

1 with you. This type of thing. All officers 297  
2 are not involved specifically with the inmates.

3 Q Sergeant, you said that there was more program-  
4 ming, but you also have said over and over again that  
5 more could be done. Do you think that you have enough  
6 support from the public to obtain the funds and the  
7 tools to give the inmates more programming, more  
8 counseling and better conditions?

9 A There is no doubt in my mind that there never  
10 was and at this particular date there are not enough  
11 funds. There has not been enough funds appropriated for  
12 the Department of Correctional Services. This is my  
13 opinion as an individual. The department has always  
14 been treated as a stepchild.

15 In other words, we are a low one on the rung  
16 of priorities. We get what's left over.

17 Q Do you feel jeopardized by this public apathy?

18 A I feel jeopardized by this apathy, certainly,  
19 if this is where the problem is.

20 MR. LIMAN: I have no further questions.

21 MR. MC KAY: Sergeant Cochrane, I  
22 have just one question, myself, and then perhaps  
23 other members of the Commission have questions.  
24 But before I ask my question, I want to remind you  
25 of your opportunity to make a statement, if you wish,

---

1 either now--

2 THE WITNESS: I would like to make it  
3 at the end. It will take me two minutes.

4 EXAMINATION BY MR. MC KAY:

5 Q When you noticed the changes in Attica since  
6 before September 9th to the present time, you did not  
7 mention the Inmates Grievance Council which has recently  
8 been instituted.

9 Do you think that will make any difference to  
10 the inmates, to the officers, to the situation in general?

11 A There is a possibility that it can help the situ-  
12 ation. Primarily because it was set up in a democratic  
13 manner. In other words, the inmates elected these in-  
14 dividuals. They were not picked out by the administra-  
15 tion. This attached a certain validity to it, as far  
16 as the inmates were concerned.

17 How do the officers feel about it, how do I  
18 feel about it? I would like to take a wait-and-see  
19 attitude on this. This is going to take time. There  
20 is an opportunity to help the situation. I am not con-  
21 vinced that it is the answer, but I am willing to wait  
22 and see. That's how I feel.

23 MR. MC KAY: Thank you.

24 Mr. Wilbanks, do you have questions.

25 MR. WILBANKS: Yes.

1 EXAMINATION BY MR. WILBANKS:

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2 Q Some inmates told us there were other inmates  
3 that make it hard on the rest of them by their actions,  
4 who cause troubles. Are there other officers who you  
5 feel that are in a sense, you know, any percentage are  
6 bad factors, who don't treat inmates as human? Are  
7 there such people?

8 A Generally speaking, I am sure we could say  
9 this about any situation. There has got to be a small  
10 percentage that there is room for improvement, yes.

11 I can say this: It is a small percentage.

12 Q Your being a supervisor, if you know of some-  
13 one who is an individual that has been reported to you,  
14 he is having difficulty with inmates, what steps are  
15 taken on your part? Do you speak with him, do you  
16 counsel him?

17 A You said it. Once it becomes apparent to a  
18 supervisor that he has a particular officer that is hav-  
19 ing difficulty, any kind of difficulty with the inmates,  
20 it is your responsibility to try to effect a change in  
21 this man's manner of operation and his attitude.

22 I have had these situations. I have attempted  
23 to make a change. I feel that I have been successful on  
24 all occasions that I was involved with. When I'm talk-  
25 ing about, you take the man aside, you find out just what

1 the situation is and find out what the reasons  
2 for these particular actions are, and you counsel him,  
3 yes, that's what you do.

4 Q A second and brief question. There are a lot  
5 of recommendations by different groups for intervention  
6 of outsiders, citizen observers, ombudsman, monitor,  
7 this type of thing?

