miller, for your statement and your willingness to be with us today.

MR. Lima: Our next witness is Dr. Warren Hanson.

WARREN HANSON, having been duly sworn by Mr. McKay, was examined and testified as follows:

EXAMINATION BY MR. LIMA:

Q Would you state your full name for the record?

A Warren H. Hanson.

Q What is your occupation?

A Surgeon.

Q Where do you practice surgery?

A In the Wyoming County Community Hospital in Warsaw, New York.

Q Where is that located in relation to Attica?

A Approximately fifteen miles south.
Q What is your age?
A Fifty.

Q Dr. Hanson, did you have occasion to go to the Attica Correctional Facility on September 9?
A Yes.

Q Would you tell us the circumstances under which you went?
A The whole story?
Q Yes. You can go -- tell us that.
A On that Thursday morning we arrived at the hospital at our usual time, about eight or eight-thirty, and received the warning that we might be getting some casualties from Attica because there was a disturbance there. Of the twelve people that were released hostages that were injured that were released that morning, we got four and took care of them.

Later in the day, about noontime or so, we got a request from the Wyoming County Sheriff's Office asking if some doctors could come over and stand by outside of the prison.

So, three of the men went over at about six or seven o'clock that evening. I guess it was probably five-thirty or six when I received a call and they said that these men had been there all afternoon and asked if I would go over and substitute.
So, I arrived at the prison probably around six-thirty or so and -- I had never seen the prison before; in spite of its being so close, I had never been there. I was aware of its existence, obviously, and it was quite a hectic scene, with hundreds of State Police cars, probably twelve, fifteen rescue vehicles of various kinds, all staffed with nurses and personnel of various types.

I talked to the doctors that had been there all afternoon and asked them what the situation was, and they were in complete ignorance of what was going on inside. I asked about the hostages, and they didn't know. I talked to some of the people rambling around the area and no one seemed to know what was going on.

There was a lot of rumor flying about about hostages being either dead or seriously injured inside, and I ran into a gentleman from Albany, a Health Department official, and I spoke with him. I asked if I could go inside to see if I can find out more and they took me into the Administration Building and I talked to some people there.

They didn't seem to know anything either.

At this point, I was asking somebody if I could go further into the prison to see what was there, and at this point a gentleman came down from
some stairs to my left and asked me who I was. I told him and he asked if I would come upstairs.

It turned out that this was Mr. Mancusi. He took me upstairs and into the offices, where he introduced me to Commissioner Oswald, Mr. Dunbar and some other people. And it was apparent that they did not know what the situation of the hostages was either, and apparently they hadn't given some thought to the possibility of getting a physician inside to see.

So, after some discussion and debates, as to whether it would be safe for me to go in or not -- they decided -- and I decided that we would give it a try if they would give me some assurances of safety, that is, the prisoners.

Q Dr. Hanson, did you understand that Mr. Oswald had been inside the prison in D-yard?

A I was not aware of that. I was not aware of who had been inside, except they told me that they had been in and came out.

Q But in any event, they did not know what the condition of the hostages was at that time?

A Yes.

Q Would you --

A So they had three other negotiators that were going in shortly, so I went down and at the gate
one of the prisoners came up and they said that they had three negotiators and they also had a doctor and would the doctor be assured safe conduct.

He gave us that assurance, so I went in.

Q Who were the three negotiators that you went in with, do you recall?

A I don't recall.

Q Do you recall whether one of them was Herman Schwartz?

A I believe so.

Q You say you went in. Would you describe the process by which you were admitted to D-yard?

A The so-called DMZ area in, I believe, it would be a tunnel, where it connects to A-block, and about half way down there is an exit from the tunnel into the adjacent yard.

And the half between the yard entry and the block -- as you are indicating there, that was part was called the DMZ.

At the yard exit the prisoners had some tables and there were four or five of them on guard on that point all the time. They opened the gate and the prisoners stepped back, one of the officers opened the gate and we walked in and then we were taken and escorted down to that point of exit.
We were frisked, not very thoroughly, and taken out to that yard. We crossed the A yard, I think it is, over into the other tunnel, midway, where we were again frisked and taken through that tunnel into D yard.

In D yard, they had a phalanx of men that I came to know where called security guards lined up shoulder to shoulder, extending -- I guess it would be East -- over to a conference table that had been set up against the East wall.

Q Were the security guards dressed in a distinctive manner?

A Only in that each one had a white cloth wrapped around their left arm. Around the negotiating tables they also had a phalanx of similar men and they -- I think it's over on the other wall.

Q It's over there?

