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# Attica State Correctional Facility: The Causes and Fallout of the Riot of 1971

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Everyone has heard the rallying cry “Attica! Attica!” These are words shouted in protest by many people in the 1970s, including John Lennon in his song “Attica State” in 1971 and Al Pacino in the movie “Dog Day Afternoon” in 1975. But what happened at Attica State Correctional Facility in the rural town of Attica, NY in 1971 to cause the bloodiest day in the history of American prisons to date? A prison built to be escape proof and virtually riot proof in 1931 exploded just forty years later in a violent four day riot that ended in a bloody massacre of inmates and hostages by the New York State Troopers. It is clear that the culmination of events leading up to the riot of 1971 created the ideal conditions for a riot on a mass scale. The writing was on the wall that the inmates were fed up and were willing to do everything in their power to be heard. In studying the different causes of the 1971 Attica prison riot it becomes clear why it happened and how it could have been prevented.

Literature on the prison riot at Attica State Correctional Facility in 1971 takes many different forms and contains diverse viewpoints. When reviewing the primary source documentation there are several major arguments that can be broken into groups depending on what role the person played in the riot. The major players were the inmates, the guards who were held hostage, prison and government officials, and the media. Each of the players has a different story to tell based on the same event. When looking at the secondary sources obvious biases are also present based on the sources used by the authors in completing their work.

Primary sources from Attica inmates provide valuable background information on the conditions of Attica. These sources were pulled mostly from the Monroe Fordham Regional History Center’s “Attica NOW!” collection, folders two and three containing interviews with Attica inmates. The documentaries, *Ghosts of Attica* and *The Big House III* also provide a great perspective of life inside of Attica. The inmates recount daily and routine mistreatment from guards and a system of rules that were abused by guards to punish inmates. All of the inmate interviews also talk about the lack of educational opportunities and the slave labor they were forced to perform. This was a major spark for the riot.

The book, *Attica My Story*, written by New York State Commissioner of Corrections Russell G. Oswald, outlines the causes of the riot from the perspective of prison officials. This book was published a year after the riot and was an outlet in which Oswald attempted to justify his actions and to tell his side of the story. He focused on the alleged militant nature of the inmate population and placed no blame on himself or the correctional system. He adamantly pleaded his position as one of tolerance and a deep belief that if carried out properly the correctional system in New York State was effective. The New York

State Special Commission on Attica wrote *Attica: The Official Report*, which took a similar position as Oswald in defending the actions of the prison officials.

While many of the sources are biased in their account of the causes and events of the Attica Riot, they are nonetheless valuable. By combining the various viewpoints and doing further research into their arguments, a more accurate picture of the Attica Riot emerges. It is important to consider the social and political atmosphere at the time in order to better understand the basis for the each of the arguments.

The 1960s and 1970s marked an era of great social and political unrest in the American society. The Vietnam War was in full swing and television sets brought the war into virtually every home in America. Some people were angry and tired of watching men die for a political war. Protests were staged and Americans began to fight to reclaim the power given to the government. The 1968 presidential election would set the tone for the political atmosphere from which the 1971 Attica riot would explode. Bloody anti-war protests at the Democratic Convention in Chicago, combined with the assassination of Robert F. Kennedy, and the inclusion of a pro-segregation candidate, made for a tumultuous year that would leave many open wounds.<sup>1</sup> The longer the war dragged on, the deeper the distrust of the Government became as Americans saw themselves as pawns for the white Anglo-Saxon elites.

Militant groups like the Black Panther Party and the Young Puerto Rican Brotherhood arose to help secure full and equal rights for all minority groups. Television also became a tool for these groups to spread their message and recruit Americans across the country to join their fight.

The War on Drugs had also been declared by President Nixon during this time, and the demographic of criminals was beginning to shift as Attica was now a dumping ground for urban African Americans and Hispanics facing drug charges. This also forced Attica to become overcrowded, and increased the already poisonous racial atmosphere in the prison. At the same time the FBI and other agencies were cracking down on the Black Panther Party and other groups sending their powerful leaders to prison and making them martyrs for their cause. The American penal system created the perfect opportunity for these leaders to recruit and organize on a massive scale. “We lock away millions of people every decade in penal institutions; occasionally, as in the case of Attica, their inmates rebel and become socially and politically visible. When they become visible, so do our prisons and our criminal justice system.”<sup>2</sup> It was only a matter of time before the growing unrest and resentment in prisons across the country blew into

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<sup>1</sup> “1968 Election,” *The History Channel*, <http://www.history.com/topics/elections-1968> (accessed April 30, 2012).

<sup>2</sup> “Attica Revisited,” A Talking History Project, <http://www.talkinghistory.org/attica/>. (accessed January 31, 2012).

a large scale riot. Unfortunately for the guards at Attica State Correctional Facility it would be their prison, and on September 9, 1971 the powder keg blew.