8 I want to know how you feel about it. And,  
9 secondly, is your attitude typical or is it exceptional?

0 A I don't know if my attitude is typical or not.  
1 Do we need people inside? Not as many as we have today.  
2 I mean, there is people all over the place today.  
3 Specifically, I don't think we got anything to hide. I  
4 don't think there is anything wrong with opening these  
5 institutions, as long as, you know, you have proper con-  
6 trols. This type of thing.

7 But the more people that you have in these fa-  
8 cilities, roaming around, it does create certain prob-  
9 lems because we are responsible for the welfare of these  
0 individuals.

1 MR. WILBANKS: I have no further ques-  
2 tions.

3 MR. MC KAY: Mr. Carter.

4 MR. CARTER: My questioning is going  
5 to be rather extensive, because I want to be sure  
6

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1 I understand you.

2 EXAMINATION BY MR. CARTER:

3 Q Were you born and educated in the Attica  
4 area?

5 A I was born in Buffalo. I was educated at  
6 Attica High School. This is where I received my high  
7 school diploma.

8 Q In the Attica High School?

9 A Right.

10 Q Is that in Attica?

11 A That's correct. I have taken college courses  
12 at Genesee Community College, St. Lawrence. I have  
13 taken certain courses when I was in the service. I have  
14 taken many of the standard at-home courses in many dif-  
15 ferent fields. This is the extent of my education, other  
16 than considering experience.

17 Q How old were you when you became a correction  
18 officer?

19 A 22. Just turned 22.

20 Q Have you ever had an occasion, Sergeant, to deal  
21 with blacks as equals?

22 A Of course I have had occasion to deal with  
23 blacks.

24 Q As equals?

25 A As equals?

---

1 Q Yes.

2 A I have always considered everybody my equal.

3 Q Let me put it in a different way. I don't  
4 want to confuse the question.

5 A Go ahead.

6 Q You have dealt with blacks, you were a super-  
7 vising officer and they are inmates. I mean in dealing  
8 with blacks on the same level as yourself. Have you  
9 had any experience with that?

10 A I get your question now. When I was in high  
11 school and in Attica, itself, it's a known fact there  
12 are very few blacks. I had one that went to school with  
13 me. When I was in the service, I served with, worked  
14 with, lived with blacks for the three years that I was  
15 in the service. This is the experience prior to coming  
16 to Attica Correctional Facility that I had with blacks.

17 Q And since that time your experience has been  
18 as a correction officer?

19 A Yes, it has, that is correct.

20 Q You said in answer to a question from Mr.  
21 Liman that there was no racial discrimination at Attica.  
22 You said there was none.

23 A Did I say that?

24 Q I thought you did.

25 A No, that isn't what I said.

1 Q Correct me, please.

2 A I feel that there is probably the same level  
3 in the institution as there is in society in general.

4 Q Okay. Fine.

5 A And I don't know what that level is.

6 Q I misunderstood the answer. I will accept  
7 that answer as being absolutely correct.

8 A Thank you.

9 Q You also indicated to us that you--one of your  
10 duties was to be concerned about the safety--you can't  
11 hear me, I gather?

12 A You are talking rather low.

13 Q You were concerned about the safety of the  
14 inmates?

15 A Certainly.

16 Q And that your concern was, you mentioned spe-  
17 cifically, safety from other inmates?

18 A That was one of the areas, right.

19 Q For me it was a significant omission, but the  
20 safety from other officers, you regard that as being a  
21 part of your responsibility as well?

22 A This is my responsibility. And I did make a  
23 statement earlier that I felt on no occasions in my 14  
24 years in the department that I felt that an officer could  
25 be put in this category. This is the statement I made.

1 Q Have you ever heard any officer in  
2 your 14 years there refer to black inmates as niggers  
3 and coons?

4 A I can't recall that term being used and it is  
5 a very unfortunate term, if it is used. There is no  
6 place for it in a correctional facility.

7 Q You never heard any officer use it?

8 A I never can recall an officer saying that to  
9 an inmate on any occasion. He would be foolish, if  
10 he did.

11 Q What is the--what did you mean by the state-  
12 ment that normal behavior--the statement that you got  
13 concerned about--I think it was in terms of dealing with  
14 the inmates, that you were concerned about normal be-  
15 havior. What is normal behavior?

