He came in and went up to the negotiating table and talked with the prisoner leaders and then—he got up and came over to where I was sitting near the first eight tables and he said that one of the things that they officially had asked him to do when he came in this time was to check with me and see if everything had been going all right.

Apparently what happened was when Tiny went over to the guards he told them I was being held, so when this man was being permitted in to talk to the prisoners, he also was instructed to check with me.

So, I told him that I had been receiving complete cooperation up until this time and that right now, for some reason or another, they decided that I should not leave the compound.

So, he walked back over to the table, apparently to talk to him about that and when he got there he turned around and waved to me to come over. He decided that maybe I ought to tell my own tale.

So, I went over and he said that the doctor tells me that he hasn't received complete cooperation here until this particular time and now he is not permitted to go out. And the tall black that had caused me such distress by his irrational behavior stood up and immediately launched out into a tirade again about
how things were very bad in there and they needed medical care, what if one of them got sick or what if one of the hostages got sick and there was no reason why I had to leave and sort of things like this.

Then he went on for several moments and finally one of the other leaders spoke up and said well, why don't you sit down and shut up and let the doctor say what he wants to say.

So, he said, "Oh, sure, sure." He went over and grabbed the microphone from the public address system and offered that to me. I said I didn't care to speak to everyone, I am just here to speak to you leaders. Then he said, "Oh, sure, sure." And he finally sat down and I told him that I had come in of my own volition. I said I am not employed by the state and had nothing to do with the prisons and I just came in to help the hospital out and help you and your brothers out and I felt I had done you a favor. I was perfectly willing to come in at any time they needed help and that I had responsibilities on the outside. I had patients that needed help and I didn't see any reasons for my staying any longer. Apparently trying to seek a compromise between my viewpoint and that of the objective, a couple of them said, "Well, couldn't
you stay for a while longer?" They said, "We are expecting a negotiating committee coming in later this evening. You can go out with them."

I said, "Well, from the way the negotiations are going around here, you never know when that might take place. It might take place 2 or 3 hours from now." And I said, "I don't care to sit around here waiting that long."

Finally, they said, "Would you stay a little, a half hour?"

I said, "Sure, I would be happy to."

With that amount of reassurances I went back over to the aid table and at that point Tiny came back in with the medication, so I worked about another half hour and commenced all those and then when things were quiet again I told my guide that I was ready to leave and, so, he said, "All right."

Mancusi called, but my same friend--I said, "No, can't you get somebody else?" And he said, "No. I have to ask him." So, he came over and I said, "Well, I'm through now and we can leave." And he said, "Well, we can take care of that." And he left and he went back over to the leaders' table and talked to them for a while and I sat there chewing my nails. He came back and said, "Okay, doctor, you are all set." And as he
walked me across the yard to the exit gate, he pulled the rug out from me by praising me, thanking me profusely for all of the beautiful work I had done and how they appreciated my efforts, which was completely opposite from his behavior a half hour previously.

Q What significance did you attach to that?

A I think the entire tension in there and this man's attitude reflected emotional changes they were going through and when we came to the gate into the Tunnel, there was a group of half a dozen men guarding that gate and he said, "Okay, the doctor is ready to go."

The man in charge of this group said, "Who said so?"

And he said, "Well, I say so."

And he said, "Well, you have got no right to say this. It has got to be so and so that says that and he said, "Well, I just talked to him at the police table and he said that's no different."

He said, "You are not the one to make that decision, we decide that." So this man left and he went up to the leaders' table and he was up there for about five minutes. He finally came back and he said, "All right, so and so said it's all right for them to
Then I went through the same rigamarole of being checked there and checked there and I finally got out, but as I left I thought very seriously that I was very glad that I hadn't promised them that I would come back because actually no one there needed medical care any more and the situation was getting so tense that despite their apparent good intentions toward me, I had no desire to go back in again.

Q You felt threatened?
A Yes.

Q What did you do after you left the yard Saturday?
A I went back up to the commissioner's office and told them my impressions of what was happening and there was sort of a psychological deterioration taking place and all through the thing--basically I felt very sorry for these people. So many of them come from very undesirable types of backgrounds and they had always been rebelling against society they felt had never given them an equal chance at life and now they are rebelling against society in the only form they knew how to take, which was violence.

There seemed to be a battle for control.

There were a group of moderates that were protecting
the hostages and trying to guard them and arbitrate on an irrational basis and another group that was preaching violence all the time. Even on that Saturday there were threats hurled from the outside into the hostage circle and at one time the group came up and met threatening gestures with spears and things like this. This was an hour before I came in and they were afraid that they were going to be overrun at that time and the hostages were afraid that their guards would be overrun and they would be harmed at that time.

So, it seemed to me that the violent forces were gaining more and more control over the conservatives.

Q Did you report this to Commissioner Oswald?
A Yes. I don't know if I said it in specifically those terms, but I stated that there was markedly increased tension and that there was much more fighting going on between the men, much more argumentation, the security is much stricter and it was a peculiar thing that these people were fighting against a regimented society, a structured society that they felt they couldn't cope with and yet it was amazing in just this little three day period they set up an artificial structured society of their own that
was absolutely tyranny. There was a very small group of men, I don't know the specific number, I suppose somewhere between 12 and 25, maybe, that were really running the whole show and they had their so-called security guards which were really their working officers and the rest of the men in the yard were just peasants. They really had no rights and no voice and no anything.

So, instead of this democracy where everybody had equal vote, they established a dictatorship of their own and it was amazing how fast it came about.

I guess it is a reflection of how thin the verneer of civilization is.

Q Did it occur to you that these men were modeling their conduct after the conduct, as they received it, of their custodians? I'm talking about the script searches and matters like that.

A It may well be or may be that this is the way they see society as a whole. They felt very much the underdogs, I'm sure, and they felt that the people with money or the people with good positions or the people with prestige were the bosses and ran everything. Maybe this is the way that they felt all of life is. I think it was an interesting—I'm not a psychiatrist or
a psychologist, so this is layman's speculation, I guess. I think there was a tremendous psychological effect of the way the negotiations were handled. I think that these people that are used to being confined in a situation like this and not having their voices heard are all of a sudden thrust on a national television screen and I think this and a tremendous effect. I think that they were--it wound up that they were all role playing; that the people at the level of security guards were playing their roles and now they had a definite job, they had a position of authority, minor though it was, and I think that the people that were actually leading the rebel prisoners, I think they got in some way a bit of megalomania, where they saw themselves as people with tremendous importance and they thought--I think they got the idea that they could bring about vast changes for their people on the outside through the impact on this television screen and I think it got to the point where I don't think that any concessions would probably preclude some demeanor. I think if things had to result in some violence in order to satisfy some of these things. I think they were strong enough to keep some people from accepting it. I think also that it is a crying shame that they did not accept
I think that if they had been intelligent and rational enough to accept them they would have gone down in history as the 28 points of Attica and probably would have brought about a drastic revolution in prison reform in this country.

Q Doctor, were you pumped for information by Commissioner Oswald and others when you came out of the prison yard?

A Yes. Not pumped. They didn't have to exercise any coercion. I was very happy to tell him what I thought.