The Attica State Correctional Facility is a maximum security prison built in rural Attica, NY. The state broke ground on the prison in 1929 and the first inmates arrive at Attica in 1931. At the time New York State had four other prisons, Auburn, Sing Sing, Clinton, and Great Meadow, all severely outdated as most of them were built in the early to mid-nineteenth century. According to the History Channel documentary, "The Big House," none of these prisons had electricity or plumbing. Inmates had one bucket for fresh water and one bucket for excrement in their cells.<sup>3</sup> These four prisons all followed the Auburn-style which was the prototype for New York State's maximum security prison system. Prisoners were not allowed to communicate with each other and were forced to work all day for the profit of the prison. The New York State Special Commission on Attica's *Official Report* states that: "The New York officials were deeply committed to the view that a steady, predictable, unrelenting routine of hard work, moderate meals, silent evenings, and restful nights in individual cells would produce men who were, indeed, cured of all vices and excesses."<sup>4</sup> Prisoners were even forced to march in lock-step fashion to and from work and meals. The Auburn-style penitentiary became the model for prisons in the nineteenth century. The beginning of the twentieth century marked a change in the New York State prison system as riots and overcrowding began making prisons like Auburn and Sing Sing outdated and ineffective. It was this need for a new supermaximum security prison (supermax) that led to the creation of Attica.

It is ironic that Attica was built in response to an outbreak of prison riots in the 1920s. The Commission Report on Attica related that, "Attica State Prison in New York was to be the solution to the recent problem of prison uprisings and the response to the commission that investigated them."<sup>5</sup> The rural town of Attica, NY was selected as the site for the state's new supermax prison for several reasons. First it could easily support the creation of a fifty-five acre penitentiary and was readily located near a fresh water supply. The prison would also be close to railroad lines that would allow for the quick and easy transport of prisoners.<sup>6</sup>

As construction began and costs began to escalate many questioned the decision to build this state-of-the-art facility in Attica, NY. To help curb the cost of labor inmates from Auburn and other state facilities were shipped in to provide free labor. This was not a new practice as most prisons in New York State,

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<sup>3</sup> *The Big House III*, directed by Scott Paddor (New York, NY: A&E Television Networks/New Video Group, 1999), videocassette.

<sup>4</sup> New York State Special Commission on Attica, *Attica: The Official Report* (New York: Bantam Books, 1972), 8.

<sup>5</sup> *Ibid*, 14.

<sup>6</sup> *The Big House III*.

including Auburn in 1816, were constructed by inmates.<sup>7</sup> Attica had its share of construction problems and concerns. The biggest of these being the construction of the imposing prison wall on unstable ground. The Commission Report on Attica states, "Its wall alone, enclosing 55 acres, was 30 feet high, extended 12 feet into the ground, and cost \$1,275,000 to erect...The total cost of the prison eventually reached to sum of \$9,000,000."<sup>8</sup> The Governor defended the costs as necessary and the prison would be worth the investment for the safety and security of the inmates.

By 1931 the first of the four cell-blocks, Block A, was completed and five hundred inmates moved into the facility. Attica Prison, as it was called then, officially opened on June, 14, 1931.<sup>9</sup> When the prison was complete its intended maximum capacity was 2,000 inmates housed in four cell block areas A, B, C, and D. Attica was supposed to be the answer to the wave of prison riots in the 1920s, so the prison was built to be escape proof and with riot prevention and suppression in mind. "The walls, constructed of steel and concrete, are smooth and slippery and cannot be penetrated by even by a fair-sized blast. The architect, William J. Beardsley of Poughkeepsie, has designed it to be escape proof."<sup>10</sup> The architecture of the prison was also created with riot prevention in mind. The cell blocks were arranged around the building in a square with separate exercise yards in the center like a court yard. Long catwalks and hallways connected the four cell-blocks and yards. In the very center of the prison was an area called "Times Square" where all of the hallways connected. In order for prisoners to enter any other part of the prison they first had to go through Times Square. The separation and controlled movement of the prisoners through Times Square was all part of the prisons built in security system.<sup>11</sup> Another security measure built into the prison was tear gas bombs. These bombs were built into the wall in high traffic areas like the mess hall and auditorium.<sup>12</sup> They were triggered by guards to suppress fights and keep order. Paul Sorvino said, "As an alternative to lethal force, tear gas remains Attica's most effective instrument of control."<sup>13</sup> The only other weapons readily available to the guards are tear gas guns used to constantly

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<sup>7</sup> New York State Special Commission on Attica, *Attica: The Official Report*, 13.

<sup>8</sup> *Ibid*, 14.

<sup>9</sup> "Attica Correctional Facility Inmate Case File," *New York State Archives*,

<http://www.archives.nysed.gov/a/research/indexes/14610/14610.shtml> (accessed April 7, 2012).

<sup>10</sup> Wilbur G. Lewis, "Attica Prison to be Convicts' Paradise," *The New York Times*, sec. E5, August 2, 1931.