16 A We all know that normal behavior--normal any-  
17 thing can't be defined. When I say abnormal behavior,  
18 when a particular inmate is doing things which normally  
19 you don't see other people do. This is an individual who  
20 must be observed closely. If it is felt that he is a  
21 threat to his own well being or somebody else's, it is  
22 my responsibility and every officer's responsibility to  
23 make sure that he has attended to it.

24 Q Can you be a little more specific about that.  
25 I really would like to understand you. Does this mean---

1 do you mean by that that when an inmate has  
2 violated some rules---

3 A This isn't what I was concerned with. I was  
4 concerned about things that you would consider abnormal  
5 behavior, things like an individual talking to himself,  
6 things like an individual banging on the side of the cell.  
7 Things like an individual walking around like he was dizzy  
8 or some other things. This is what I'm talking about.

9 Q Is it your experience that there is a dif-  
10 ference in attitude between white and black inmates?

11 A It is my experience that there is a difference  
12 in attitude between the two?

13 Q Yes.

14 A No. The line is not drawn between black and  
15 white. The line is drawn between the particular philoso-  
16 phies of the individual, at least I feel there are  
17 philosophies. There are some inmates, both black and  
18 white, who believe in tearing down the system, causing  
19 problems. I do not draw the line between black and  
20 white.

21 Q And you said, am I to understand, that that  
22 kind of attitude is now present in both white and black?

23 A That is exactly what I mean.

24 Q Is that what you mean when you say, when you  
25 talk about militants?

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1           A     I did not talk about militants, I don't     306  
2 think. But this is the term that is used today.

3                     The particular type of individuals who seem to  
4 feel that violence is the way to change things, this is  
5 generally what I am speaking about, yes.

6           Q     There are a number of blacks, as you probably  
7 know from your experience, who are more aggressive in  
8 terms of their dealings with others, who feel that they  
9 are tired of what they regard as prejudice and discrimina-  
10 tion and no violence being involved, merely an attitude  
11 change in themselves.

12                     Do you regard those people as being militants?

13           A     No.

14           Q     Are there such people at Attica?

15           A     Are there blacks at Attica that feel the change  
16 should be made and they do not feel the violent way is  
17 the proper way, is that what you mean?

18           Q     Yes.

19           A     Certainly, there are.

20           Q     Those people, you would not classify them, when  
21 you talk about militants or, rather, when you use the  
22 term "milants," you are not including those people in  
23 that category?

24           A     I am including anybody who believes this or  
25 anybody who contributes in any way to this particular

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1 feeling. Some individuals will not physically 307  
2 be violent, but they will influence other individuals to  
3 be physically violent.

4 Q I am not sure I understand that. I am not  
5 sure I understand that. Let me see if I can understand  
6 it. Those persons, without regard to how they feel,  
7 if they are aggressive, if they feel that there ought  
8 to be some changes, if those people contribute to the  
9 violent attitudes of others, you would classify them as  
10 being militant?

11 A I would classify them as being in the category  
12 where they could be considered dangerous to the welfare  
13 of the entire facility, and I'm talking about inmates and  
14 employees.

15 Q You did say, I believe, that there was a great  
16 deal of confrontation with the younger Puerto Ricans  
17 and blacks--

18 A I said with the younger inmates.

19 Q The younger inmates?

20 A Yes.

21 Q The younger inmates are more likely to, you  
22 say, seek a confrontation?

23 A That is correct. This is my feeling.

24 Q Is this generally true of all inmates, white  
25 or black, or is it white, black or Puerto Rican?

1           A     I would say that I personally have had     308  
2 situations that I was involved with where my authority  
3 was challenged, a confrontation was forced by blacks,  
4 Puerto Ricans and whites of the younger group of in-  
5 mates.

