

1 27 A To answer that, I believe I can state it this 368
2 way. That every error and every group age has their
3 own thoughts, their own ways of acting and their own
4 ways of doing things.

5 Q Maybe I have to rephrase it. Because I felt
6 until the beginning you were saying that the inmates
7 today have no respect for authority and that you believed
8 in authority. At this point in time. And I think it
9 was also suggested, perhaps you matured and now--and be-
10 hind that you became calmer and you got the kind of
11 work that you wanted.

12 And I'm just wondering if you can see any of
13 yourself as you were 28 years old, 18 years ago in the
14 young men that's coming in prison today?

15 A Yes and no on that. No on the part that
16 when you knew you had to do a certain amount of time
17 and you knew you had to do it the best way you could,
18 you went about it that way.

19 And as far as the yes part, sure, like I
20 said, I had a lot of vim, vigor and vitality but I had
21 to take it out on something so I took it out on people
22 when I was playing football.

23 Q I have only one more question. You also said
24 that you found it easier to relate to the custodial
25 staff or the officers than you could with the new younger

1 inmates coming in.

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2 I guess you had more in common in the way of
3 conversation and in ways of thinking?

4 A Not necessarily. But when I first went in
5 there, to Attica, I found one rule and it was a cardinal
6 rule, that the officer was law and if you didn't obey
7 it, then you was keeplocked.

8 Q And in that period of time that you--where the
9 officer was the cardinal law, I'm curious to know that
10 at any point during that time were there rumors or
11 were there ever any occasions where you witnessed any--
12 where the officer had the stick and was compelled to
13 use it?

14 A No, sir.

15 Q You have never seen that?

16 A As a matter of fact, while I was working in
17 the hospital even, I never had to go up to HBZ to
18 check anybody out that was, as you say, a stick was used
19 on them.

20 Q Did you ever have to go up there to check
21 them out for maybe having a gas pelt thrown in their cell?

22 A No, sir.

23 Q No inmates ever came to the hospital to your
24 knowledge because of brutality inflicted by officers?

25 A No, sir.

1 Q The second part of my question is, at present 37
2 you are working with what group was that?

3 A It is the R.J.I. Rochester Jobs Incorporated.
4 Some people say that a hard core and the kids that
5 got thrown out of school, but I can't see it myself
6 because the only hard core people are the people that
7 want to make themselves so and these kids don't.

8 Q In the final analysis all things considered
9 and the conditions being adequate, you could work and
10 get along with young people?

11 A Yes, sir. I could.

12 MR. HENIX: Thank you.

13 MR. MC KAY: Mr. Rothschild?

14 MR. ROTHSCHILD: I have no questions.

15 MR. MC KAY: Mrs. Guerrero?

16 MRS. GUERRERO: No questions.

17 EXAMINATION BY MR. BRODERICK:

18 Q You spoke about the inequality of sentencing
19 for the same crimes.

20 A Yes.

21 Q Leading to a kind of loss of moral. This is
22 significant. It is not a question it's merely an
23 observation that you brought out.

24 The other is, I didn't know that the screen
25 had such a romantic history about it. I was of the

1 impression, I think many of us was that it was perhaps 371
2 a barrier to passing things.

3 I didn't know it had this romantic--

4 A It is for both things. It can be used both
5 ways or taken both ways. Either way.

6 Q My only question is about what were your duties,
7 were you called a nurse up there?

8 A I was.

9 Q You mentioned that you are not a registered
10 nurse?

11 A No, sir, I am not.

12 Q Did you dispense advice or medication at this
13 time?

14 A Yes, sir.

15 Q Under the supervision of a doctor?

16 A Under the supervision of a doctor or a registered
17 nurse.

18 Q Is there, or are there any registered nurses?

19 A There is six registered nurses and one licensed
20 practical nurse.

21 Q Are these female nurses?

22 A There is two female and the rest are men.

23 MR. BRODERICK: Thank you.

24 MR. MC KAY: Mrs. Wadsworth?

25 EXAMINATION BY MRS. WADSWORTH:

1 Q I am interested in the idea of the length 372
2 of sentences as an idea, as a concept.

3 You were certainly there 19 and a half years
4 and saw many people come and go, short sentences and
5 long sentences.

6 There is talk today in certain sections of
7 maybe ten years is a long enough sentence for no matter
8 almost what the crime, that there is a maximum.