<http://proxy.buffalostate.edu:2060/docview/99157918/fulltextPDF?accountid=7259> (accessed April 7, 2012).

<sup>11</sup> *The Big House III*.

<sup>12</sup> *Ibid*.

<sup>13</sup> *Ibid*.

patrol areas not covered by the gas bombs and batons or night sticks that could be used to strike or restrain inmates.<sup>14</sup>

In addition to amped up security measures, Attica was built with the comforts of modern 1930s amenities. The prison was to be a self-sufficient city that had a farm, a hospital, textile factory, tailor shop, school, auditorium, laundry, and its own power house.<sup>15</sup> The power house provided power for the whole prison and was essential for night-time security as it powered high intensity search lights that lit up the prison yard. The prison also had its own communication system that consisted of a network of telephones and loud speakers that were designed to reach everyone inside of the prison walls.<sup>16</sup> The gates were mechanized and the cell doors operated on the Van Dorn Automatic Locking System. The Van Dorn Locking System enables guards to open and close cell doors from one isolated location. The mechanism is designed to open and close one cell at a time or a series of cells as desired by pulling levers.<sup>17</sup> The cells and doors were made of steel and according to an article from *The New York Times*, the bars would “shatter hacksaw or file, but admitting far more light than the century-old grating at Auburn.”<sup>18</sup> The prison also boasted of having, “beds with springs and mattresses, a cafeteria with food under glass, recreation rooms...Sunlight will stream into cells and every prisoner will have an individual radio.”<sup>19</sup> Although these amenities would not be put into place Attica Prison was already a far more humane and modern facility than any other prison in New York State at the time. The article also said: “Every citizen knows that overcrowding, lack of segregational facilities and other things that worry practical sociologists do not prevail at Wyoming.”<sup>20</sup> This is foreshadowed the future problems of race and overcrowding at Attica that would become an immediate cause of the 1971 riot.

So how did Attica change from a state-of-the-art humane penitentiary to the site of the country’s most violent prison riot in just forty years? One of the first causes to be considered is the changing nature of crime in America. Violent crimes exploded in New York from 1965-1971 leading up to the Attica prison riot. Violent crimes went from 58,802 in 1965 to 145,048 in 1971. Murder rates also multiplied from 836 in 1965 to 1,823 in 1971.<sup>21</sup> Attica has always housed the worst-of-the-worst when it comes to New York State’s violent offenders, so a

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<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Lewis “Attica Prison to be Convicts’ Paradise.”

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> “New York Crime Rates 1960-2010,” *FBI, Uniform Crime Reports*, <http://www.disastercenter.com/crime/nycrime.htm> (accessed April 7, 2012).

rise in the population of violent offenders alone could not have caused the riot in 1971. Guards who worked in the prison from the 1930s until the riot claim that the population did not become militant or violent until the 1960s.<sup>22</sup> In the 1930s there were mostly rapists and murderers. It was the Great Depression and men sent to prison had the guarantee of a roof over their head, clothing, and food. By the 1940s and 1950s Attica had established itself as a new model for New York State prisons. These men were generally career criminals who took what they got. They served their time and were in-and-out of prisons.<sup>23</sup> By the 1960s the guards saw a significant change in the prison population. This was the beginning of America's War on Drugs and the entire dynamic of those incarcerated had changed, and the inmates were angry.<sup>24</sup> This rise in violent crimes and violent offenders contributed to the hostile nature of the 1971 riot.

In 1970 a new bill was passed in the state legislature that allowed state correctional facilities to take on prisoners from other counties in New York State who were sentenced to more than ninety-days in jail. This meant that Attica would now be taking on an enormous number of militant and unruly prisoners from New York City.<sup>25</sup> Russell G. Oswald, the New York State Commissioner of Corrections in 1971, wrote of this new shift in prison population: "As it turned out, the shift of militant, street-wise New York City prisoners to state facilities, where they interacted with the long-term prison population, was counterproductive. But these men would have cause trouble wherever they were."<sup>26</sup> By 1971, when the Attica Riot occurred, Attica housed 2,243 inmates (well over the maximum capacity of 2,000) 1,232 of them were black (54.9%), 845 white (37.7%), 154 Puerto Ricans (6.9%) and 12 inmates of mixed or other descent. There was a significant number of urban minorities being incarcerated in a prison in a rural town with all white guards. This only magnified whatever anger and militancy existed in this already unstable prison population.

The 1960s was a decade of social and political unrest. The Vietnam War created fear and distrust in the American Government. People were angry and protest became an effective avenue for reform. Liz Fink, the famed attorney for the Attica inmates, said the late 1960s and early 1970s were a: "time of rebellion it was a time of deep deep radical politics. The war in Vietnam was happening on a level that we were all crazed. The police were out of control. Now the government was ENEMY. If you didn't take a political stand you were part of the

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<sup>22</sup> *The Big House III.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Russell G. Oswald, *Attica-My Story* (Garden City, NY: Doubleday, 1972), 195.