6           Q     So, that it's just a general change in atti-  
7 tude of the younger people that comes across to you?

8           A     I feel that this particular group, irregardless  
9 of national origin, is our problem.

10          Q     I think I have only two more questions. One  
11 is, I want to be sure I understand what you mean by  
12 brutality. Is that physical? Brutality you are speak-  
13 ing of in terms of correction officers, are you talking  
14 about physical brutality?

15          A     I know what I mean by brutality, but can I ask  
16 you, what do you mean by brutality?

17          Q     I am trying to find out what you mean by  
18 brutality. I am attempting to understand you. Are you  
19 talking about physical brutality?

20          A     Brutality to me, when an individual exerts more  
21 force of any kind on an individual than is---more than is  
22 required to get the intended results.

23          Q     That could include both physical and non-  
24 physical?

25          A     To me, it could. I mean, an individual could

1 be harassed needlessly, which I would consider--- 309

2 I don't call it brutality. This is a misnomer. This is  
3 a term that is a scare word, that I think is a wrong  
4 word to use, but this happens to be the term they are  
5 using today, so this is the one we have to deal with.  
6 This is how I feel about it.

7 Q Just one final question. You used the words  
8 that you get to know inmates. You think you get to know  
9 inmates?

10 A I feel that on occasion I have gotten to know  
11 several inmates quite well, yes.

12 Q Do you mean that you know them as people, as  
13 persons, as individuals?

14 A Of course.

15 Q Is that a frequent--is that very frequent for  
16 a correction officer--

17 A I would say that this situation arises much  
18 more frequently than the general public feels. Believe  
19 me, like I said earlier, when an inmate has a problem,  
20 more frequent than that, he will bring this problem to  
21 a correction officer first.

22 MR. CARTER: Thank you very much.

23 THE WITNESS: You are welcome.

24 MR. MC KAY: Mrs. Wadsworth.

25 EXAMINATION BY MRS. WADSWORTH:

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1 Q We do have the issue of food that 310  
2 seems to always come up in discussions. You mentioned  
3 that supper was at 4:00 o'clock in the afternoon. Am I  
4 right, 4:00 o'clock and out by 5:30?

5 A Supper, we start directing the men to the mess-  
6 hall for supper in the area of 4:00 o'clock. That is  
7 correct.

8 Q That's what I thought you said. Is the reason  
9 for this timing one of scheduling of the--

10 A I think so.

11 Q Or is there anything punitive here, because that  
12 does make for a long evening?

13 A There is no punitive thought here. The shift  
14 that normally is most concerned with supervising the  
15 men when they do go to the messhall is the 9:20 to 5:20  
16 shift. They start taking these men to the messhall at  
17 4:00 o'clock. By the time the entire population has been  
18 fed, returned to their cells and counted, it's 5:00  
19 o'clock or shortly thereafter. And it's almost time for  
20 that shift to go home. There is nothing punitive con-  
21 sidered here. If it is done later, it is going to in-  
22 volve possibly more employees, more funds to pay these  
23 employees. This type of thing.

24 Q It's a scheduling problem?

25 A Absolutely.

1 Q Secondly, you mentioned that you 311  
2 thought one of the important roles of the CO is en-  
3 couragement for the inmate, of helping him with his  
4 problems.

5 A Absolutely.

6 Q Mr. Carter touched on this to a great degree.  
7 I wonder how long is the particular correction officer  
8 assigned to a particular block? How possible is it for  
9 this kind of relationship to be built up? I would as-  
10 sume that with the difficulties in the situation, it  
11 would take some time to develop a warm, human relation-  
12 ship.

13 A You are correct.

14 Q Are the COs on a block for a long enough time  
15 to make this possible?

16 A We have a large turnover, as far as assignments  
17 are concerned. It certainly is conducive to this type of  
18 feeling, if we can keep an officer on the same company  
19 with the same group of inmates for an extended period  
20 of time. I would like to see more of this, myself.