A That's where the security table was. They pretty well enclosed the area so that the negotiators could not see into the yard except what they could see over the heads of the security guards, so they couldn't tell much of what was going on inside the yard proper.

Q What did you do when you entered the yard, Doctor?
In the -- may I use this?

Yes, sure. There is a pointer.

I came in through the Administration Building, out through this tunnel, across A-yard, across here into D-yard and the phalanx of men was drawn up -- thank you. The phalanx man were drawn up from this entrance right over this wall and across in front of the negotiating tables which were here.

When I came in, the negotiators proceeded to that table and I was led over to this corner where they had a little first-aid set up.

They had a couple of tables, three tables I believe. They had a chest that they had some medications in that apparently they had taken from some place. The medications were not very sophisticated. There were no narcotics in there, for instance, but they did have some medications and bandages and a few things like this.

There were three men on duty there.

Inmates?

Inmates. That were serving as first-aid men and apparently this had been their function in the prison. They were medical aids of some type.

I talked to them briefly and then we went over to visit the hostages. The hostages at this time
were in a little enclosure in this quadrant right there.

Q What was the enclosure composed of at that point?

A It was an oval of knee-high benches, probably twenty-five by thirty-five foot in circumference, I would say. At this time, all the hostages were either lying or sitting down -- most of them were lying, huddled up with a blanket over them. There were no mattresses. They were lying on the ground.

It was getting now quite late in the evening and it was fairly chilly.

Q Were they blindfolded?

A Blindfolded. And I went around and there was, of course, around this little compound or enclosure, a group of security guards.

And the other security guards were not permitted into the hostage area. The man that had been assigned to me as a guard seemed to be of a certain level or rank in the prisoner organization. He wasn't one of the major leaders, but apparently he was a first lieutenant, because he seemed to have a certain amount of authority and free rein and the -- it was a little unique. When I first walked in, he
grasped my arm very firmly and as we walked in through the DMZ and so forth, he was guiding me and not turning me loose. As we walked across A-yard, he turned and he said, "Doctor, I am responsible for your safety."

And he said, "There are some men in here who are dangerous." And he said "I don't want to be holding and push you around. Why don't you hold my arm and let me kind of lead you, and you just follow me."

So he dropped my arm and I grabbed his and just followed him in. When we got to the hostage area, he was permitted inside, but the other security people that had come along in my little group, they were not permitted inside the hostage thing itself.

Q In what condition did you find the hostages?
A After all the rumors I heard, I was quite pleased to find they were in quite good shape. A number of them had wounds and injuries of different kinds, but they were not life threatening.

One of the inmates, one of the medical aids, had done some emergency suturing on some minor wounds, cuts probably, and maximum of a couple of inches.

Q That was Tiny Swift who had done the suturing?
Yes. Tiny Swift had stitched up mouth here, put a couple of stitches on the other side, I believe, and there were a couple of people with scalp lacerations that he put a few stitches in. He did a reasonably good job, and when I complimented him later on, he looked at me rather sheepishly and he said it was the first time he ever did it, and he was quite proud of himself.

He also put some temporary rustic splints on some arms that had possibly been injured. One person had possibly sustained a dislocated shoulder and he put some type of strapping on that.

So, I checked over all the people that he had worked on and then went around and tried to talk to each of the individuals to ask them if I could do anything for them.

Q Were any of the hostages that were blindfolded suspicious of you, doctor?

A Yes, some of them were very reluctant to say anything and I tried to reassure them that I really was a doctor. Subsequent to this, on succeeding days, when I talked with them longer, a couple of them did admit that they thought this might be some type of trick or something and they weren't about to talk to me.
Q On subsequent days you were able to see them and they could see you?

A Yes.

Q But on this first day they couldn't see you?

A Yes.

Q Now, you say that you then went and looked after ailments of some inmates after you finished with the hostages?

A Yes.

After an agreed time of looking over the hostages, I talked to my guide and I told him I would be willing to see any prisoners that wanted help. So I returned to the little aid tables and sort of held a sick call and had approximately twenty-five, thirty, prisoners come up with various complaints. Then I made the rounds of the entire yard. There were four or five inmates that went along with me. One of them was carrying my medical bag, one of them had a stethoscope, another had bandages, and each one had a specific job.

We walked around the entire yard with a fellow with a bull-horn leading us hollering out "Anybody want a doctor? Anybody want a doctor?"

As we went around the yard, various men would
could up and ask me questions or tell me about their problems.

Q. Were there instructions given with respect to the dispensation of drugs?

A. Yes. The aid quarters -- when I started dispensing medication, a couple of leaders came up to the table, three of them, at different times, and they wanted to make sure that no drugs were being handed out that could be addictive or cause a high or cause a reaction of this type.