<sup>26</sup> *Ibid.*, 195.

problem.”<sup>27</sup> An example of this protest movement is the Students for a Democratic Society (SDS) march on Washington D.C. On October 21, 1967, 100,000 anti-war demonstrators amassed in Washington D.C. and occupied the Lincoln Memorial. Later that night hundreds of peaceful protestors were arrested as they attempted to march on the Pentagon.<sup>28</sup> Even civil rights activists joined the fight. Martin Luther King Jr. joined the war protests in an effort to raise awareness for his civil rights agenda. The History Channel states that:

In 1967, the anti-war movement got a big boost when the civil rights leader Martin Luther King Jr. went public with his opposition to the war on moral grounds, condemning the war's diversion of federal funds from domestic programs as well as the disproportionate number of African-American casualties in relation to the total number of soldiers killed in the war.<sup>29</sup>

The war protests were now becoming a domestic issue as race entered into the discussion.

From this unrest militant political groups, like the Black Panther Party and the Black Muslims arose and allowed rage to control their agendas. The Black Panther Party was an African American organization founded by Huey Newton and Bobby Seale to use militant self-defense to protect minority communities from being exploited by the American Government.<sup>30</sup> They used force to attempt to create true equality between all races and genders. J. Edgar Hoover and the FBI created a counter-intelligence program, COINTELPRO, designed to identify and eliminate militant revolutionary groups like the Black Panther Party, the Black Muslims, the American Indian Movement, and the Young Puerto Rican Brothers.<sup>31</sup> Through their covert operations the FBI did nothing more than spread the fear and distrust already present in some Americans. The assassination and questionable arrests of movement leaders only rallied support for their causes, especially in the African American population. The media was instrumental in carrying the message of these groups and men that were arrested became martyrs for the cause. What the FBI did not plan on was the recruitment that would occur once these men were put in prison. Men like Bobby Seale and George Jackson,

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<sup>27</sup> *Ghost of Attica*, directed by Brad Lichtenstein (Brooklyn, NY: ICARUS Films, 2001), videocassette.

<sup>28</sup> “Vietnam War Protests,” *The History Channel*, <http://www.history.com/topics/vietnam-war-protests> (accessed April 30, 2012).

<sup>29</sup> “Vietnam War Protests.”

<sup>30</sup> Brian Baggins, “History of the Black Panther Party,” *Marxist Internet Archive*, 2002. <http://www.marxists.org/history/usa/workers/black-panthers/> (accessed April 8, 2012).

<sup>31</sup> *Ibid.*



both of the Black Panther Party, used their incarceration as a means to recruit men and form an organized militant organization behind the walls of prisons across the country. The majority of these new recruits were African Americans.

The immediate cause of the Attica prison riot in 1971 was the execution of George Jackson just a few weeks before. George Jackson was a Black Panther Party leader incarcerated in San Quentin Penitentiary in California as part of the FBI's COINTELPRO initiative. He was an activist for prisoner rights and through his writings and speeches he wanted the world to know that prisoners could and should have just as much influence on the social and political climate in America as free men and women had.<sup>32</sup> His message was one that united inmates in their fight for better living conditions, access to education, and payment for work. Police brutality was nothing new to inmates in America but the obvious and blatant cover up that occurred surrounding Jackson's death was the spark the inmates in Attica needed to start a full scale riot. The official report was that George Jackson's lawyer had smuggled him a gun during a routine visit. Jackson then used the gun to gain control of the cell doors, unlocking and releasing several inmates. He then ran out into the yard and attempted to scale the prison wall. It was then that he was shot in the head by prison guards.<sup>33</sup> Many believe he was setup and executed by the guards who feared Jackson had the ability to organize inmates and launch a prison wide riot. Even Bob Dylan wrote a song, "George Jackson," in 1971 in protest of the American penal system. Here is an excerpt from his song which reflects the popular sentiment at the time:

Lord, Lord, they cut George Jackson down  
Lord, Lord, they laid him in the ground  
Sent him off to prison  
For a seventy-dollar robbery  
Closed the door behind him  
And they threw away the key  
Prison guards, they cursed him  
As they watched him from above  
But they were frightened of his power  
They were scared of his love<sup>34</sup>

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<sup>32</sup> Lee Bernstein, "The Age of Jackson: George Jackson and the Culture of American Prisons in the 1970s," *Journal of American Culture* 30, no. 3, (September 1, 2007): 318-319. <http://proxy.buffalostate.edu:2076/ehost/pdfviewer/pdfviewer?sid=9e1302c3-864c-4179-ad2d-585c1f834b33%40sessionmgr112&vid=2&hid=113> (accessed April 7, 2012).

<sup>33</sup> *Ibid*, 318.

<sup>34</sup> Bob Dylan, "George Jackson," *Ram's Horn Music*, 1971, online <http://www.bobdylan.com/us/home#us/songs/george-jackson> (accessed March 26, 2012).