21 Q What do you think is an extended period of  
22 time?

23 A Well, this is the man's assignment and I'm  
24 talking about six months, a year, two years. In the  
25 past there were situations where the same officer would

1 have the same company and most of the same 312

2 inmates for years. The only change would be if the  
3 inmate left the particular company, and he got to know  
4 these men quite well.

5 Q And, Sergeant, I believe you said that the COs  
6 carry only the nightstick.

7 A That's correct.

8 Q And no arms?

9 A No arms within the institution.

10 Q Then, I would assume that there is no kind of  
11 training of any sort for the correctional officers in  
12 the area of use of arms and that kind of thing, this  
13 would not be a related issue or subject for instruction?

14 A When you say training in the use of arms, are  
15 you talking about firearms?

16 Q Yes.

17 A There is a great deal of training in the use of  
18 firearms.

19 Q Although they don't carry them?

20 A Let me explain this, so we understand this.  
21 This is rather important.

22 There are no firearms within the institution  
23 itself. Firearms would be on the outside perimeter, the  
24 walls where they do not come in contact with inmates. The  
25 only other area where firearms would be used would be in-

1 mates transported for court appearances, this 313

2 type of thing. All officers at the present time are af-

3 forced comprehensive training in the use of firearms.

4 You can't put a man behind a firearm without training.

5 We never did and we never will.

6 MRS. WADSWORTH: Thank you.

7 MR. MC KAY: Bishop Broderick.

8 EXAMINATION BY BISHOP BRODERICK:

9 Q Sergeant, I was interested in your pay scale.

10 How does it square off with the New York State police,

11 the local police, New York City police?

12 A I would say that prior to April 1st, the New

13 York City Department of Correction pay scale was 2500

14 to over \$4000 more than the state correction officers

15 were making.

16 The state police, I would say are possibly

17 two to three thousand dollars over our pay scale when

18 you consider a starting correction officer in relation

19 to a starting state trooper.

20 Q Your next promotion would be to lieutenant,

21 is that it?

22 A This is in the direct line of promotion.

23 Q But it would mean, wouldn't it, if there were

24 no vacancy at Attica, you are going some place else, in

25 effect uprooting yourself?

1 A Certainly would.

314

2 Q Therefore, you wouldn't be euphoric about it,  
3 would you?

4 A This is a decision to make. There are cor-  
5 rection officers who have completed all qualifications to  
6 be sergeant, had an opportunity for the promotion and  
7 did not take it for the simple reason that they may have  
8 to go to the other end of the state, uproot their family.  
9 It might take them three, four years to recover the  
10 expenses that were incurred in taking a promotion at  
11 the other end of the state.

12 I would like to say that in my opinion there  
13 are quite a few correction officers in the facility I  
14 work in who would make outstanding supervisors, but the  
15 promotional system holds them down. This is my personal  
16 feelings on that.

17 Q The superintendent is appointed, he is not  
18 civil service, is he?

19 A No. At the present time right up through  
20 superintendent, they take an exam. I think, I am not  
21 sure on this, you could check this out, I think the  
22 superintendent is mostly an oral exam. Possibly there  
23 is a written.

24 Q Does this lead to any discontent in the ranks  
25 that your boss would be not up from the ranks?

1           A     It may. Most--right now most of  
2 our top correction personnel have come up through the  
3 ranks. I personally hope it stays that way.

4           Q     Then, the question of, we have been hearing  
5 many times that there is no such thing as a rule. You  
6 say there is a book and I was up at Comstock, I got a  
7 rule book that was dated in 1968 or 1970.

8           A     There are rules.

9           Q     Is this the manual you follow?

10          A     This is this little blue rule book that in-  
11 mates were issued up until the time they came into the  
12 institution.

13          Q     What we have been hearing is that the execu-  
14 tion or the fabrication and the implementation of the  
15 rule depends on the whim, the ups, the downs, the digestion  
16 of the COs.