When the drugs that could possibly be used in this manner were dispensed, I had the patient take them right there and I gave them none to take with them.

After making the rounds of the entire yard, we then went into the D-block and made rounds there on the first and second tiers. I saw a great deal of wreckage, of course, in the corners, with heaped up parts of burnt furniture, lots of broken glass and water and debris. The cell gates were all open and men were lounging in their cells, one or two in a cell, and several of these men had complaints.

Then finally I returned to the yard. At this point I talked to my guide and he in turn to some of the leaders, and I was given permission to leave
the rebel hill compound and go back out to the prison hospital to obtain supplies.

Tiny or one of the other men, rather, was keeping notes for me. I had given him the name and told him the medication that I wanted to get for him. So, I went out to the prison hospital and procured, oh, a half dozen good splints to replace the rusted ones that Tiny had used, and a large amount of medication.

I went back in and -- well, as a matter of fact, I didn't go directly back in. I felt that Tiny could pass out the medication according to the list that I had given him and could apply these other splints. So, I left Tiny to go back to the DMZ and I went back to the Commissioner's office to talk to the people there.

I was there for about five minutes, and a correction officer came running up and said they wouldn't let Tiny back in without me; that they insisted that I come in to apply the other splints and hand out the medication.

So, I went back in the yard and went back to the hostage compound and spent maybe an hour there giving them the tetanus injections, handing out antibiotics and rewrapping some new bandages I had,
and rewrapping some new splints and wound up over in a corner again and saw another twenty-five or thirty prisoners for various complaints.

Q What kind of complaints were you treating?

A There were no injuries among the prisoners, of an acute traumatic nature, that is, where they had been hit or bumped or struck or this kind of thing. It was all mostly chronic complaints.

There were a great many of them that had asthma, and apparently the stress of the situation plus perhaps the irritation of the tear gas had given them reactions, so I gave quite a few injections or pill medications for asthma.

A lot of people complained of headaches and chronic back aches, and all sorts of things like this.

Q When did you finally leave the yard, Doctor?

A It was quite late. I imagine probably around eleven-thirty or so.

Q What did you do after you left the yard?

A I went up to the offices and spoke with the various people up there. They, of course, were very interested in finding out what the condition of
these hostages and the prisoners were, and the attitude of the prisoners, and how the hostages were being treated, and so forth.

Q What did you report to them?
A Pardon?
Q What did you report to them?
A From the time of the original violence, after they had all been rounded up and initially put in what was called P.V. corner, which was over here (indicating), they were initially herded into a little corner there and then after a couple of hours -- they were -- a lot of them were stripped. Some of them were not completely stripped, they were allowed to keep their shorts.

A few of them even had their own civilian clothing on, but most of them were stripped to some degree and they were in that corner for some time and one of the leaders came around and gave instructions to the security men in the area that these prisoners should be clothed.

So, they went up into the store room, which I believe was up in D-block -- on the second or third floor -- and they broke this open and threw a bunch of sheets and blankets and things out the windows and that gave them some protection; and then, subse-
quently, they were given the prison uniforms, either the overalls or the shirts and work trousers.

From the time they arrived in that corner they had absolutely no violence done to them. They received all their injuries in the initial hours and after that they were carefully protected.

Q Did you so report to Commissioner Oswald?
A Yes. Even though they were blindfolded and they were going in sheer misery and sheer terror, one, because of their various hurts, although they were not lethal, they were certainly in pain and it was cold and miserable and damp lying on the ground, and so forth, and they were -- the situation was, it was a night of sheer terror for them because they couldn't see anything and they didn't know what was going to happen to them next, but at the time that I reported to the Commissioner, they were all well and doing fine and there were no acute injuries that were going to do permanent harm, and they were being protected.

Q Dr. Hanson, did you make any request to the inmates to have the blindfolds removed from the hostages?
A Yes. A couple of the fellows complained that the bandages were bothering them and I suggested 
that they might be irritating and so forth and tried to do what I could, but they wouldn't tolerate this at all.

Q Were you threatened at any time that you were in the yard on Thursday?

A No. Not threatened as such. After I had probably been in there about an hour or so and was making the rounds of the yard, I suddenly realized that the negotiators had long since gone and I was there alone. I sort of looked around; it was dark, and people were guiding me around with flashlights, and all these menacing people around carrying clubs and weapons of all kinds, and their peculiar garb, I sort of wondered what I was doing there and actually they did nothing whatsoever.

Q Could you characterize what you described as the peculiar garb and also the weapons?