Jackson's death can be directly connected to the Attica riot as it was from a protest over Jackson's death that the riot sprung. An article about Jackson states:

It was the particular impact of the killing of George Jackson that confirmed for many incarcerated people that time for collective action had come. There were memorial services, work stoppages and silent protests at prisons around the country, but the most dramatic response to Jackson's death occurred at Attica State Prison in western New York.<sup>35</sup>

On the morning of August 27, 1971 inmates at the Attica Correctional Facility staged their protest over execution of George Jackson. The inmates filed into the mess hall and no one ate and no one said a word. The silent protest, according to guards who witnessed it, scared the prison staff and made them anxious for what might be next. It was clear from this mass protest that the inmates now had the ability to organize.<sup>36</sup> Inmate Donald Noble recalls the Jackson protest: "Things were getting worse. What really solidified things was George Jackson's death...how can we pay tribute to George Jackson, because a lot of us idolized him: the things he was doing-the things he was exposing about the system."<sup>37</sup> G.B. Smith, one of the guards in the mess hall wrote, "They walked in the mess hall went right by the food and sat down. They took their tray and sat down. Dead silence. They had it organized that nobody eats today so nobody ate."<sup>38</sup> Another guard, Mike Smith, who was there said: "I think it dawned on me then how dangerous and how volatile...a situation was just waiting to ignite."<sup>39</sup> The inmates felt that they were finally being heard, and it frightened the guards and prison authorities who were supposed to maintain complete power over these inmates. It was just two weeks later that the violent Attica riot would begin.

Prior to this demonstration a group of inmates, led by Frank Lott, calling themselves the Attica Liberation Faction, comprised of many members of the Black Muslims and Black Panther Party members, compiled a list of grievances for Commissioner Oswald. The manifesto that the inmates submitted was concerned only with improving the living conditions inside of the prison. One of the biggest problems facing inmates was the extreme hate and racism from the guards. Carl Jones-El, an Attica inmate, said: "Here at Attica they've shown

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<sup>35</sup> Bernstein, "The Age of Jackson: George Jackson and the Culture of American Prisons in the 1970s," 318-319.

<sup>36</sup> *Ghost of Attica*.

<sup>37</sup> Donald Noble, "We are Attica: Interviews with inmates," *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>38</sup> *Ghost of Attica*.

<sup>39</sup> *Ibid*.

racist policy. They discriminate against African Americans and Puerto Ricans as far as job positions. We are given the worst jobs, such as sweeping floors and sweeping bathrooms.”<sup>40</sup> Frank Smith another inmate said:

The administration creates a racial problem in all of these concentration camps. They create the racial problem because if a white and a black have a relationship such as friends, being buddies, they gonna put it in a derogatory manner or degenerate manner or in some type of form where that relationship will no longer exist.<sup>41</sup>

In response to this call for more racial equality, Barbara McEleney writes that Commissioner Oswald was actively seeking to hire African American and Puerto Rican guards from urban centers prior to the riot.<sup>42</sup> Although his efforts were recorded in an official report, no guards of color had been hired at Attica and harsh discrimination continued without consequence.

Another of the major grievances set forth by the Attica Liberation Faction’s manifesto was the need for improved wages. They were being paid a matter of cents for a full day’s hard labor as opposed to dollars. They felt appropriate compensation should be made to them for their hard work. They knew they were turning out millions of dollars of manufactured goods for the state and they wanted to know where the money was going. If it was supposed to be put back in the prison it was being sorely misused because they saw no improvements. In the *Ghosts of Attica* documentary former inmate Frank Smith declared when you leave Attica you left with no education, no training, no place to stay, just \$40 and a suit.<sup>43</sup> That was all the compensation they were given for hours of back breaking labor for the profit of the state. Jerry Rosenberg another former Attica inmate said: “You have the money system here. Slave labor. Guys working in the metal shop turn out millions of dollars. What’re they giving them? Quarter a day. Where’s the money go? Money’s supposed to go for better conditions in the prisons. I never see no better conditions in here.”<sup>44</sup> They wanted a minimum wage for their work, and the opportunity to learn a trade or take classes to help them have a career when they got out of prison.

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<sup>40</sup> Carl Jones-El, “We are Attica: Interviews with inmates,” *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>41</sup> Frank Smith, “We are Attica: Interviews with inmates,” *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>42</sup> Barbara Lavin McEleney, *Correctional Reform in New York: The Rockefeller Years and Beyond* (Lanham, MD: University Press of America, 1985), 91.

<sup>43</sup> *Ghost of Attica*.