17                    You line up by size or by color, by race, or  
18 you don't, depending on the permissiveness, say. And  
19 then when you get accustomed to a guard and his way of  
20 life or his life style, he leaves and then someone else  
21 comes and you have to put in a tab, if you are not fol-  
22 lowing the rule.

23                    I see a certain amount of humanity and common  
24 sense in its execution. I think you brought that out.  
25 If all don't agree on that, it's a pretty tough way to

1 run a ball team. And maybe this is one of the 316

2 difficulties that I see.

3 A I will try to answer that question--

4 Q It was not really a question. I think it was  
5 an observation. I'm just saying that maybe there should  
6 be more uniformity.

7 A I would like to answer it, if I may.

8 Q Sure.

9 A There certainly is areas here which could be  
10 improved. You have noticed it. All officers notice  
11 it. I notice it. There are efforts in this direction  
12 from the highest department level where they are, from  
13 what I understand in the process of instituting uniform  
14 rules and regulations.

15 I would also say that the complaint, as far as  
16 some of these men are concerned, is exaggerated to a  
17 point. It isn't as prevalent as some individuals may  
18 lead us to believe, but it does happen to a lesser de-  
19 gree than we are led to believe.

20 Q My last question is, I guess, in the nature of  
21 a philosophical question. You spoke about before the  
22 uprising groups getting together. We have been hearing  
23 the term used Marxist-inspired revolution from some of  
24 the correctional officers.

25 Is there any basis for that, do you think?

---

1           A     I think there is to the extent that           317  
2     some of the rhetoric that was overheard being spelled  
3     out by these individuals would point in this direction  
4     to this degree and also there was written material dis-  
5     covered being carried by inmates and inmates' cells that  
6     certainly could be classified in this area, yes.

7           Q     Yes, you feel that--

8           A     If you interpret it from these two signs which  
9     all officers observed.

10          Q     But if the revolution or uprising depended  
11     almost on a mechanical failure, could you blame the  
12     Marxist-inspired revolution for the uprising?

13          A     A man adopts---

14          Q     This is not a fair question.     I don't mean  
15     to---

16          A     I can't see why these people felt the way they  
17     did. I can't state to somebody else I told these people  
18     to do this. We can only say what we saw. Each individu-  
19     al possibly will interpret this different. How qualified  
20     we are to interpret this is a matter of opinion.

21                   BISHOP BRODERICK:           Thank you.

22                   MR. MC KAY:           Mrs. Guerrero.

23     EXAMINATION BY MRS. GUERRERO:

24          Q     I believe that--I don't know much about police  
25     and so forth, but I believe that a police officer is sup-

1 posed to maintain order, especially if it is 318  
2 violated, you know, somebody gets out of control the  
3 the policeman apprehends the offender in order to pro-  
4 tect the rest of us and the general public. That's  
5 what the policeman does on the outside.

6 A That's right.

7 Q When they are sent over to a correction facili-  
8 ty, do you believe that the institutions are doing the  
9 best to rehabilitate the inmates through education and  
10 training to be able to function like every responsible  
11 citizen when they return and because, different from  
12 the policeman outside, your duty in the correction facili-  
13 ty is entirely to the people there. In other words, we  
14 are paying you and we are paying a great deal of money  
15 to maintain these people there so that they are re-  
16 habilitated, and those are the hard core, and somebody  
17 must find that out, can they be rehabilitated so the  
18 others may, especially if they are young, may have a  
19 chance to be good citizens or--I mean law abiding  
20 citizens. Being good, I don't know.

21 A This is ultimately what I think all responsible  
22 people want the correctional facilities to do. Are we  
23 doing it? Believe me, we are attempting. I have already  
24 tried to make the point that in my opinion--I can't speak  
25 about anybody else but myself, that rehabilitation has to

1       come from within.    A man has to want to be reha-    319  
2       bilitated.    We, as much as possible, should provide the  
3       tools, the means, the opportunity.    And when I say "we,"  
4       I'm not just talking about the Department of Correction.  
5       I'm talking about the general public.    This is where  
6       it's got to come, from the public to the legislature,  
7       right on down the line.