A Well, many had football helmets. Many of them had taken blankets and put a hole in the middle to make a poncho. Some of them had blankets and cut a little hole for their eyes or face and had them over their head to completely shield them.

Some of them put pieces of sheets over their heads with eyeholes and nose-holes torn out, and put a football helmet on top of that.
The weapons consisted of -- a few had nightsticks that they had obtained from correction officers. Many had baseball bats. Many of them had steel rods which, I assume, were stakes from horseshoe pits.

All kinds of different weapons.

I recall one man, I believe, who was a Puerto Rican, and he was -- this was rather paradoxical. He came up with another Puerto Rican who was six foot three or so, and very husky and could not speak English very well. So this other fellow, who was about five six and must have weighed about 240 pounds, and had shoulders and a chest like a bull elephant, a very impressive man, and he had a massive hat -- where he got this hat, I will never know. He was carrying -- all the time he was interpreting for the other man, he was swinging this club with one hand and in the other hand he was swinging what looked like a cartridge belt from the Army, one of these thick, webbed belts with the heavy buckle on it, and he was swinging that in his other hand.

The tall Puerto Rican was complaining that his ulcers were bothering him, so I gave him what ulcer medication we had in this medicine chest. He took the pills and became very vehement. The interpre-
ter was very precise in interpreting every thing the man said, including all the obscenities, and it was quite apparent that this ulcer medication that I gave him was not adequate at all, that this was the same crap that they always gave him and the stuff he got in Sing Sing was much better, so I had to apologize for my lack of better supplies, but that was all I could do at the moment.

Q Did you see any firearms?
A None at all.

Q Did you have occasion to go back to Attica on Friday, September 10?
A Yes.

Q Tell us the circumstances of what happened.
A I was operating about two-thirty in the afternoon and one of the nurses came in and said that they had gotten a call from the Sheriff's Office saying that the prisoners wanted a doctor and they wouldn't accept anybody but me back in. So when I got through, I drove back over, getting there probably about four o'clock or so.

I again went up to the offices and I was met by the various people. Mr. Dunbar said they had heard rumors that there had been violence perpetrated on the hostages.
Q Did he seem to credit these rumors?

A Well, he told me that they had heard these things. He said that one of the things they had heard was -- I don't know if that was when the castration rumor came out or not, I'm not certain about that, but one of the things I know is he said that he heard that six or eight of the hostages were put into a prison toilet and that mattresses and wood were stacked up against the cell door and ignited and he said there were also rumors of other things.

I said, Well, I related -- find it difficult to believe, after what I had seen the night before, because I was very impressed that the security guards that had been assigned to protect the hostages were very much concerned that no harm should come to them, and they seemed to be dedicated to the task.

When I went back in the second time to give these injections and medications and things, the previous night, they were very solicitous. They helped the men sit up and they would guide the water to his hand. He was blindfolded, of course, so they would hold the glass in his hand and help him to drink and ask him if there was anything else they
could do, and this sort of thing.

When I heard this rumor, I asked him how he knew this and he said, "Well, we just learned these things. We have ways."

He wouldn't tell me how he knew about them.

I said I found it very difficult to believe and that despite his warnings I felt that it would be safe for me to go back in if I got the same assurance that I got the night before.

So, we went back down to the gate in A-block and again the same guide came forth when we called for him, and he came up and Mr. Dunbar spoke to him and said that we are concerned, really, about the doctor's safety and, the guide said, "You don't have to worry about the doctor. He's beautiful. All the men think he is beautiful and there is no problems."

And so, I went in and had no problems. It was a surprising thing, the reaction that I got. It was quite apparent that the night before they had been quite impressive people -- I'm not sure why. I don't think I did anything really great medically, but the fact that I came in apparently meant a great deal to them because they seemed to be very solicitous...
and just seemed to fall all over themselves trying to help me in any way that they could, and seemed to be very grateful for the fact that I was there.

I went over and saw the hostages again, and this was quite a dramatic difference from the night before. This was now in the late afternoon and had been a bright, sunny, even hot, day, and they had constructed a shelter over the hostages, kind of a bunch of sticks and wood and so forth and taken a bunch of sheets and put the sheets over it to make a shelter for them so they wouldn't get burned in the sun.

About four o'clock that morning, the hostages had been momentarily frightened because they were shaken awake and they didn't know what happened to them.

What happened was they brought in about fifteen, twenty matresses, which wasn't enough for one for each man, but at least each man could get half of his body, the upper half of his body, onto a mattress, and by Friday afternoon their blindfolds had been removed, perhaps an hour before I came in.