<sup>44</sup> Jerry Rosenberg, “We are Attica: Interviews with inmates,” *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

The last of the major reforms the manifesto called for was the improvement of the food and the conditions of the mess hall. Frank Lott said this of the disgusting state of the mess hall: “All the green flies flying all over the place like that, and dirty utensils, dirty trays and cups. They have plastic cups they use, you know, and a lot of them were burnt, had cigarette butts in them and holes in them.”<sup>45</sup> Donald Noble stated: “It’s their way to keep you down, because a man just don’t like to be served like he’s a dog...They got flies all on the food and everything like this. They got guys working behind the counter with sweaty shirts on. And you see this, it just do something to your gut.”<sup>46</sup> Not only was the food inedible and far below the level for human consumption, but many inmates could not even eat what was served. A growing number of Attica’s prison population were Muslim, and most belonged to the Black Muslims. It goes against their religion to eat pork and unfortunately for them pork was cheap and therefore found its way into most of the meals in Attica. It was their Constitutional right to practice their religion, but when faced with the prospect of starving many Muslims felt trapped into eating pork.

The inmates received nothing but empty words and broken promises for reform in return for their civil and reasonable requests. They were fed up. Eventually Oswald agreed to meet with the inmates from the Attica Liberation Faction on September 2, 1971, so they could address their concerns to him in person. This would never happen. Oswald was at the prison but he only met with members of the prison staff. He claimed he had no time to meet with the inmates as his wife took ill and he had to rush off to Albany to be with her.<sup>47</sup> But if he had time to be “briefed exhaustively”<sup>48</sup> and record a statement, then he could have made at least some time available to the inmates. The inmates were preparing to meet with him when his recording came over the prison’s loudspeaker. In the *Ghosts of Attica* documentary the guards and inmates both discussed the immediate tension this caused. Guards felt an already volatile situation heat up. Inmates took it as a sign that civil communication would get them nowhere, so a prison wide demonstration had to take place.<sup>49</sup>

On September 9, 1971 inmates, on their way back from breakfast to the exercise yard, over powered the guards and broke down the gate leading into Times Square and took over the cell blocks. The rioters used make-shift weapons and gained control of several tear gas guns. They beat guards and forced their

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<sup>45</sup> Frank Lott, “We are Attica: Interviews with inmates,” *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>46</sup> Donald Noble, “We are Attica: Interviews with inmates,” *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>47</sup> Oswald, *Attica-My Story*, 210.

<sup>48</sup> *Ibid*, 210.

<sup>49</sup> *Ghost of Attica*, directed by Brad Lichtenstein.

way into D yard. The inmates successfully took control of D block and D yard while the rest of the prison was quickly secured by State Troopers. The rioting inmates quickly organized and established their own power structure in the yard.<sup>50</sup> From there the inmates compiled their list of demands for Commissioner Oswald and Governor Rockefeller. This time Oswald could not simply ignore their demands and sent a patronizing audio recording to quell the problem. The inmates were angry and this time he had to actively negotiate or risk losing all control. The demands were almost the same as were outlined in the manifesto submitted several weeks before, but this time they asked for a civilian observer committee to broker the negotiations.

Oswald's worst fears were coming to fruition. In his book Oswald described the general fear of rioting and how to it was dealt with just weeks before the Attica Riot:

On the eve of Attica, also, the Establishment was moving toward its own intramural test. Almost all the governors of almost all of the states watched the growth of organized militancy in the prisons, anticipating trouble but unable to mobilize the tens of thousands of police and troops that would have been needed to contain all of the correctional institutions. When the first prison 'blew,' how would we react? With instant repression, instant grants of inmate demands, or with a professional 'sorting out' of legitimate grievances from revolutionary ultimate?<sup>51</sup>

Oswald knew of the inmate grievances and failed to act. It is clear from the above passage that Oswald was aware of the imminent danger he was putting his prison in by actively ignoring the requests of the inmates for reform. In this way Oswald himself was one of the major causes of the riot.

During the riot one guard was severely injured and removed from the prison to receive medical treatment. Corrections Officer William Quinn died of his injuries two days later. He died from a head wound received from a baton during the initial assault by the inmates. This was a game-changer. The rioting inmates heard false reports on the radio from the media saying that the guard was killed because he was thrown out of a window. They knew these reports to be false because all of the windows had bars on them.<sup>52</sup> All these reports did was to solidify their distrust in the government. They felt that the government was going

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<sup>50</sup> "We are Attica: Interviews with inmates," *Attica NOW*, Folder 2, Monroe Fordham Regional History Center, Buffalo State College, Buffalo, NY. Microfilm.

<sup>51</sup> Oswald, *Attica-My Story*, 12.