8                Yes, the general public is paying us to do a  
9       job.

10           Q     My idea is, what I think, after listening to  
11       a lot of inmates and some of you officers, my idea is  
12       that you are really responsible to these people.    You  
13       are not really a policeman.    You are supposed to see  
14       that they behave.    Much more than a psychologist and  
15       psychiatrist, and nothing has been done about that, so  
16       we really, all of us, have failed desperately to make the  
17       people who have committed crimes or have done something  
18       against the general welfare of the society, we have fail-  
19       ed them miserably, have we not?

20           A     As a general statement, I would say that there  
21       is room for improvement and if society in general is  
22       responsible for this, then we are all society, yes.    I  
23       would say this.    We have to make improvement.    I can't  
24       sit here and tell you what I think are the best ways to  
25       do this, but I would also say that it has to come on the

1 part of the inmates, themselves. You can't 320  
2 make a man be rehabilitated. You can't force him to be  
3 a better man.

4 Q That's true, but you don't feel that--also, I  
5 think that the correctional officers have to be trained  
6 differently or better, I would say.

7 A I would agree that it is very important that  
8 all correction personnel are subject to more intensive  
9 trainig. Absolutely. I agree with you on that.

10 MRS. GUERRERO: Thank you very much.

11 THE WITNESS: You are quite welcome.

12 MR. MC KAY: Mr. Rothschild?

13 MR. ROTHSCHILD: I have several ques-  
14 tions.

15 EXAMINATION BY MR. ROTHSCHILD:

16 Q I think many of us share this and I think it's  
17 self-evident, but a lot of the questions we ask you is  
18 because we have a system which the correction officers  
19 said, the prisons have said, almost everybody has said  
20 the problem is part on both sides. And if you have the  
21 courage to be here as a correction officer and we are  
22 asking you those questions as a correction officer and  
23 certainly not personally.

24 You talked about the seniority system for a  
25 minute earlier in your testimony.

1 A Yes, Mr. Liman discussed that. 321

2 Q I am curious about some aspects of it. When  
3 we first talked at Attica, one of the things, and this  
4 came mostly within my hearing from correction officers,  
5 in the question of--had to do with prejudice, to do with  
6 discrimination, brutality, it had to do with a lot of  
7 things. And the expression was if any officer did that,  
8 they would put him on the wall. No warden would have a  
9 fellow like that. They would put him on the wall. We  
10 heard that from a number of people.

11 On the seniority system that you described,  
12 I guess you don't put fellows on the wall if they don't  
13 fit well with the population any more. That used to be  
14 the thing you did with a fellow that wasn't working well  
15 with the population, I gather.

16 Is my assumption right?

17 A Years ago, when I first came into the depart-  
18 ment, this was a method for controlling an individual  
19 that was having difficulties. It was considered a type  
20 of punishment to put a man on the wall. It is no longer  
21 this way, because wall posts are considered premium as-  
22 signments.

23 Q They are?

24 A Yes.

25 Q If we have a total seniority bidding system

1 within the CO organizations today, what 322

2 reasons are there within that system for an individual  
3 to take the kind of courses you talked about taking,  
4 to try to do the things that you do look to improve your  
5 own ability to do the job in your business? If it is  
6 strictly seniority-bid system, what benefit is there to  
7 one of you who does work to get to know inmates, who does  
8 feel a sociological impact in what you are doing, et  
9 cetera?

10 A This is a good one. In other words, here you  
11 have two individuals. One man gets a great deal of  
12 seniority and he gets the job he wants. Another in-  
13 dividual is going to college, he can never get that job  
14 he wants until he gets enough time in, so he did not need  
15 this in the first place. Possibly this is the way it was  
16 and it probably was, until recently. How recently, I am  
17 not sure, but changes are in effect in this particular  
18 area. They are trying to develop a so-called career  
19 ladder. This is rather recent.