On Saturday night, of course, when I came out they were overjoyed to see me and I was overjoyed to see them and Mr. Douglas and Mr. O'Hara and Mr. Hurd, Mr. Duncan and Mr. Oswald, those, there were a great many people up there at the time and when I popped in the door they all stood up and welcomed me with broad smiles and handshakes and open arms.

They were happy to see me out. Then we talked and I couldn't talk or discuss anything with them as far as their viewpoints or what they had been talking about because I knew nothing about the negotiations. I was never told what they were thinking about at all.

All I did was tell them my impressions of what was happening in the yard and that night, as I
have already stated all I could
tell them was that things were very tense and the pris-
oners were having problems controlling themselves and
their fellow brothers. That's about all I could tell
them.

Q. Did they express any concern about the effect
that television coverage was having on the inmate nego-
tiators?

A. No.

Q. Did they discuss with you the problem of ego tripping?

A. No.

Q. I take it that that's what you felt, that peo-
ple that had been in confinement most of their lives
were now reacting to freedom and publicity by ego tripping; am I correct?

A. Very much so and I think an extension of this
was the motley—oh, it isn't a very kind term, but the
motely crew of observers they wound up with, having so
many people from different walks of life and things,
they couldn't begin to agree between themselves as to
what was the proper conduct or what they were supposed
to do.

I think that the negotiations would have pro-
gressed much more rationally if they had been in a small
think it was too bad that the situation was so difficult that the prison officials could not go in and negotiate. I think they should have set up a mutual area, perhaps in the DMZ, where a few armed guards could come in with the negotiators from the one side and the prisoners could come up with their guards and with whatever weapons they chose so they would meet in a mutual area and it would be strictly between this small group, not necessarily all the prison officials representing the different walks of life, but not necessarily as many or as many they did have.

MR. LIMAN: Mr. Chairman?

MR. MCKAY: Dr. Hanson, am I correct in understanding that at the time you first went in on Thursday the prison officials did not have an entirely accurate account of what correction officers and civilian employees were in fact hostages?

THE WITNESS: That is quite correct and they asked me to see if I could ascertain the number. I tried to count three or four times but it was quite dark, then, and these forms were spread all different ways in this little compound and a couple of garbage cans were in the center that they were using as latrines. I tried to
divide it in half and count

the men on this side and the men on that side and
I was trying to do it surreptitiously so the guards
didn't see me, because if they saw me--

MR. McKay: Do you think they would have
objected if you had been identified as counting
men?

THE WITNESS: At that time I didn't know
I didn't care to tempt them.

MR. McKay: Did you there or at any time
seek to get the names of the hostages?

THE WITNESS: Yes. On Friday when I went
in--it was fortunate I didn't get an accurate count
on Thursday because on Thursday night there were
37 there and 2 others had been up in D block hid-
ing under a bed where they had been secreted by
friendly prisoners. So, if I came out with a count
of 37 and they knew there were 39--but on Friday
there were 39.

MR. McKay: Did you count them or did you
get their names at that time?

THE WITNESS: I didn't get the names, but
at this time the prison authorities had a list of
their names because when I came in on Friday, I
asked them if they had a list of the names and it
was as though they thought I had a peculiar reaction. They asked me, "What do you want that for?" I said, "I don't have it. Maybe I could get it for you when I go in there."

MR. McKay: You are the only doctor that went in there at any time during the disturbance?

THE WITNESS: That's right. I believe so.

MR. McKay: Were there any doctors that volunteered their services?

THE WITNESS: Not to go in.

MR. McKay: You must have known the doctors that were the medical personnel in the institution.

THE WITNESS: Yes, for a long time.

MR. McKay: Were they at all in evidence around the facility?

THE WITNESS: Yes. They were in the hospital itself.

MR. McKay: All the time?

THE WITNESS: Every time I was there.

MR. McKay: But they had not offered to go in the yard?

THE WITNESS: They wouldn't have dared.

MR. McKay: Were the nurses about?
MR. McKAY: So you got advices from doctors as to the condition of the particular inmates and the need for medication?

THE WITNESS: When I went out, I would say, well, so and so is beginning medication for his heart and they would check through his records and they would say, yes, so and so and he would go out and bring in medication to leave a couple of days.

MR. McKAY: My last question is: when you went out on Saturday, intending not to return, I gather--

THE WITNESS: Yes.

MR. McKAY: Did you tell Commissioner Oswald that you would not return under any circumstances?

THE WITNESS: No. I hadn't definitely decided it then. I was thinking about it and as I drove home that night I wondered what would happen if they called me--and I wondered what I would stipulate to and how I would handle it. I thought it was mostly psychological reasons, since none of them really needed care. They were doing well.

MR. McKAY: Did they request at any time
on Sunday that you come back?

THE WITNESS: No.

MR. McKay: So you never really had to

face that question?

THE WITNESS: Fortunately.

MR. McKay: Mrs. Wadsworth, have you any

questions?

MRS. WADSWORTH: Yes, I have.

Dr. Hanson, I would like to ask you a

question about community attitudes.

I believe you said at the beginning that

you had never been--did you say inside or had never

seen--

THE WITNESS: I had never seen the prison.

MRS. WADSWORTH: And Warsaw is how many

miles did you say?

THE WITNESS: 15.

MRS. WADSWORTH: I would assume, then,

that your position would reflect that of others in

your area; that the prison exists really in rather

a sole way, that it's by itself and rather ignored

by the community; would this be a fair statement?

THE WITNESS: Probably not. That's not

my home area. I had my surgical training in Buf-
falo and came out to Warsaw 15 years ago. Warsaw
is a little village, like Attica. In fact, a little smaller. I really had no reason to go into Attica. I think the only reason I had been in Attica was once when my son was playing in a junior baseball game or something like this. I had no occasion to go there. It wasn't on the way to Rochester or Buffalo.

MRS. WADSWORTH: It wasn't of interest or there would be no reason.

Do you think the occurrences of September would, in any way, interest more people in that area in being a part of this, of being volunteers, in playing some kind of role within the walls?

THE WITNESS: It might, if someone could come up with some constructive idea of what they could do in the wall. One thing that came about, I am happy to be chairman of the Wyoming County Library system and we have started a books by mail system, which is unique in the world as far as that goes and now it is spread all over New York State, but there were some doubts to our putting this into Attica, but we got a letter from one of the prisoners requesting this and we went ahead and now it's gone just be word of mouth and now we have something like 150 or 160
prisoners getting books from our library just by mail.

MRS. WADSWORTH: I would like to simply commend you on your courage throughout this whole thing and I know you also have courage and leadership in the area of regional health planning. I am aware of what you are doing in Wyoming County and even in new deliveries of health service. Do you think it is a real thought that there could be some combination of the health maintenance combination of this kind of thing to tie it with Attica toward one of my thoughts of more openness, more people going in and out, more people feeling and understanding the prison; is there any way that the health services could perhaps be related to our health maintenance organizations and the plans that you have in regional health planning?