9 Do you feel that correction and rehabilita-
10 tion can take place within a shorter number of years,
11 et's either going to happen or it isn't going to
12 happen, that these very long, 40 years to life sentences
13 are unreal and wrong? Do you have any comment on the
14 idea of length of sentence and how an inmate is rehabili-
15 tated or comes into the society in a better way?

16 A On that I think that I could safely say that
17 an inmate that wants to rehabilitate or get rehabilita-
18 ted can help himself by self rehabilitation. He can also
19 turn around and say, well, I'm going to fight this
20 system. Then there is--no matter what type of rehabili-
21 tation they have, they're not going to--you have in any
22 institution, they're not going to accept it when they're
23 like this.

24 Q The length of time of sentence, you are not
25 improving things by a longer sentence?

2 A A longer sentence doesn't mean--if you can't 373
3 rehabilitate yourself within, we will say ten years,
4 you can't do it in 50 years.

5 MRS. WADSWORTH: Thank you.

6 MR. MC KAY: Mr. Carter?

7 EXAMINATION BY MR. CARTER:

8 Q I just want to explore for a moment the
9 question that was raised by both Mr. Liman and Mr.
10 Henix.

11 What I would really like to know with more
12 specificity, if I can, why is it you feel--you answered
13 the question of Mr. Liman that it was fair to say that
14 you related better to the officers than to the younger
15 inmates.

16 I am not sure I understood your answer.

17 A Well, if I am not mistaken the question he
18 asked me was, can I relate better to--can an older
19 inmate relate better to an officer than the younger
20 inmates and I said yes.

21 Q Why is that?

22 A It comes right down to the same principal.
23 You acclamate yourself that you have to do
24 a certain length of time and you do it the best way
25 you know how. If you want to fight the system, then
you fight it. If you want to go along with the system

1 and try to help yourself, good. Then you help yourself
2 at the same time.

3 Q Do you think that younger men are engaged
4 in fighting the system and not attempting to rehabili-
5 tate themselves, is it something like that?

6 A As a majority, no. There is always a minority
7 that will do that. But as a majority, the answer would
8 be no.

9 MR. CARTER: Thank you.

10 MR. MC KAY: Mr. Wilbanks?

11 MR. WILBANKS: I have nothing.

12 EXAMINATION BY MR. MC KAY:

13 Q I have one or two questions that relate
14 to the period exclusively before September 9. I am
15 sure you are aware that one of the compelling complaints
16 made by the inmates is about the quality of medical
17 service. Since you were there and saw that dispensed
18 regularly what is your opinion of the quality of medi-
19 cal service?

20 A My opinion is this. That if you have an
21 inmate coming to you day after day, week after week--on
22 one day he will come in with a headache, the next day
23 he will come in with a stomach ache and ask for APC,
24 five days off because he don't want to go to his work
25 and the next day he will come in, "I turned my ankle",

1 so you send him back to get X-rayed. This doesn't 375

2 really--the real problem is trying to screen the people
3 that are sick, that are really sick, out. I think
4 that would be the best way to answer your statement,
5 Mr. McKay.

6 Q Your opinion then is that the quality of
7 medical service was good when it was possible to determine
8 that there was a genuine illness?

9 A Right.

10 Q What attempts were made to screen out those
11 who were not seriously in need of medical care and what
12 was the attitude of the doctors and the inmates in
13 making that determination?

14 A I didn't have too much to do with the set up
15 in the--where the doctors held sick call. I was in
16 the emergency room where if the doctors wanted to test,
17 they would send them there and then I would send them
18 back to where they were supposed to go.

19 Or if they wanted their ears cleaned or if
20 they wanted dressings changed, I would do that. But as
21 far as that goes on out there, I'm not qualified to say.