The protection they had from the sun was now taken out, so they were warming themselves in the pleasant afternoon sun.
Their spirits had gone up tremendously just because they felt reasonably secure, they had survived the terrors of the night and they were still alive and it was a bright, sunny day and they had been fed and they were offered food and cigarettes.

I don't know how many thousands of cartons they had taken from the commissary. They were all around the place. So the hostages were very much relieved.

Some of their aches and pains had ceased to bother them some. Tiny had given them all of the pain medication and the antibiotics that I had prescribed the night before, so they were coming along very fine.

I spent quite a bit of time with them talking with them on one thing and another. I went back over to the A-corner and saw maybe a couple of hundred men that came up.

Q A couple of hundred inmates?
A Yes.

Q What was the nature of their complaints?
A The same sort of things, asthma, chronic back aches. Enormous amounts of them wanted Darvan. This was typical of the sort of things, rumors that build up in an institution like this. They wanted
something for pain, and they didn't want the Darvan. They said that the medical authorities in the prison had gone around and taken all of the active ingredients out of the Darvan capsules.

When Darvan was first made a few years ago, the really active ingredient was in a little pellet inside the capsule and it wasn't long before youngsters and drug abusers of various types found out they could take the capsule apart, get this little pea out and if they dropped four or five of these they could get quite a spectacular high and the prisoners, of course, were well aware of this.

The manufacturer changed the process and he makes this active ingredient in with the rest of the drugs, the powder in the capsule, and the prisoners felt that this meant that the medical people in the hospital there had taken these pellets out of every single capsule that they passed out, which, of course, was not true.

I reassured them about that.

They looked a little doubtful, but they agreed that I was right.

Q Did they complain to you about their medical treatment at Attica?

A Very much so. It was astounding to me how
vehement they were about it. The medical officer that had been there the longest period of time, they thoroughly damned him and the other one they didn't have much respect for either. And they felt that their medical care was completely inadequate.

Q Did they ask you to become the prison doctor?

A Yes. Numerous ones approached me about this. As a matter of fact, this was the night that the observers or the -- yes, the observers came in and I was coming back in through A-yard, and Mr. Eve of Buffalo, who was sort of chairman of the observers, called me over and introduced me to several of the different observers from around the country. They said that they didn't know exactly what had been doing in there, but apparently it was pretty terrific because all the prisoners thought I was great.

Mr. Eve asked me if there was any possibility if I could make a promise to take a job or even a part-time job there after the riot was over. They felt if they could tell this to the prisoners, it might have some effect on the negotiations.

I don't accept this for any great -- as any great accolade to my medical abilities or to my personality. I think this was just the circumstances.
It is exquisitely difficult to be a physician at an institution like this. Such a high percentage of the people that come on sick call are malingerers in the first place. Many of them come just to have a place to meet their friends from other yards. We have intercepted notes from time to time saying we will meet at sick call.

A lot of them would go on sick call just to change the boredom of their day. Instead of their usual routine, they would go on sick call.

Under conditions like this where men are dying of sheer boredom, I think they had quite adequate athletic facilities during the daytime, but there was nothing much for them to do at night, no recreation.

I think probably after their evening meal they were shut in, I think, from then until morning. It was an awful long period for them. They had no recreation at all and they became very bored.

Under these circumstances, human beings are very prone to discover lots of ills that under normal circumstances they would ignore, and for them to be a physician in a facility like this and try to meet all these different types of complaints it is almost impossible to keep everybody happy.
Q  Did you find that to be the case in dealing with the inmates in the yard; that many had complaints that did not require medical treatment?

A  Yes. Many of them were psychological complaints and when I see this sort of thing in a private practice you can take the time to talk with a patient and see him many times, and help him to receive some insight into his problem. You have to help him understand that the shortness of breath or the feeling that his heart is pounding very hard or he has difficulty in swallowing or all these different complaints are psychological, and give him some insight. But in an institution like this, with that number of people, it's almost impossible to give this time to each man.

I want to point out this side, that anybody who is seriously ill there and had a real serious illness was taken care of well. They had good physical facilities for medical care and they had terrific reserve.

We saw a number of patients in Warsaw, mostly in our eye, ear, nose and throat department, which is quite exceptional, and they also drew on the Meyer Memorial Hospital in Buffalo, which has better
physical security, so they could take people for surgery or people who needed medical study and keep them under physical restraint.

Q What else happened on Friday, Doctor?

Was there any threat that there was gassing going on or any complaint that the police were trying to get them?

A Well, maybe I will take it chronologically.

When I came in, I saw the hostages again and as I said, they were coming along well and gotten medication and gotten rid of some of their pains, and I talked with them some.