THE WITNESS: In some way. I'm not sure at all in what specific mode this would take. At the present time a group of interested people in Attica, who asked us to come over and talk about building a clinic—they are having a fund raising drive right now, I believe, to build a little clinic, possibly for 2 or 3 doctors. In order to
induce or attract young phy-
sicians into rural areas today you have to have
something very specific to offer them, so in order
for them to get such a facility going, although
we are specialists at the hospital, we agreed to
help them man it for perhaps a year and each one
of us will go over there, perhaps an afternoon
or evening or perhaps a day or a week or some-
thing like this and share it until they get the
thing going and hopefully in this time period
they will find some young physicians who would
like to come out to a going facility. Once you
have a facility that is operating it is much
easier to go out there. What the relation to
the prison would be, this would have to be worked
out.

MR. McKay: Mr. Henix.

MR. HENIX: Doctor, my question, I think, is very much along the same lines, but I would like
to ask you how many people—like you say your prac-
tice in Warsaw. How many people do you take care
of in Warsaw or the hospital that you are associated
with?

THE WITNESS: Well, we have quite a uni-
que situation for a tiny village. The hospital is
built under the Hillburton Act some 20 years ago, approximately, and it's quite a modern institution. We have 13 specialists that rent offices in the hospital itself and the general practitioners in the peripheral areas. The hospital bed count is probably about 150 or 60 with another 20 beds and we recently built a long term unit for rehabilitation and nursing home care adjacent to it, which has 73 beds. The number of patients in the hospital probably runs about 90% occupancy.

MR. HENIX: My reason for asking that question is my understanding there is--there were about 2200 inmates in this one little area.

THE WITNESS: Yes.

MR. HENIX: And yet still the facilities outside, because you did, I think, say that it would be very difficult to have--to single out those who have real physical problems and those who have psychological problems in this prison atmosphere and that it would be very difficult to give them adequate medical attention.

THE WITNESS: I didn't mean to state it quite that way, if I did. I said it is very difficult to treat the psychological aspect of medi-
cine in an institution like this, because, as I say, the people are dying of boredom. They have nothing but time to think and fret and worry about their personal lives and the lives of their families and this kind of thing, but the problem is not so much differentiating physical from mental ailments, it is trying to treat the mental ailments.

MR. HENIX: So you would say their needs—all things considered and the conditions in which they are compelled to live under, these psychological problems that you come up with, not being a psychiatrist or psychologist, there is a basis for?

THE WITNESS: Yes.

MR. HENIX: And if society could make it possible for a hospital at Warsaw to cover the needs of the community, I am wondering if it wouldn't be in your mind some way that a society could do the same thing within the institution itself. Like, I can imagine a man, like you said, who has nothing to do all day but be bored, worry about little feelings that he wouldn't normally worry about and the conditions that are brought about because of the situations in which he lived
in needing more medical attention than the institution can afford.

THE WITNESS: I think that--I think the physical facilities for the treatment for physical ailments at Attica is adequate. They have a number of surgeries. They have about a 30 bed hospital there and the physical ailments--more sophisticated care, more diagnostic studies could be moved to Warsaw or better, to Myer Memorial Hospital where they the facilities to treat these people. The treatment of the mental problems, you have a losing proposition in any facility structured such as Attica. I think this goes along the prison reform that has been written and talked about in so many years. These things are not rehabilitation centers, they are just places of incarceration. In order to treat the mental problems of these people, you have to establish an environment for them to which they can react and relate to normal people in a more normal circumstance. I think that we have to get some half-way medium, such as it involves some drug education and drug work. I think you need something along the line of the Half-way Houses when we talk about the drug world, where
they are incarcerated at night, but they have some normal relationships at night and certain people will have the right to go out and hold work--work during the day and come back in at night and this way be rehabilitated, but I don't think taking a group of 50 psychiatrists, psychologists, psychiatric social workers and all the others in this field and putting them in an institution would accomplish a thing.

MR. HENIX: I agree with you because you had spoke about a catastrophic state with these things that you observed and I have observed it in prison myself, that it really takes a very unusual person to have to imagine himself being there for 10, 15, maybe 12 years and not being completely psychologically just deprived in every way imaginable, but can you--then, am I to understand if you had to make a recommendation, a type of recommendation that you would make would be really to actually just bulldoze down this whole system and start from the beginning?

THE WITNESS: I don't think that Attica--I don't think that the prisoners were treated bad physically compared to a lot of prisons that are overcrowded. Their facilities were really
fairly good. Every man had his own cell and had a radio and wash facilities and so forth. We received pictures of the Manhattan House of Detention, where you have 3, 4 men in a cell. They are there for a shorter period of time, but they are more crowded. But they had more recreational facilities and work facilities than a lot of institutions, too.

But the sheer boredom and the mental pressures on these people is just fantastic. I think the people that got out to work on the farm and got out in jobs like this would have a much better time, but you can't take care of the numbers whole.

MR. HENIX: You did see the cell blocks in prisons travelling back and forth and were in the tunnel and we can talk about this as A block, B block, C block or whatever and the different time square area and all, but actually, even though it is above ground, these passageways--I think the proper description for them is tunnels. I actually get the feeling when I walked through them that I was under the ground some place.

THE WITNESS: Yes.

MR. HENIX: It is very dark and no real
consideration has been given to the human need. I have also noticed that with the cell block itself it is a little cubicle where a man can lay down and take care of certain basic functions, but I have seen more adequate space allotted to animals in the zoo than we allow in our institutions, even if Attica has more recreational facilities, which, of course, is inadequate when you think of 2200 men.

THE WITNESS: Yes.

MR. HENIX: I don't really have any other questions along this line. Thank you.

MR. MCKAY: Bishop Broderick.

BISHOP BRODERICK: Doctor, I found your narrative very interesting, informative and eloquent, in fact. Any question I have is just for my own information. I am not too clear on who invited you to come to Attica.

THE WITNESS: At noon Thursday the chief of staff called me up and said that there had been a request from Attica to go over there, would I come over and help. He said they needed help for people outside of the walls. I said certainly I would be happy to and then I did a double take and then I said, "What do you mean by outside the
walls?" I said, "If there are people outside the walls, if they are hurt badly, tell them to go to a hospital and if they are not, tell them to get in a car or go to their doctor or to the hospital." I said, "You already have 3 men going over, that's plenty." So, they sat outside the wall drinking coffee.

BISHOP BRODERICK: You didn't go?

THE WITNESS: No.

BISHOP BRODERICK: There was no question about professional ethics about going in?

THE WITNESS: Then later that evening they said that those men have been working hard all afternoon. I said, "What are they doing?" And he said, "I don't know, but they need relief." So, I went over to relieve them and it didn't make any sense to have all those--the choppers had gone over and seen them lying in this huddle, not knowing how badly hurt they were and second, to have 15 or 20 emergency vehicles waiting outside the gate with all these people when I didn't know how long it was going to go on and that's what I thought somebody should try and do something, so that's when I just poked my nose in and tried to get inside.
BISHOP BRODERICK: Then you mentioned, Doctor, the hospital, the prison hospital. I don't know the exact words, but you thought it was adequate, adequately--

THE WITNESS: I think the physical facilities are adequate.

BISHOP BRODERICK: At no time did you come in with medication; you didn't bring any medication from Warsaw; did you?

THE WITNESS: No.