<sup>52</sup> Sue Mahan, and Richard Lawrence, "Media and Mayhem in Corrections: The Role of the Media in Prison Riots," *The Prison Journal* 76 no. 4 (December 1996): 428. <http://proxy.buffalostate.edu:2242/content/76/4/420.full.pdf+html> (accessed February 13, 2012).

to seek retribution for the killing of the guard and had fabricated a lie about how the guard was killed so that individuals could be tried for his murder. This is when the inmates added the condition that they be granted full amnesty and that there would be no punishment for their actions during the riot. Unfortunately that would be their undoing as the government would not and could not give in to this outrageous demand:

While others have noted the connection between Jackson and Attica, the specific tactics and demands of the “Attica Brothers” have been described as strange or unrealistic. Once placed in the proper context of the prison culture of the 1970s, their calls for unity, amnesty, and removal to a neutral—i.e. postcolonial and Marxist—country seem far from outlandish.<sup>53</sup>

The inmates wanted to ensure they were granted full amnesty but officials knew if they gave into this demand that it would set a precedent for all future riots and would give angry inmates the invitation they needed to start riots across the country. President Richard Nixon said to Governor Rockefeller after the siege:

The courage you showed and judgment in not granting amnesty it was right and I don't care what the hell the papers or anybody else says...I think that you had to do it that way because if you would have granted amnesty in this case it would've meant that you would've had prisons in an uproar all over this country.<sup>54</sup>

This was the turning point in the negotiations that would ultimately lead to the violent siege of the prison.

The final decision was made on September 13, 1971 that the prison was to be taken back by force. In his book Oswald outlines the key decisions he made during the four day riot that culminated with the New York State Troopers storming the prison killing 29 inmates and ten hostages.<sup>55</sup> The hostages that were taken by the inmates were all prison employees, almost all of them were prison guards. Many former guards and New York State Troopers, like Tony Strollo and Tom Salmon, believed that if they were given the go-ahead to retake the prison by force right away the casualties would have been far fewer. They believed it was a

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<sup>53</sup> Bernstein, “The Age of Jackson: George Jackson and the Culture of American Prisons in the 1970s,” 318-319.

<sup>54</sup> Nelson Rockefeller and Richard Nixon, “Attica Uprising: The Rockefeller-Nixon Tapes,” *Internet Archive: Community Audio*.  
<http://archive.org/details/AtticaUprisingTheRockefeller-nixonTapes> (accessed April 28, 2012).

<sup>55</sup> New York State Special Commission on Attica, *Attica: The Official Report*, 473.

mistake to give the inmates time to dig in and fortify.<sup>56</sup> It was not in the best interest of the hostages who should have been Oswald's first concern as they were state employees and his direct responsibility. Instead, Oswald called the forces off after their initial retaking of A, B, and C blocks in order to wait for reinforcements. Oswald then decided to engage in days of negotiations with the inmates that were going nowhere fast, and only making a future assault on the prison increasingly difficult. As stated earlier Oswald was willing to sign off on the inmates' demands for reforms in the prison, but he was unwilling to give them the amnesty that they so desperately desired. As the prisoners made clear that the amnesty and transport to a non-imperialistic country were non-negotiable, Oswald was then left with no choice but to end the stalemate with force.<sup>57</sup>

The siege took only six minutes to complete. The first strike was a round of tear gas that was dropped out of a helicopter into D yard. Then after the first helicopter cleared out a second one flew in distributing another round of gas. John Stockholm, one of the hostages remembers these tense moments: "We heard the first helicopter and they tilted our heads back and put a sharp, I assume a shank or knife, to my throat. Then the helo (helicopter) disappeared and the prisoners relaxed a bit and sat me back down. Then all of a sudden another helo and everything started happening."<sup>58</sup> Paul Weisser, one of the inmates contained in C block, recalls looking out into D yard and thinking it was just like a Western Movie. There was a barrage of gunfire and the inmates hit the deck.<sup>59</sup> When all was said and done the New York State Trooper had fired over 4,500 rounds of ammunition at inmates and hostages alike killing a total of 10 hostages and 29 inmates and severely injuring at least 88 more.<sup>60</sup> Liz Fink mentions: "They didn't care about the hostages. They were just fodder. They set it up so there would be a slaughter. They wanted people to understand what happened when you took this step."<sup>61</sup> Oswald and Rockefeller had no plan to save the hostages or preserve lives.

Immediately after the siege Commissioner Oswald and Governor Rockefeller reported to the media that the hostages that were killed had their throats slit. This implied that the hostages had been killed by the inmates during the siege and thus they could not be saved. This report was false, and was a lame attempt by state officials to cover up the fact that the hostages were killed by the state troopers who stormed the prison. Shortly after the siege Governor Rockefeller called President Nixon on the phone to give him a synopsis of what

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<sup>56</sup> *Ghost of Attica*.

<sup>57</sup> Oswald, *Attica-My Story*, 16.

<sup>58</sup> *The Big House III*.

<sup>59</sup> *Ibid*.

<sup>60</sup> New York State Special Commission on Attica, *Attica: The Official Report*, 473.

<sup>61</sup> *Ghost of Attica*.

happened. Rockefeller reported to Nixon that: “It appears now Mr. President as though quite a few of those (guards) were killed prior to this. In other words that they’d been dead.”<sup>62</sup> Nixon, in true political form, responded: “You can prove that can’t you? The hospital can prove that?”<sup>63</sup> And Rockefeller answered with confidence, “Oh, yes!”<sup>64</sup> It would only take a day for the coroner’s report to come back confirming that all of the hostages were killed by gunfire and none of their throats were slit.