At that time, they had now been given a full quota of mattresses and at that time, I noticed that some of them didn't have shoes, some of them didn't have shirts, some of them were lacking this, that and the other thing.

I said that I felt, one, they should have these things and, two, in order to give them something to do, I said, "Why don't you get organized now and make your group cohesive and do something and draw up a list of all the different things that you require?"

So they got busy and they drew up a list, saying so and so needed shoes, and so and so needed socks. They made up quite a list of things they would
like to have from the outside.

I said, "I will try to get these things for you."

I checked it out with my guide and he said this would be a good idea and he also suggested a couple of things on his own.

One, he suggested that I get a supply of lime, because they had open latrine trenches, of course, for sanitation and he said we should have some lime to control, one, the stench and two, improve the sanitation.

He also requested that we get thirty-nine mattresses, because the mattresses that the hostages were using were given up by prisoners and actually several of the prisoners that night had slept on the picnic tables or hard benches themselves having given their mattresses to the hostages.

So, we made up quite a list and it was about at this point that the observers came in and they had again formed the phalanx and the television lights were on and the talking began, and at this point my guide had taken this list of items up to the leaders' table, the negotiating table, for approval.

I climbed up on a picnic table near the
hostages' compound and was looking over the heads of the security guards to watch and listen to the speakers. Then my guide came back and he said, "I know you would like to listen to the speeches,"

but he said, "I would like to get this list in so that we will get these things later tonight."

So, I said: "Okay."

So we headed out for the DMZ and on the way we told the men that we have to hurry through security checks because the doctor wants to get back and hear the speeches.

So, we got down to the DMZ and Mr. Dunbar appears and we give him the list and I explained to him the situation and told him that -- I gave him the message that two of the correction officers that were hostages had given me and they said that all of these things are for us, but the things on the last page we intended to share with our security guards, that is, the security guards for the hostages' compound.

They have been sharing a lot of things with us and we would like to share these with them, and on the last page they had some things like coffee and sugar and tea and various things like this that they wanted to share with their buddies, which was rather paradoxical, too, because at this time they would seem
to be perfectly aware that their own security guard also posed a threat to them.

At that time, Mr. Dunbar presented a piece of paper to my guide, which I did not read, but from their discussion it was obvious that this was something about the condition where the rebels had been coming into C-yard, which would have been over here, and passing things in to their buddy prisoners who were in A-block, and the secure areas of the prison, and Mr. Dunbar said they couldn't tolerate this and my guide explained to him that the things they were passing were quite innocuous, like candy and cigarettes and so forth. And it wouldn't do any harm.

Mr. Dunbar kept insisting that it could not be tolerated and my guide said, "Well, there is no way we can control our brothers this well, and if they want to go and give these things to their buddies, there is no way we can stop them."

He said whatever you do, just don't shoot. We don't know what will happen. Just don't shoot.

Mr. Dunbar argued and finally my guide turned away and walked away and said over his shoulders "Just don't shoot."

And we went back in, and that was when we encountered the observers coming out and just when
Mr. Eve was talking to me about the possibility of my working there, suddenly there was a shout of prisoners on the catwalk near Times Square -- there were a lot of them up on the catwalks, and suddenly there was a lot of running around, screaming and shouting, and they hollered down that they were tear gassing our brothers in C-block.

So, there was a lot of shouting and excitement and I suggested to my guide that he tell the guides that were with the observers to get them over there in a hurry.

They were going out to inspect A and C block anyway. I said, if they are going there, you must as well rush them over to C-block and find out if this was true or not, and they did.

They hurried them over there and, of course, there was no truth to the rumor. It was just a misunderstanding that happened under the circumstances.

I went back to the compound again and saw some more prisoners of various types and saw the hostages again, but this time they were quite secure and were doing quite well.

After the observers left, there was a lot of speech-making. It sounded like a political rally and they were making speeches about "We are in this to-
together and we are going to stick together to the end and we are going to stick up for our demands. After the speaker who had made some particularly inflammatory remarks, there was a lot of shouting and raising of fists, and so forth.

Q Did you --

A That night, I finally got out of there, probably again about ten-thirty or so, I suppose.

Q Did you reach any conclusion about the degree of unity in the yard?

A This was a progressive thing. On Thursday they were sort of lax and loosely combined and there was quite a dramatic difference on Friday.

On Friday the security around the hostages' compound had increased. They had -- instead of just having one circle of guards, they changed it into three different circles of guards, and you had to go into each circle on your way into the hostages in the compound. By Saturday, this had changed drastically. Then they outlined with little stakes, with torn sheets tied between them, the various levels, so you had to go through three sort of corridors to get into the little hostage compound.