BISHOP BRODERICK: Did you notice anything about the blood supply there, the plasma; was it sufficient for the time?

THE WITNESS: This I'm a little puzzled about. There was so much on Monday after the takeover and on Tuesday there was so much publicity about the inadequate medical care over there, that they weren't getting adequate care. The chief of surgery at Myer Memorial Hospital is a personal friend of mine and he was called on that Monday when the takeover took place and they immediately immobilized a large team of some 12 doctors. They had a couple of professors of orthopedics from the University of Buffalo and some other surgical specialists and the team of
technicians, a supply of blood and they moved them all down to that position. They had a couple of fellows from Batavia in there, a couple of civil defense doctors, plus the regular two prison doctors, so they had as many doctors as they could use on that Monday. The seriously injured men were immediately moved out and they received good medical care. The next day they had, I think there were 2300 on Monday, and on Tuesday there must have been 30 or 40 doctors in there. They were stepping all over each other and I never did understand why the prison officials made this known when they were asked by newsmen about what care was being given. Apparently what they told newsmen was they were getting care. They wouldn't elucidate. I was working on the hostages that were brought into our place on Monday, but a couple of fellows went over there to help and they were turned down by the doctors already in the hospital. They said, you know, we would love to use you, but we don't know what you would do, so they came back to Warsaw.

BISHOP BRODERICK: For my last question, are you the doctor author of that piece that appeared in the Sunday New York Times?
This came about because the media seemed to accent everything that the prisoners said. I am in accord with many of the grievances that the prisoners had and I am very sorry for them. I think there should be prison reforms and I don't it should be achieved by violent means, but there were so many hyper-volatile statements made by the prison spokesman that it wasn't giving a fair shake to the hostages and the hostages couldn't seem to have any way of getting their words back. Some of the people I was treating said, "Why don't you say something?" Finally they said, "Why don't you do something about it?"

I went around and interviewed most of the hostages and tried to make their views known as objectively as possible.

MR. McKay: Mr. Wilbanks?

MR. WILBANKS: Doctor, in reference to what I suppose is called the political structure of the yards, you mentioned moderate forces, violent forces and conservative forces. You have any idea of the numbers in each of these groups?

THE WITNESS: Not really.

MR. WILBANKS: Were they separated along
THE WITNESS: I think there was racism there among the prisoners. I don't have specific things to explain how I get that impression, but I have that impression. When I talked to the different people and they talked about their brothers, I think they were talking about black brothers and sometimes they said black brothers. I don't think that the more--many of the prisoners I talked to were strictly talking about themselves as blacks, they were not including the Puerto Ricans and the whites. This isn't very good reporting because I really can't substantiate this on the grounds that I can demonstrate, but I got that impression from the way people behaved and talked.

MR. WILBANKS: Were any of these different groups located physically in different parts?

In other words, was there a moderate group in this section of the prison yard and a violent force here; did you notice this type of thing or were they mixed around?

THE WITNESS: I think the activists were
sort of over in this--where are we? The activists were move up on the negotiat-
ing half of the yard and I think the people that were--just the people, I think they were congre-
gated more in this part of the yard, which would be the west side, but among the activists, I couldn't see any specific groups.

MR. WILBANKS: One final question. Someone has commented to us that his impression of the yard was as if it were an Athenian democracy. Can I take it from your testimony that you don't agree with that?

THE WITNESS: I completely disagree.

MR. McKay: Mr. Carter?

MR. CARTER: Doctor, you have made some statements here in terms of conclusions and observ-
ations that you and I would agree that are en-
tirely out of your field. I would like to probe that for a moment because it seems to me that some impressions are being given that you won't want to be given because I have the impression that some of the statements are based upon either lack of inform-
ation or inadequate information.

THE WITNESS: It may well be.

MR. CARTER: You used the term the tyranny
in regard to the political organization within the yard. I always attribute tyranny to being violent, mistreatment and so forth. You used the term also dictatorship can be benign and it can be, of course, hostile. Did you see any evidence of anyone being brutalized by anyone while you were there?

THE WITNESS: Well, numerous little things not where they got beaten, but they shoved somebody out of the way that—when they were making the rounds of the yard that first night, somebody came up and one of the men that was with me decided that his complaint was not valid and it was ridiculous and he gave him a shove and got him out of there.

MR. CARTER: That was medical; while you were going around making your medical rounds?

THE WITNESS: Yes.

MR. CARTER: And he was complaining about some medical problem?

THE WITNESS: Yes. He said, "Go away and do not bother the doctor about that." And the fellow insisted, so he just shoved him out of there.

On Saturday, it was in the corner by the medical aid tables, the name came up and he said
that he had a man that had been injured by shrapnel.

MR. CARTER: By what?

THE WITNESS: By shrapnel. I said, "Shrapnel?"

They said, "Yes. Some correctional officers had been firing in there and that one of the bullets had ricocheted off the wall and hit him in the arm." And they said, "You will have to examine him through the window."

So, they brought him into the walkway here, into D tunnel and I was supposed to climb up the bars on the window to peer through the bars and look at this man's arm. So, I started to climb up and I said, "There is no way I can examine a man's arm adequately just looking through a window like that."

So, finally they agreed to bring him out and it was young, in his twenties, I would say, black man, kind of a nice looking youngster, and he came out escorted by 3 burly prisoners who were physically manhandling him and they brought him up to the table and they held up his arm for me to look at it, the shrapnel wound. There were a row of little indentations, about an inch and a
half, two inches in length, and it looked to me like tooth bites. It looked to me like he had done this (indicating) to himself. I looked at it and I said, "It isn't too much of an injury. It looks like it will be sore and take care of itself." I didn't want to commit myself as to what it was.

(Continued on page
He said "Can't you put something on it?"

I said "I certainly can." And I got some ointment from some of the men and smeared that on and told him that would make him feel better.

He left with his guard and they walked back a little ways, maybe 15, 20 feet back from the yard, leaving the door and a few minutes later I heard a lot of commotion and I looked over and somebody said something like "That's not GD shrapnal wound" and there was a lot of swearing and pretty soon they were threatening him and somebody wanted to do violence to him and somebody said "No, you can't do that. He is one of our brothers" and they were wrestling around and scraping and finally a couple or three of the men grabbed him and rushed him back here into security in the yard.

I have no idea why this man was a prisoner by the prisoners, but he was being manhandled and threatened.

MR. CARTER: Those are the two incidents that led you to conclude that there was tyranny and dictatorship?
of these security guards around the table and so forth, they were quite thoughtful in keeping people out. Even the fellow that was with me, who was some minor rank in the party, you might call it, when I came up to go through into talk to the people at the table, he started to go with me and the man just grabbed him and physically threw him out.

MR. CARTER: When you were treating some of these people, were--did you have any evidence of any--at that point of complaints of people wanting to get out who were really unhappy about being in the situation that they were in?

THE WITNESS: No, I never did have. I doubt very much that under the circumstances they could tell me that.

MR. CARTER: Somebody was with you all the time?