22 Q Again, before September 9 on how many occasions
23 would you estimate that you saw a correction officer
24 use more force than was necessary in dealing with an
25 inmate? Was it a frequent occasion or seldom or never?

1 A I don't remember of ever seeing that happen. 376

2 Q What about what we sometimes call verbal
3 abuse by correction officers to inmate. Harrassment,
4 unpleasant names?

5 A Well, that's something that I have never
6 heard because being up in the hospital all the time,
7 the last six years, I have never been around the
8 blocks.

9 Q Well, before that time?

10 A That time? Unless they was kidding with the
11 inmate, which some of them would do, never.

12 Q Did you ever during that period see an inmate
13 strike an officer?

14 A Yes, I have.

15 Q What kind of occasion and what reaction?

16 A It was a fight in the yard and the inmates
17 swung at the other inmate and the officer got hit
18 and was knocked out.

19 Q But that was an exceptional occurrence?

20 A Yes.

21 Q Mr. Swift, you recall that you have an
22 opportunity to make a statement if you wish. Would
23 you like to?

24 A Yes, sir. I was asked by one of the reporters
25 today at noontime in the back while talking to--while

1 I was talking to Sergeant Cochrane. The statement
2 was made about clubs, night sticks and that. And he
3 asked me if I ever heard of a night stick being called
4 a nigger stick. And at that time I told him no comment
5 because I was going to comment on that while I was on
6 here. And that is this.

7 I have never, while in prison, and I am not
8 only talking about New York State, I am talking also
9 about Pennsylvania and Illinois, never heard of a
10 night stick being called a nigger stick.

11 MR. MC KAY: Was there anything else
12 you wished to say?

13 THE WITNESS: No, sir.

14 EXAMINATION BY MR. LIMAN:

15 Q Mr. Swift, I just wanted to ask you a few
16 questions picking up on what was said and I think
17 perhaps in amplification of it. Mr. Henix brought back
18 to mind the fact that you had your difficulties as a
19 young man in the institution and you had been keep-
20 locked for various things.

21 A Yes.

22 Q Is it fair to say that you were never involved
23 in an offense of insubordination?

24 A Well, the only time I was, I cussed out an
25 officer and I got keeplock for it.

1 Q And that was a long time ago?

2 A That was back in 1956.

3 Q And--

4 A And I can tell you the officer's name to this
5 day.

6 Q And whatever the offenses were that led to
7 keeplocking, in all of your years in prison you only
8 were involved in insubordination once?

9 A As far as cussing out an officer, yes.

10 Q And that was--

11 A But disobeying some of the officer's commands,
12 there has been a couple other times that I have been
13 keeplocked.

14 Q They have been rather infrequent.

15 A That's right.

16 Q That's so even where you recognized that the
17 rule was unreasonable?

18 A Mr. Liman, as far as that goes, when you
19 are in prison, every rule seems to be unreasonable to
20 you but then after you sit down and think about it a
21 while, then you say, well, they have made these rules
22 for a special reason.

23 Q How long did it take you before you thought
24 it out and came to that conclusion, how many of these
25 years in prison?

1 A About eight years.

2 Q That's a long time.

3 A Yes.

4 MR. LIMAN: I have no further questions.

5 MR. MC KAY: Thank you very much, Mr.

6 Swift, for being with us today.

7 (Witness excused.)

8 MR. LIMAN: Mr. Chairman, would you swear
9 the witness, Mr. Goewey.

10 H A R O L D G O E W E Y, called as a witness,
11 having been first duly sworn by Mr. McKay, was
12 examined and testified as follows:

13 EXAMINATION BY MR. LIMAN:

14 Q What is your age, Mr. Goewey?

15 A 43.

16 Q What is your occupation?

17 A Correction officer.

18 Q Stationed at Attica?

19 A At Attica Correction facility, yes, sir.

20 Q How long have you been a correction officer
21 at Attica?

22 A I'm going on my 19th year now.

23 Q So you entered the system at about the same
24 time that Tiny Swift did?

25 A That's correct.