Q Did any hostages complain to you that they had not been seen either by the officials that came
This was on Saturday.

Well, on Friday after you left the yard, did you report to Mr. Oswald?

Yes.

Now, on Friday, did you feel threatened at all when you were in the yard?

No.

What did you report to Commissioner Oswald on Friday night when you left the yard?

At that time, I told him that the rumors I had heard of atrocities and so forth were, of course, false; that prisoners were being treated extremely well. They had been fed. They even got one hot meal that had been arranged for them, and they were quite cheerful at that time.

They felt that the hostages had then heard the official demands that the prisoners had asked for, and they thought that most of them could reasonably be granted, and they seemed to think that negotiations would probably work out.

Now, did you return to the yard on Saturday?

Yes. Before I left on Friday, the prisoners had asked if I would come back on Saturday, and I said
There was really no need for me to go back and see the hostages, because they were doing fine, but there were a couple of prisoners, most of them didn't need help either, but there were a couple of them that did.

There was one young fellow that developed quite an infection of his leg and I was treating it with antibiotics. I was trying to get him to put hot soaks on it and I wanted to go back and check on these people anyway.

So, I went back Saturday, but I got stuck, with some emergency surgery, and again I didn't get there until late Saturday afternoon.

The scene -- the scene between Thursday and Friday had changed drastically and the change from Friday to Saturday was again very drastic.

Q  In what way?

A  By this time, I had developed a very blase attitude about the whole thing and I waltzed in without a thought in the world for my own safety because I felt that I had been so accepted and they had been in there on Friday, and I couldn't conceive of anything happening.

Unfortunately, I didn't ask for the same
guide when I went down to the DMZ as I had before. I just called down and said I was there, so the fellow took me and he apparently, the other man was a lieutenant. This man was probably a corporal or a buck sergeant, but he didn't have the same esteem. He didn't have the same qualities.

We got down to the first check point in a tunnel, and they had a couple of extra men on the crew and the frisking was extremely thorough.

They were really rough and went over me like they thought I was hiding diamonds in various body orifices, or something, but they really did a job.

I went through the yard, and when I got over to the A tunnel and went through that, I went through the same rigamarole. They hollered and shouted commands about and back and forth when you could do that or not, and they held me in this tunnel for quite a while before they opened the door and led me into D-yard.

I came into the yard and after spending a little time it was obvious there was a great deal more tension.

The prisoners were really up tight. I saw a number of people that had acute psychic or hysterical reactions of various types. There was one
husky one, black male, that came up, and he was carrying a cross that was probably about twenty inches or so in length that he apparently had obtained from the chapel, and he was shouting about black power and about God and they were all going to die, and all sorts of hysterical gibberish.

I saw two people that had epileptic-form seizures. These are seizures like epilepsy where they had convulsions, but neither of these men had any history of epilepsy previously.

I had a couple of men that had sort of catatonic seizures, which is a hysterical reaction. They just turn completely rigid. Every body muscle is taut, like this, and you know it is not a true seizure of some kind, it is merely an hysterical reaction.

You treat them the same way. You sedate them so they quiet down and get some sleep and then they are all right.

There was a great deal of argumentation between the prisoners. Sometimes they threatened fisticuffs, and some other prisoners had to come over and separate them and knock them down.

Q Did you come to a conclusion as to what was contributing to this change in atmosphere? Just
time, or was there something else?

A    Well, there was a sequence, and entire se-
sequence of events. I saw all these different men, and
saw the hostages again, who still were doing fine, but
they were getting a little bit up tight, and before I
had gone in, I had gone up to the offices again, and
they had told me that it was funny, on Friday when I
went in, the situation in the offices were quite
tense; they were worried because they had heard about
the atrocities on the hostages and the yard itself was
very, quite relaxed. It was almost festive.

All the prisoners had built little fires
and were cooking things for themselves. They erected
shelters in the sun and they sat around smoking. It
was like a picnic.

Saturday was quite the reverse. In the
Superintendent's offices, they were quite chipper and
quite happy. They said they had drawn up this list
of twenty-eight points that they thought were very
good and they thought the prisoners should accept it.

They were very hopeful that they were going
to resolve a lot of things on Saturday night. Then
I get in the yard, and that's up tighter than a drum.

So, the position had reversed completely.

When I told the hostages that they had drawn
up these twenty-eight points, a couple of them said that it was somewhat paradoxical, that they, who had the most at stake, had no voice in the arbitrations, and feeling pretty powerful at the time, I said, "Well, maybe I can arrange with the rebels to let one of the negotiators or one of the officials down here to talk to you so you can make your desires known."