THE WITNESS: There were all the security people with me. I did take one fellow out. For instance, an elderly man came out to me. This was out in the middle of the yard. I think it was on Friday night and he said that he had had ulcers in the past and that now he was doing a lot of bleeding.
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by the rectum and, of course, this can be a hazardous thing, so I told him—I told the people there that I thought this man should go into the hospital to be checked. After some discussion they decided that was a wise thing. He was an elderly man and one of them felt that he shouldn't be out here anyway, he is too old. So, they had him taken to the DMZ and out to the prison hospital. When I got out, I went up and checked him and found out that his blood count and everything was all right and when I wanted to examine him, it turned out that the bleeding was just because he had become very constipated and he had a lot of rock hard stools in his bowels and he passed some of them and it cut a little tissue. A couple of times I suspected people were asking me to get them out when they complained of some things and I thought they were overdoing it and they kind of thought that I would send them to the hospital, but nobody asked me directly.

MR. CARTER: About the violent, moderate and conservative forces, the same kind of question Mr. Wilbanks asked you—did you get the idea about that from talking to various people, from your observations or from the fact that as you came in
the yard on different days you felt an increased tension and your contact with whoever that man was who was hysterical and didn't make much sense; is that the basis upon which you--you got the feeling or is it just talking around with people?

THE WITNESS: It is very difficult to retrospectively analyze where you got your impressions and I thought back over this very same point because I made a lot of statements here that are my impressions. Somebody else might be in the same circumstances and come up with different impressions. All I can say is what my impressions are, and in trying to evaluate them and seeing how much is from talking to guards and hostages afterwards and talking to prisoners at the time and what I saw, what I read since, trying to separate all the things and give it an objective conclusion, it was very difficult for me. The overall impression was that there was violent elements and uncertain elements to use the phrase for differential and it seemed to me that the violent ones were becoming stronger.

They had--Saturday night they laid out the guard program around these hostages
things very deeply and very intricately
and you had to pass through them and move at
each of those levels before you could get in,
for instance.

I think they were aware that there was
more disturbance going on, too.

MR. CARTER: More possible danger to
the hostages?

THE WITNESS: Yes.

MR. CARTER: One final question. A lot
of the--many of the prisoners--and a rather
general complaint we have had has been medical
care. You have indicated that a great deal of
it is psychological by sheer boredom. Some of it
is malingering. Some of them go to sick call,
you indicated, I guess, to exchange with friends.
Is that based upon what some of the doctors have
told you or from your own observations in Attica
at sick call and in terms of seeing what the
prisoners actually do?

THE WITNESS: A combination of all. It
is a combination of my past medical experiences
in the army, dealing with large groups of men
like this, my experience as a private practitioner
in civilian life, because you see the same thing
in civilian life as you do there, only in different proportions. A prisoner is only a microcosm of a society of itself and a proportion of the different aspects are just a little different. That's all.

One man came up to sick call and he was wearing--he was complaining of back pain and he said he always had back pains.

MR. CARTER: Was this in Attica?

THE WITNESS: Yes.

MR. CARTER: This was on one of your days?

THE WITNESS: He came up to the sick call table and said he needed some Darvon because he had back pain and to prove it he pulled up his shirt and he showed me a tailor brace. A Taylor brace. A Taylor brace is, oh, a device to support a weak or an injured back. Apparently this had been--he got this many years previously and the thing was so loose and ill-fitting I'm sure it performed absolutely no function at all. He used this as proof that he had a bad back.

He moved around very well and so forth. I watched him a little bit and this man subsequently, at the time of the take-over--this is hearsay again--
they opened up the gates and the men were to get up in the morning, it would take him many minutes to hobble outside of his cell, they had to hold up formation in that tier until he was able to get out into the line and so forth and they he would go into sick call. He sued the State for something for the brace, but that's immaterial. He was observed many other times.

One of my acquaintances watched him and he was very active at sick call, talking and standing up and moving around and discussing with his fellow inmates and then when it came time for him to move into the doctor's office, he promptly achieved a slump and waddled his way in.

One man came up to me in the middle of the yard--this was the first night I was there--with the incongruous demand that I examine him for a hernia, which didn't seem like a violent situation, but he was violent about the doctors at Attica because doctors at Sing Sing said he had a hernia and the doctors at Attica said he did not. I asked if I examined him and found that he didn't have a hernia also what would happen? But he wanted me to examine him and in the middle
of this dark yard, with somebody holding a flashlight, he dropped his pants and I checked him for a hernia. He had what we call a lymphoma of the cord. A lymphoma is a skinny piece of fatty tissue. You also get it down the cord. The external angling—you feel it around the ball. Sometimes it is very difficult to tell it apart from a hernia, but in his particular instance it was a classical case and it was a lymphoma. I tried to explain to him that he did not have a hernia, but he did have a lymphoma and sometimes, if these things got big and painful enough you did have it removed, but he shouldn't worry about a continually large hernia, but I'm sure he didn't get anything out of the fact that I said, except that he had something there that should have been done before.

MR. McKAY: Mr. Rothschild?

MR. ROTHSCHILD: Just one question, doctor.

I guess really that you spent more time in the yard than anyone else during this whole performance except the inmates and hostages. I don't know if that's a fact, but it's close thereto. I think you had an objectivity and a
thoughtfulness and a curiosity. Now, you mentioned two things in your discussion. One is that the 28 demands you wished that the inmates had effected and secondly that you sensed in some cases a kind of Gotterdammerung like desire for a forcible reduction of the uprising on the part of some of the inmates. One of the things this Commission, I think, and the public, too— one of the problems there are a number that we really hopefully will come to some conclusions about, is opinions as to whether, in fact, there were other options available to end this uprising. Recognizing it's your opinion, I happen to think that you probably saw more than anybody else on which to base an opinion. Is it your impression that there were other options at the time that the end came to other than the ones that were taken?

THE WITNESS: No.

MR. ROTHSCHILD: Thank you.

THE WITNESS: The motive force could possibly vary. This I won't comment on, but I think there has to be force.

MR. McKAY: Dr. Hanson, I think that you are aware that you have an opportunity to
make a statement of your own, if you wish, at this time. Is there something you would like to report to us?

THE WITNESS: No. I think I have done probably too much talking already.

MR. McKay: Certainly not too much and we are grateful for your being with us.

Thank you.

MR. LIMAN: Lt. Maroney.

L T. R I C H A R D M A R O N E Y , after having been first duly sworn by Mr. McKay was examined and testified as follows:

MR. BENENSON: May I state for the record that Lt. Maroney is accompanied by counsel, Mark K. Benenson, from Murray A. Gordon, P.C.

EXAMINATION BY MR. LIMAN:

Q Lt. Maroney, you were a lieutenant at Attica?
A Yes, sir, I was.

Q How long were you at Attica?
A Approximately 10 years.

Q When did you leave duty at Attica?
A October 27 or 28 officially.

Q When was the last day you worked at Attica?
A September the 9th. The first day of the riot.

Q How long, lieutenant, have you been in the
A Department of Correctional Services?

A Approximately 34 years.

Q How many of those 34 years did you spend at Attica?

A I was appointed first at Attica April--excuse me. February 14, 1938. I went in the military service on December 1, 1942. I returned to Attica December 1, 1945. I transferred to Elmira Reformatory on April 16, 1946. I returned to Attica October 1, 1955 as a sergeant. I was promoted to lieutenant at "Squegee" April 13, 1961 and I returned back to Attica one year later.