To further cover up any wrong doing state officials ordered D yard to be cleaned up. State troopers bulldozed D yard essentially destroying any forensic evidence, before the Official Commission on Attica was allowed to begin their investigation of what happened during the siege. Fink equated this to going into a murder scene, moving the bodies around, scrubbing the walls, and tampering with evidence.<sup>65</sup> All of the attempts by the state to cover up their wrong doing only served to created further distrust in authority and enrage Americans.

Protests were staged and Americans who were fed up with being deceived by the Government rallied behind the Attica inmates. The message was no longer about prison reform, but the reform of a corrupt government who thought themselves omnipotent. On December 17, 1971, at a benefit for the victims of Attica, John Lennon sang a powerful song that helped make Attica a rallying cry for change. Here is an excerpt from that poignant song:

What a waste of human power  
What a waste of human lives  
Shoot the prisoners in the towers  
Forty-three poor widowed wives

Attica State, Attica State,  
We're all mates with Attica State

Media blames it on the prisoners  
But the prisoners did not kill  
"Rockefeller pulled the trigger"  
That is what the people feel...

Come together, join the movement  
Take a stand for human rights  
Fear and hatred clouds our judgment

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<sup>62</sup> “Attica Uprising: The Rockefeller-Nixon Tapes.”

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> *Ghosts of Attica*.



Free us all from endless night...

Attica State, Attica State,  
We're all mates with Attica State<sup>66</sup>

Shortly after writing this song Lennon was put under surveillance by the FBI and CIA. He was considered dangerous because of his radical political stance. It was his actions and support of the Attica inmates and speaking out about the American Government that led the authorities to categorize him as dangerous. He would never be granted permanent residency in the United States because of his “dangerous” radical political views. Nine years later Lennon would be assassinated outside of his apartment complex in New York City. Ironically his assassin, Mark David Chapman, would be sent to Attica State Correctional facility to serve his time.<sup>67</sup>

It was obvious that an example was to be made of the rioters to discourage future rioting. According to various sources, including Liz Fink, the inmates were left without medical care for hours in the prison yard. Those who could be moved were taken into the prison and were beaten, burned with cigarettes, and sodomized.<sup>68</sup> For decades Fink and other activists fought for compensation and an apology from the state for the torture and violation of these men’s civil rights. In 2000 they won a \$12 million lawsuit against the state, but the state still refuses to apologize or admit to any wrong doing.<sup>69</sup>

The surviving hostages and the families of the hostages murdered by state troopers in the siege of Attica are still seeking compensation. An organization called the “Forgotten Victims of Attica,” was created to raise awareness for the state employees who were left to die in Attica. Many believed that the victims, the prison guards, were given compensation for their injuries and for the death of loved ones. They were forced by the state, their employer, to settle for a small lump sum of money and sign a promise not to sue the state for further monetary damages. “The Forgotten Victims of Attica” is a platform from which these victims can voice their anger and educate the public on what really happened to them. They hope that in doing so they will someday receive an apology from the state and a sufficient amount of money to reflect the seriousness of their injuries.

The siege of Attica remains one of the bloodiest days in American history. Had Oswald and the administrators at Attica State Correctional Facility listened to

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<sup>66</sup> John Lennon, “Attica State,” *Lyrics Depot*, 1971, online <http://www.lyricsdepot.com/john-lennon/attica-state.html> (accessed April 28, 2012).

<sup>67</sup> “The Assassination of John Lennon,” *John-Lennon.com*, <http://www.john-lennon.com/theassassinationofjl.htm> (accessed April 28, 2012).

<sup>68</sup> *Ghosts of Attica*.

<sup>69</sup> *Ibid*.

the abundant warnings and pleas for reform then the bloodshed that occurred on September 13, 1971 may not have ever happened. Much of the controversy surrounding Attica is in the way the state troopers were sent in with a license to kill and no plan to save the hostages. The results of the assault are constant lawsuits, millions of dollars paid out to Attica inmates, and the families of the hostages still seeking compensation and apology from the state. The most infuriating result of the Attica riot is the ignorance of the state to learn from their mistakes and make real prison reforms in Attica. Barbara McEleney wrote, “The report entitled *Attica 1982* cited overcrowded conditions, inadequate medical care, deficiencies of food services, reduction in recreation time, inadequate availability of job training or counseling programs, inadequacy of legal materials and restricted use of the law library.”<sup>70</sup> To this day Attica is still overcrowded and as it is now over seventy years old and becoming outdated. Who knows maybe if conditions worsen a second Attica riot could erupt, once again putting the American correctional and judicial system in the forefront of social and political debates.

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<sup>70</sup> McEleney, *Correctional Reform in New York: The Rockefeller Years and Beyond*, 137-138.

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