20 I don't have all the facts at my disposal, but  
21 generally speaking it's going to afford officers, No. 1,  
22 an opportunity to get more training and, No. 2, when they  
23 get that training, to be put in a position where they  
24 come in closer contact with the inmate to utilize this  
25 new training and also be put in a position where they are

1 justly compensated for this additional

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2 ability. There are steps in this direction, yes.

3 Q We talked a bit, and a lot of us have been  
4 after you on this, on rehabilitation, on this subject.

5 In your definition of a CO's responsibility,  
6 which you made earlier, there was relatively little  
7 mention of the preparation for return to society, and  
8 on questioning from Mr. Liman, you went on to say you  
9 counseled those that came to you with problems, a CO  
10 did.

11 A An individual type of thing.

12 Q And secondly, you looked to counsel and help  
13 those whose behavior was not normal.

14 In response to Bob Carter's question, you  
15 described what normal meant. That leaves a lot of  
16 people out. Taking the not normal definition of the  
17 fellow who talked to himself, et cetera, and the inmate  
18 who does, in fact, come and say "I have a problem and  
19 need help," this leaves a great deal of the population,  
20 I would think, out. I have a very specific question.

21 We all agree with rehabilitation and people  
22 should come back to society better prepared and all that.  
23 I've got one missing link. Who, in fact, is responsible  
24 for rehabilitation of inmates in the Attica Facility?

25 A Generally speaking, this is all I can say on

1 this one: every is responsible, concerned, 324  
2 whatever term you want to use, for rehabilitation. And  
3 when I say "concerned," responsible--to utilize whatever  
4 tools are available in the facility.

5 In other words, make the inmate aware of these,  
6 encourage him, if possible, to avail himself of these  
7 opportunities. You say we left it out. It wasn't  
8 intentional. There are Dale Carnegie courses. There  
9 were--I'm not sure if it's been recently, because of the  
10 turmoil--there were classes a man would go to prior to  
11 his release. The educational efforts in the facility,  
12 I think, were excellent. They have been criticized in  
13 some areas, but I feel that they were more adequate than  
14 has been said.

15 Of course, there was still room for improvement.  
16 Vocational training. In degree, it wasn't too high. But  
17 the ones that were given the availability to these vo-  
18 cational programs, they were quite good. Our DVR pro-  
19 gram had what I consider an excellent rehabilitational vo-  
20 cational program, an outstanding instructor and all  
21 the equipment, but it was on a very small level. I would  
22 like to see this type of thing on a much bigger level.

23 In other words, give these men training in an  
24 area where they can prepare themselves and actually go  
25 out, get a job that they have been trained for and make

1 a decent living. Yes, I think there should 325

2 be improvement there.

3 Q I think you have articulated the hopes we all  
4 have. I still am not quite happy. We heard yesterday  
5 from Mr. Matthews about the fact that he tried to get  
6 high school equivalency at Attica and he, in fact, never  
7 was assigned to the school and, therefore, he has not  
8 thus far been able to accomplish it. This is what was  
9 said from your seat--that seat, I mean.

10 The curiosity to me is, and I am really trying  
11 to seek information--

12 A I am seeking to give it to you.

13 Q (continuing) --is there someone or should there  
14 be or is this one of the problems and certainly the  
15 inmates indicate that they are not happy with the re-  
16 habilitation they get, is there a need for someone who  
17 is, in fact, responsible to tell us why someone who  
18 sought high school equivalency did or did not get an op-  
19 portunity to achieve it?

20 When everybody is responsible, in the business  
21 I was involved in, that generally meant that nobody was.

22 A Do you want me to try to answer this one?

23 Q It's kind of a dirty question. I need an  
24 answer.

25 A I will do my best. We had at Attica a staff