Q You retired in October?

A October 27 or 29, one of those dates, I forgot which.

Q How old are you?

A 61 now.

Q Now, lieutenant, were you in A yard at approximately 3:00 p.m. on Wednesday, September 8?

A No. Not 3:00 p.m.

Q At what time, lieutenant?

A Well, approximately 4:00.

Q 4:00.

And would you tell us what happened as you perceived it?
A  To the best of my knowledge?

Q  Yes.

A  I was coming down a corridor and I stopped to bid goodbye to a certain officer that was going to retire, and I stepped out into the yard to the door and on the platform there was an officer calling out over the mike to two inmates to stop it.

So, I looked over and it looked like they were fighting. So, I called to the officer to speak in a louder voice so he would make sure they hear it, which he did, and they did not stop it. I motioned to the officer on the toilet to go over and tell them to stop.

The officer walked over to where they were and they did stop for a few seconds, but as soon as he turned his back and he walked back to his post, they started in again.

Q  When you say fighting, what do you mean?

A  They were either fighting or fooling. I presume it to be fighting.

Q  That was your interpretation?

A  That was my interpretation because at that distance, even if they were fooling, we couldn't tell the difference.

MR. LIMAN: Mr. Rossbacher, could you to up to the map—or perhaps lieutenant, you
could use the pointer and show where you were and where the inmates were.

A  There I was (indicating) and there were the inmates, approximately over here (indicating).

Q  Would you continue.

A  Yes.

The inmates went back to tussling and sparring and one of them knocked the other down. So, just at that time another officer stepped out into the yard and I told him to go down to the toilet area and get that officer and go over and bring those two inmates to me.

I was going to, you know, ball them out a little bit and turn them loose if they were fooling. If they fighting, why, we would have to take them into custody.

Q  How would you have ascertained whether they were fooling or fighting?

A  From that distance you cannot hardly tell.

Q  But you say you would have turned them loose if they were only fooling?

How were you going to make that determination?

A  That was my--that was my determination to make it. That was my object to make it. I have enough experience to tell that, whether they were fooling or fighting.
Q  By asking them, you mean?

A  Yes. Asking them or by observing. So, these two officers started over to them and approached the two inmates and they did stop what they were doing and it took a few seconds or a couple of minutes for them to make up their minds to come over to me.

Very reluctantly they came over, slow-poking along. And instead of going ahead of the officer, which is the usual procedure, they followed the officers over.

Q  Were these inmates black or white?

A  They were both black. When they got in front of me at the steps and I asked them what was going on, they said they were just fooling around.

I said "You had enough time to stop, so you better go to your cells."

Q  Were you keeplocking them?

A  Yes. Because in my opinion they deserved it because they had practically refused to go along and they were taking their time.

Q  That was your--you had the discretion, I take it, lieutenant, to determine whether to send them to their cells and keeplock them or to leave them in the yard?

A  Yes.
Q And you were the highest ranking officer in the yard at that time?
A At that time.

Q What happened after you asked them to go into--
A I asked them to go inside and one of them took off, got lost in the crowd, which was gathering about that time and I told the other one, Dewar there, Dewar--

Q I would prefer if you did not use names.
A All right. I told the other man, the second man who stayed there to go inside and he refused. So, I stepped down and I just was going to put my hands on him, the flat of my hand, like that, and kind of edge him in, which sometimes it works, 9 times out of 10 it works to kind of ease them in a little bit. Well, he hit me on the chest and took off. He either danced away or walked away for a few steps, maybe 15 or 20 steps.

Q When you say he hit you on the chest, was it a glancing type of blow?
A No. It was a direct blow.

Q How big was Mr.--this inmate?
A He was about as tall as I am. Not quite as heavy. He was a young fellow. I followed him down
wherever he was on the sidewalk, 15 or 20 feet and I asked him to go in again.

Q Now, it was a more serious offense, was it not, in your eyes?

A Then he hit me again and he went off into the ballfield and I followed him out there, which we were quickly surrounded out there.

Q Show us where the ballfield is.

A It was this ballfield here (indicating) and approximately we were out here around second base (indicating), I think, at that time, in that area. So we were quickly surrounded out there.

Q By how many inmates?

A Oh, approximately 2,300. I wouldn't dare say. Quite a crowd. At least 200. And I tried to persuade this man to go in and he kept refusing to go in and his friends surrounded him.

Q When you say you tried to persuade him to go in, what did you say?

A Well, I said "Why don't you go in and save yourself some trouble?"

Q What kind of penalty is there for hitting a lieutenant?

A Well, I imagine probably it's an HBZ offense. That means segregation.
Q Had you ever been struck in recent years at Attica?

A Not in recent years, no, no.

Q Was there any expression by the inmates in this circle that if he went in, that he might be better for people saying things like that?

A Yes, they were. There were explanations.

Q Like what?

A That you are going to beat him up, that you are going to work him over. I said, "No, it has nothing to do about that at all."

I said, "If you want to, you can send one of you men in with us for an escort, if you wish", but this other man absolutely refused to go.

Q What happened then?

A Well, we thought it over and I see it was useless--

Q Who's we?

A Lieutenant Curtis and I.

Q When did Lieutenant Curtis arrive on the scene?

A Oh, about—as soon as I was surrounded out there. He also tried to persuade this man to go in.

Q What did Lieutenant Curtis say?

A Well, he said "Let's forget about it for a while."
Q Did any of the--he said, "Let's forget about it--" those were his words?
A Practically his words, yes, sir.
Q Did he give assurance that the inmate would not be struck?
A I think he did, yes.
Q Did he give any assurance or make any statement that the inmate would not be sent to HBZ if he went in voluntarily at this point?
A I sort of doubt that. I don't believe he can give assurance on that. I could not.
Q Who would that be up to?
A It is up to the deputy superintendent.
Q Who was the deputy superintendent at that time?
A Mr. Vincent.
Q Now, what happened after your efforts to persuade the inmate to go in had failed?
A Well, there were all kinds of noises around there and one of the explanations was that if you do any harm or if you lock this man up, there will be another San Francisco here tomorrow.

Now, I didn't know what they meant by that, whether they meant the San Francisco earthquake or San Francisco fire or whether they meant that recent
which was recent at that time. But I paid it no mind.
I talked to a black inmate there and conferred with
him, which I had been close to for a few years, and I
assured him if this man had gone in, there would have
been no brutality or anything and he tried to talk
to this man to go into a cell, but to no avail. So
I just walked off the field, went back on the steps.

In a few seconds I think I might have stepped out
in the corridor and then came back in again. In a few
seconds this inmate came back over to me, which I
conferred with in the yard and he asked to speak to
me in the corridor, saying he had always been able
to talk to me and he felt confident in me and we
stepped down the corridor by ourselves for a couple
of minutes. He asked me what would happen if this
man had gone into a cell peacefully. I said if he
had gone in without hitting me, there probably
wouldn't have been much to it, we probably would have
held court on him with possibly a reprimand with one
or two days in his cell. But now it was out of my
hands, it has to be turned over to the deputy
superintendent for what we call a superintendent's
hearing and nobody above a rank of lieutenant or
captain can hold superintendent's hearings.
Q What did you do after that?
A Well, this inmate and I, we conferred there a couple of minutes and then we shook hands and then we went out into the rec yard, A yard, and I went down and reported the incident to Mr. Vincent.