At this point, my original guide showed up in the compound and he said, "Look, Doc, if you are talking about bringing in a prison official or a correction officer in here," he said -- or correction officer, he said, "just forget it, because if we get him, we keep him."

That afternoon, incidentally, they let out one of the hostages with a supposed heart attack. Actually, he didn't have one, but he did have some pain. Tiny sort of built it up to help him get out, I suspect.

When I came in and went over to the hostages, they were very adamant and they said that if anybody else gets out of here, they don't get out unless we get somebody to take their place.

So, if one of the hostages became ill, they claimed they would not let him out unless another cor-
rection officer came over to take his place.

So, my guide -- my ex-guide made that remark and I said, "Well, I guess that blows that idea," so I said, supposing they wrote up their comments and I took the note out to let the officials know how they feel about it.

So, he thought about that for a bit and he decided it would be a good idea. He suggested to the two senior correction officers there that they draw up such a list and that I could take it out. So, they drew up this list and he took it over to the negotiating table for the prison officials, or the prisoners' officials, to review it.

I sort of waited around.

Another evidence of the increased security at this time was the negotiating table again had this semi-circle of men around it with locked arms, and this they had not done except when outside observers were in previously, but on Saturday they had this additional security for their own leaders.

So, shortly after this, I was asked to come over to the leaders' table, and I was taken up to this ring of men -- it opened and another man took charge of me and led me from the ring to the table itself.
They were picnic tables. The negotiators were sitting there talking to each other, and I sat on the near side of the picnic table behind.

I couldn't quite make out all the discussion, but I sat there for five minutes, then somebody turned around and said, "Okay, Doctor, you can go now."

Q When you are talking about the negotiators, you are talking about the inmate negotiators?

A Yes.

Just the inmates. They didn't say anything about the note, so I just got up and walked to the perimeter of the circle. That opened, and my other security guard took me again and I started walking away from the semi-circle.

At this point, one of the leaders hollered out, "Doctor Hanson," and came toward me. He came out through this little semi-circle of men and he came out to me and said, "What was it you wished to speak to me about?"

I said, "Well, I didn't express a desire to speak to you." I said I was just told that there was a note that somebody might want me to take out.

And he erupted into a tirade that I couldn't exactly follow. He started talking about the people on the outside better realize that they meant what
they were talking about, unless they were treated like men, he couldn't be responsible for anything that happened. He went on and on for a minute or so, and when he finally paused for breath, I said, "I'm sorry, I'm afraid you don't understand." I said, "This is not of my concern, really." I said, "I was just told I should wait; that you might have a note that you wanted me to take out," and he pecked me on the chest and he said, "Doctor, it's you that don't understand." And then he went on into another tirade which I didn't make much sense of, and it wasn't germane to our situation at all.

So, this was quite frightening, because when you are in a tense situation, you don't like to be dealing with somebody who is quite irrational. So, I retired as quietly and quickly as possible to my aid station and hoped he didn't pay any attention to me.

So, I saw some more people and then was ready to go out with Tiny to the hospital to get some more medication.

So, I made a listing out of some men whose records I wanted to look up. There was one young fellow with sickle-cell anemia that had some eye problems, and I wanted to check his records, and so forth.

When I told my guide that I was ready to go
out, he said, "Well, we have to check on this.

I said, who does he call? And he said, the same leader that I just had my difficulties with, and he came over.

I explained to him what the list was, but he had to review it and looked at it and he said, "Nitroglycerine, I know what that is, that's for the heart." Then he came to a rather long medication, eminepherin (phonetic); he said, "What's that for?"

I said, "That's something that's used for asthmatics."

He went through the whole list like this and then he finally gave it to me and I said, "Well, is it all right to go and get these things?"

And he said, "No. You are not going out. You are not leaving here." This mounted into another discussion, and after a while I just gave up and I said, "Well, if you don't permit me to leave, you'd better send Tiny out for these things." Then he went over to Tiny and he talked with some other leaders and Tiny they permitted finally to go out.

I was under the impression that they didn't mean -- he was just keeping me there for a while, but I got the impression I was going to stay there per-
manently, which I didn't approve of at all.

Then he came over to me after he got finished talking with Tiny and he said, "Now, Doctor, I hope you realize there is nothing personal in this."

I just kind of nodded my head and went away. Then about, oh, twenty, thirty minutes later, a television cameraman from Buffalo, a Black, came in and he had been sort of going in and out talking with the prisoners' leaders and talking --

Q Dr. Hanson, could you hold for one second while the reporter changes his tape?

He has just given me a signal. Off the record.

(Continued on page 330.)