

New York state makes settlement offer to Attica inmates

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A US federal judge ruled January 4 that the State of New York must pay \$8 million to end a 25-year-old class action suit brought by 1,281 prisoners beaten and brutalized during the Attica prison revolt in September of 1971. The five-day action by prisoners was suppressed when Governor Nelson Rockefeller ordered state troopers to attack the prison with overwhelming force. A total of 43 people were killed and 80 injured as a result of the savage state attack.

According to the New York authorities, only about 400 former Attica inmates will be receiving compensation as a result of the settlement. Approximately 400 prisoners have died and the rest reportedly cannot be located. The remaining former inmates must now decide whether to accept the court's award or continue litigation. Plaintiffs in the case had originally sought \$2.8 billion when they filed suit in 1974.

On September 9, 1971 angry inmates at the Attica Correctional Facility, located 30 miles east of Buffalo in western New York state, seized control of the prison and took several guards hostage. Their action followed years of fruitless complaints over intolerable conditions, including bad food, poor medical care, restricted visiting rights, censorship of correspondence and abusive treatment by guards.

The inmates' action took place in the context of the mass protest movement against the war in Vietnam and the wave of riots that shook all the major cities of the US in the middle and late 1960s. It came little more than a year after the killings of student protesters at Kent State and Jackson State Universities.

The prison revolt was followed by several days of tense negotiations between the prisoners' representatives and state authorities. On September 13 New York's Governor Nelson Rockefeller ordered state

troopers to storm the facility and retake it from the inmates.

Three thousand rounds of ammunition were fired indiscriminately for 12 minutes into a crowd of 1,200 prisoners. The assault left 29 inmates and 10 hostages dead, and 89 seriously wounded. The final death toll was 43, making Attica the biggest loss of life arising out of a single protest since the anti-draft riots in New York City in 1863.

This exercise in brutality and murder was followed by official lies. The authorities claimed that inmates had cut the throats of the 10 guards who were killed, and that some of the hostages had been castrated. Autopsies the next day showed that none of this was true. This did not stop officials from sanctioning reprisals against the prisoners.

Inmates were forced to strip and crawl over broken glass. One had a screwdriver repeatedly shoved into his rectum, reminiscent of the more recent torture of Haitian immigrant Abner Louima by Brooklyn police in 1998. Another was forced to lie naked for hours with a football propped under his chin, and warned that he would be killed or castrated if the ball dropped. The prisoners were denied medical treatment for hours even though many were seriously hurt.

While there was mass revulsion to the state killings there was little public opposition or protest from either Democratic or Republican party politicians. The media generally reported the authorities' version of events.

Governor Rockefeller's actions were later criticized by the McKay Commission, which had been organized to investigate the events of September 1971. His name will be forever linked with the atrocity at Attica, much as that of his grandfather John D. Rockefeller is associated with the 1914 Ludlow Massacre of striking miners in Colorado.

The settlement is a hypocritical sham. There is no admission of guilt, and no provision to punish any of the officials or guards who participated in the killing and torture carried out against the prisoners. If this agreement is settled, the approximately 400 claimants stand to receive an average of only \$20,000 each. Another \$4 million is to be paid to their lawyers.

Many commentators at the time and since have written of the events at Attica condemning the brutality of the state. Former *New York Times* columnist Tom Wicker, who was part of an observer team which tried and failed to mediate the Attica revolt, recalled the events and regretted the failure of the state to issue any apology to the inmates or even acknowledge their wrongdoing.

But what Wicker and other commentators fail to address are the more profound reasons for the decision taken by Rockefeller in September 1971. In essence, it was the response of government officials to what they considered to be an intolerable challenge to the authority of the capitalist state. Especially under the conditions taking place at the time—which included mass anti-war and civil rights protests across the country and militant strikes by workers for higher wages—government authorities representing the American ruling class made a calculated decision to set an example with the Attica rebels, punctuated by blood.

Nor is Attica simply an aberration in American history. From the suppression of the Great Rail Strike of 1877 to the present the American ruling class has unleashed massive violence against workers when it felt its authority was being challenged.

Since Attica, one could cite the 1985 MOVE bombing in Philadelphia and the even more bloody suppression of the Branch Davidian compound in Waco, Texas on April 19, 1993, when 80 people were killed. Despite the fact that the religious sect at the compound led by David Koresh espoused views encouraged and cultivated by the government and the media, when this group came into conflict with the government's authority they were brutally suppressed.

The recurrence of such events reflects an essential fact about American society—its great class divisions and glaring social polarization, which today, more than at any other point in the modern era, permeates every aspect of life.

As for the prison system in New York state, if

anything, conditions have deteriorated in the 30 years since the Attica revolt. There are currently 72,638 prisoners in New York State, compared to about 12,500 thirty years ago. Nationally the US has 1.8 million prisoners in federal, state and local jails—according to a number of studies the largest prison population of any country.

Even as lawyers were ironing out the details of the state's settlement offer for Attica, New York authorities were taking emergency measures to prepare for rumored prison strikes and protests. On the eve of the new year, leaflets with the headline “Wake Up” were circulating among New York prisoners calling for inmates to protest the clampdown on parole for long-term prisoners by refusing to do their prison jobs. Officials put 1,800 inmates at Sing Sing Prison on indefinite “lockdown.” Scores of inmates from Green Haven Prison and elsewhere were transferred to facilities hundreds of miles away from their families as punishment for having these leaflets in their possession.



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