Q Mr. Vincent, as you mentioned before, was a deputy superintendent?
A Yes, sir.

Q Had you ever, in your years at Attica, backed off as you had done here, not taken an inmate when you wanted to?
A I can't recall it, no.

Q This was an unusual situation?
A Unusual situation.

Q Now, you spoke to the deputy superintendent Vincent and what did you say to him and what did he say to you?
A I told him just what occurred and what he told me was he said "Wait until you get back from supper and then take him to HBZ."

Q Did you explain to the deputy superintendent that any threats had been uttered if you took this man to HBZ?
A Yes.

Q Did you explain to him that inmates were
apprehensive that this man would be beaten
if he were taken to HBZ?

A  Yes. Yes, I did.

Q  Had you, in your years at Attica, become
aware that inmates are apprehensive about being
beaten in the elevator on the way to HBZ; had you
heard those stories?

A  Well, I have always heard those stories
at Attica, but I never actually seen one and I have
taken prisoners to segregation.

Q  But you knew that inmates were apprehensive
that this would happen; that they told--that these
stories were repeated?

A  As a general rule, I don't think they were
apprehensive. I don't think the vast majority of them
did fear it.

Q  But others did?

A  A few, they might have.

Q  Now, you said that a deputy superintendent
said that you should take the men to dinner and then
take the inmate to HBZ after dinner.

A  Yes, sir.

Q  Did he say anything in your presence about
taking another inmate, a white inmate to HBZ?

A  No, he did not.
Q  Do you know why the white inmate from 5 company was taken to HBZ?

A  At the time he went, I did not know.

Q  Well, I am asking you at the time he went, really. Did you see that inmate do anything to you or say anything to you that would warrant HBZ?

A  No.

Q  Now, you took--when the companies were taken to dinner and then what happened?

A  Well, after they were locked, the count was taken. I picked up some help, some officers and went up to this inmate's cell.

Q  Now, that was in 3 company?

A  3, yes.

Q  When you say this inmate, you are talking about the inmate with whom you had had the confrontation in the yard? The black inmate?

A  Right.

Q  Now, how did you select the officers to go with you?

A  Well, I selected some pretty level headed fellows, Cusky (phonetic), fellows I knew would hold their head.

Q  Did you expect trouble in removing them to HBZ?
A Well, we always expect trouble in prison. You expect it everyday.

Q But do you expect trouble in particular in taking an inmate to HBZ?

A Oh, sometimes we have trouble and sometimes not.

Q What kind of trouble do you have when you say you have trouble sometimes?

A Well, some of them resisted.

Q And when somebody resists, what do you do?

A We subdue him.

Q With your clubs?

A No. I had given orders to these officers when they went with me to leave their caps on the window ledge or someplace and also not to bring our clubs with us.

Q What did you do when you went to 3 company?

A We walked down to this inmate's cell in front of in and told him that he had to go to HBZ and for him to come out, which he said he would at that time. So, I gave the signal to the officer at the head of the gallery to unlock his cell door.

Q How many men were with you when you spoke to the inmate who said he would come out?

A Two officers and myself.
Q What happened after you gave the signal to the officer to open this inmate's cell?
A This inmate—I told him to come out and he said he would if he could go over on the other gallery and visit with somebody first.
Q Did he say he wanted to return some books to that man?
A Some books, yes, that might have been it.
Yes. That might have been it.
Q What did you say?
A I said no.
Q Why did you say no?
A Because that's not proper procedure.
Q Did you think he was trying to stall?
A I thought, at that time, he was probably trying to pass the word or deliver a message.
Q What happened after the inmate said that he
would go on if he could return books or talk to a friend?

A I told him to come out and then he refused to come out. He said "No" and he picked up a stool, one of those heavy cell stools, four legged stools.

Q What did you do then?

A I told the officer to go in and get him.

Q How many officers were there with you then?

A Two officers and myself.

Q What happened?

A We subdued him.

Q How did you subdue him?

A We wrestled him to the floor onto the bed.

Q Was there much noise?

A Well, there is always noise because the cells are steel. There is that steel stool in there and a metal locker, they make noise, and the bed makes a noise when it is shoved around.

Q How did you get the stool out of his hands?

A We knocked it out. The first officer knocked it out.

Q How long did this process take?

A Well, I don't know. It seemed like a long time. It might have been only a minute or two.

Q How many blows were thrown?
No blows were struck.

What happened after that?

Another officer came down the gallery and reached in and brought the steel locker out, that metal locker. It is a short locker, about as high as this table.

Why did he bring that out?

Because it gets in your way when you struggle.

Was the inmate still struggling?

He was struggling, yes.

On the ground?

No.

How many correction officers were holding him at this point?

Just the two correction officers and myself.

Was the inmate yelling?

Yes.

What was he saying?

Oh, I don't know. He was cursing us or hollering at us.

Were there other officers present?

Yes.

Were the other inmates locked in their cells?

They were locked in.
don't have a view of what's going on in somebody else's cell?

A They do not, no. No.

Q Was anything said to those inmates so that they would know what was going on, other than what that inmate was yelling?

A Not that I know of, but they could have overheard us.

Q What happened after this?

A Well, we struggled with him and we got a hold of him and calmed him down and we pulled him out through the door, carried him out through the door.

Q How did you carry him?

A I took a hold of his feet. One officer took a hold of one of his arms and the other officer took a hold of his other arm.

Q So there were three of you carrying him?

A Yes. We carried him. We did not drag him.

Q When you picked him up to carry him, did he go limp?

A No. He struggled all the time.

Q Were his eyes closed?

A I beg your pardon?

Q Could you see whether his eyes were closed?
A I noticed his eyes. The eyes were wide open. They were rolling back and forth.

Q Now, did you carry him down the gallery?

A We carried him. I made sure he was carried and off the floor and by that time, by the time we got him out of his cell, the fourth officer that had helped take the locker out of the cell, he took a hold of the other foot.

Q Was the inmate still yelling?

A Yes.

Q What was he yelling? Was he yelling that he was being beaten?

A Obscenities or something like that.

Q Was he also yelling that he was being beaten; do you recall?

A I don't recall.

Q Now, what did you do with the inmate as you were carrying him out; where did you take him?

A We carried him up the head of the gallery and down the stairs.

Q Three of you or by now were there four?

A Four.

Q When did you get another officer to assist you?

A The fourth man?
Q Yes.
A As soon as we carried him out of his cell.
Q So that you have now four officers, one on each leg and one on each arm?
A Right.
Q Did you remain carrying him?
A Yes. Until we got him downstairs in the hall.
Q Then what happened?
A Another officer took my place and I walked along with him to make sure there was no force or anything used, to make sure he wasn't dragged.
Q Was he being struck or nudged or prodded?
A Not one bit.
Q Was he bruised?
A No.
Q Not from the scuffle in the cell?
A No. He couldn't have been.
Q Well, there was some force used than just subduing him?
A We have a right to use any force to subdue a man.
Q But in using that force was he bruised at all?
A He was examined afterwards. I understand he was examined afterwards and nothing wrong was
found with him.

Q  What did you do with them--how did you get him to HBZ?

A  We carried him.

Q  Did you carry him all the way?

A  All the way. He would not walk. We gave him the option of walking twice. He would not walk. He kept struggling. Usually when we start carrying a man we give him the option to start walking and sometimes he will get up and walk.

Q  What was happening in the gallery as you were carrying him?

A  Oh, there was noises there, the usual noises in the prison, which we work with day by day and we don't pay it no mind or try to record it in our memory. It is usually prison noise. Cursing and yelling and hooting and hollering and cursing at the officers. That goes on all the time.

Q  Now, you took him to HBZ or the box?

A  Yes, sir.

Q  Did you stay with him at all times?

A  Yes, sir. Right up to the time they put him in his cell.

Q  What kind of a cell was he put into in the box?
Q What did that have?
A What did that have? It had a mattress.
Q Did it have any other furniture?
A I can't recall right now, but I think it was the only cell available at that time.
Q Did that inmate continue struggling all the way up to HBZ?
A Yes.
Q How did he struggle?
A He would move around and try to break loose, pull his legs. He would pull one leg and pull the other. He would pull one and then pull the other.
Q Now, when you got him to the box, you then left?
A As soon as we closed the cell door and reported to the two officers that were working there.
Q Did you have anything to do with removing the other inmate from 5 company to the box?
A Nothing. Nothing.
Q Did you even know he was being taken to the box?
A I did not know it until I met him in the corridor on the way back.
Q How was he being escorted to the box?
A He was walking. They had a hold of each arm, but he was struggling, but he was walking.

Q Was any supervisory official with him?
A Yes, there was.
Q What rank?
A Sergeant.
Q Did you then return to 3 company after you had removed this inmate and brought him to the box?
A No, I did not.
Q Do you know whether anybody at Attica gave a report to the inmates in 3 company of the condition of the man you had removed?
A I do not know whether they did or not, except from hearsay.
Q And I'm talking about as of September 8.
A 8.
Q Wednesday night.
A I can't say that they did, unless--except by hearsay, that the two regular officers that are assigned to that block had told the inmates on that gallery that everything was okay, that nobody got beat up.
Q Now, no inmate--you mentioned before that you had offered this inmate some inmate escort or observers if he would go in to his cell when you first
A Yes.

Q Was any offer made of having inmates escort you to the box when you took this man?

A No. There was not.

Q Do you know whether or not that practice has ever been followed at Attica of having inmate escorts on trips to the box?

A No. It is not prison procedure.

Q Do you think--and I am asking you an opinion question in view of the apprehension on part of some inmates that inmates are beaten on the way to the box that it might be a good idea to have inmates form an escort?

A In the future?

Q Yes, sir.

A I don't especially approve of inmates, but if you had an impartial observer like somebody has proposed here during the winter, that might be a good idea.

Q When you say you don't approve of inmates, what do you mean?

A Acting as escorts.

Q But you were willing to have them act as escorts earlier that day?

A Because that fitted the situation. In my
experience, I believe that might of solved the problem right there, but after this certain inmate had his opportunity to go in peacefully, I think it was up to the prison official to handle.

Q Now, were you apprehensive that night about what the repercussions might be from these incidents?
A Yes. I had been apprehensive for the last year or so before that.

Q Were you more apprehensive as a result of the activities of that night?
A I certainly was.

Q Did you report that to the superintendent?
A Not directly, no. I reported to the deputy superintendent verbally.

Q Mr. Vincent?
A Yes.

Q Lieutenant, were additional men held over that night at all?
A Well, everybody who was on duty that night stayed over for a while. That was the closing count. The 6:00 count was the closing count that night.

Q Why did you hold men over that night?
A Well, some of them had to make out reports about the incident.

Q Did you also hold them over because you wanted
to be sure that nothing happened until after the man was put in the box?

A Well, that's the usual procedure, yes.

Q You were concerned?

A We were concerned. For some time we have all been concerned about this trouble that was brewing in the prison. You could feel it in the air. Anybody who works in a prison or an institution can feel things like that in the air. You knew something was brewing. They were all apprehensive. But you can't tell when it was going to happen. Every night we expected it.

Q Were any precautions taken with respect to the following morning?

A Not that I know of. I was due to go in at 10:00 that morning and I don't know of any precautions offhand that was supposed to have been taken.

Q Did anybody ask you to come in early?

A No.

Q Was there any discussion that night about keeping the 12 to 8 shift over late?

A Not that I know of. Not that I know of.

Q Did you receive a report before you left the prison that night that an inmate had been--that, rather, an officer had been struck by a can?
about it.

Q  Were any decisions made with respect to
what to do with the inmate who threw the can?

A  No. Not that I know of, unless it was this
man--the second man who went to HBZ, unless it was
him. I presumed it was him.

Q  You didn't know?

A  I did not know for sure, no, because I was
concerned about my own problems at that time.

Q  And nobody told you that a third inmate, apart
from the first two, was ordered to be keeplocked the
next morning?

A  I can't recall that, no. I'm sorry.

Q  Now, you said that you were supposed to report
for duty at 10:00 a.m.

A  10:00 a.m., yes, sir.

Q  When did you actually arrive at Attica?

A  Approximately 9:30.

Q  Did you hear the whistle?

A  The reason I heard the whistle--I had the air-
conditioner on for about three days and I did not hear it
right away and I told my wife there I was going to go in
a few minutes early to catch up on the details, see what
was brewing, and then I stepped out the back door and I
heard the prison whistle blow and I said "This is it, I guess." So, I went back in and I left my watch and ring home. I carry very little money with me anyway, 15 or 20 cents, just enough for lunch, so I knew what was going on the way the whistle was blowing, so I drove right to work. I usually get there a few minutes ahead of time anyway.

Q Lieutenant, were you the senior lieutenant at Attica?

A Yes, I was.

Q Now, you mentioned that you left your watch and money home and I have heard that from a number of officers who said that they were leaving watches and money home prior to September 9. Was anything being done by correction officers in the way of preparation against a disturbance or a riot training other than to leave watches and wallets home, lieutenant?

A That's about all a correction officer can do. Unless he gets a proper backing and help, the correction officer can't do much. Because he is outnumbered so much that he can be overpowered quickly, an ordinary correction officer can.

Q At any time?

A At practically any time.

MR. LIMAN: I think that we will break
for lunch now and we can resume at 2:00.

MR. McKay: The hearings will now recess till 2:00.

(A luncheon recess was taken at 12:40 p.m.)
CERTIFICATE

STATE OF NEW YORK )
COUNTY OF NEW YORK)

I, RICHARD GREENSPAN, a Shorthand Reporter
and Notary Public within and for the State of
New York, do hereby certify:

That I reported the continued proceedings
in the within entitled matter (pages 269-401)
and that the within transcript is a true record
of said proceedings.

I further certify that I am not related to
any of the parties to this action by blood or
marriage; and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 12 day of April, 1972.

RICHARD GREENSPAN