ATTICA:
THEN AND NOW
STILL FIGHTING BACK
IN MEMORIUM TO BROTHER DALOU

On April 2, 1978, while this book was being printed, Attica Brother Dalou Asahi (Mariano Gonzalez) was killed in a battle with the New York City police.

Attica Brother Jomo Joka Omowale (Eric Thompson) was seriously wounded in the same incident and now faces murder charges.

Dalou was released from prison in 1974 and traveled the country speaking and organizing on behalf of the indicted Attica Brothers. He was an inspiration to many people. He became a fugitive in 1975 rather than face a rigged trial on trumped up charges in Buffalo. When he died, he was the only person still facing an Attica indictment. If caught, he faced a framed-up murder charge and the possibility of life in prison.

He died defending himself against that indictment—against the same forces of law and order which shot the men in D Yard and railroaded the Attica Brothers in court. These same forces keep Dacajeweiah, Jomo, and millions of others behind bars—whether the physical bars of prison or the political and economic bars of a racist, imperialist society.

Dalou's life was dedicated to the struggle against these forces.

We deeply mourn for our fallen comrade and friend, and we rededicate ourselves to the struggle for true freedom, justice, and humanity.

ATTICA COMMITTEE TO FREE DACAJEWEIAH
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INTRODUCTION

Attica, U.S.A.—September 9, 1971. On that day, 1281 men imprisoned in New York’s Attica Correctional Facility stormed into the consciousness of the world. Newspaper headlines screamed of how prisoner-murderers had seized the prison and taken hostages. Rumors and official lies of hostages being dismembered sped through the media. But the truth—for those who cared to look and dared to see—was very different. It showed 1281 men, mostly Black but all poor; men who were proud and strong despite being caged and dehumanized. These men were bursting with righteous anger as they demanded that they be treated, for once in this country and forever again, as human beings.

One of these men was a young Indian known as Dacajeweiah or John Hill. Dacajeweiah was born into a life of poverty, tracked through reform schools and then prison. In Attica for only two weeks before the rebellion, he did not know that he would be framed on a murder charge for participating in the uprising and demanding, along with his fellow prisoners, rights which should have been his without even the asking.

The story of Attica began long ago. It began when the White man slaughtered the Indians and stole their land. It continues today—personified by the John Hills forced onto the reservations and into the prisons. It started when Africans were kidnapped to this country—their culture destroyed and families torn apart. It continues today in the form of Black men and women forced into the ghettos and the prisons. It began with the colonization of Puerto Rico—and continues with the thievery of Puerto Rican land, the sterilization of Puerto Rican women, and the bare survival of Puerto Ricans living in this country—in the ghettos and in the prisons. Finally and fundamentally, it began with the establishment of capitalism, a system based on the expendability and disposability of human beings, and on the idea that the rich can justifiably live off the toil of the poor. Racism sprung from this system of exploitation. Prisons, as we know them, easily and necessarily followed.

Attica, U.S.A.—September 13, 1971. On that day state troopers and correctional officers, with an arsenal of weapons at their disposal, assaulted the unarmed prisoners of Attica. Not since the Indian Massacres had so many Americans been cut down in so short a time by the enforcers of law and order. Forty-three lay dead, eighty-nine were maimed, countless were tortured. Still the State, blessed with the gift of destruction, was not satisfied. Forty-two indictments were issued against sixty-two prisoners; none against State officials. The story of Attica continued as the state destroyed evidence, bribed witnesses, and filled its vaults with documents of truths about Attica which still remain hidden. And John Hill was indicted, and later convicted, of murdering an officer he never saw.

This is the story of Attica, 1971-1978, from the uprising through to the legal lynching which continues today. This also is the story of the prison struggle in general, of which Attica is a part. Finally and particularly, this is the story of one young Indian man known as Dacajeweiah and indicted as John Hill. He is the only person in prison because of charges stemming from the Attica uprising. For him, and for all of us who know him, the Attica massacre continues in New York State. Justice has demanded his release for a long time. Only with your help can we effectuate it.

Nothing can bring back the lives lost or the minds and bodies which were shattered by State officials at Attica; but John Hill can be set free. We ask you to do whatever you can, wherever you are, to force the state to unconditionally release Dacajeweiah.
PRISONS: WHO GOES AND WHY?
The Attica uprising was the product of conditions at Attica Prison, which were typical of the brutal and inhumane conditions in all the prisons of the United States. Attica was only one of many such rebellions in recent years.

When Attica erupted, many people sought ways to "reform" the prisons to keep them peaceful, by making them either less oppressive or more rigid and secure.

Many reforms are needed in U.S. prisons. But prison reform will not stop prisoners from rebelling against the conditions of their lives. For the problem lies not in the prisons alone, but in the criminal justice system as a whole and the entire economic and social order it is designed to protect.

Criminal law is essentially a reflection of the values, and a codification of the self-interest, and a method of control of the dominant class in any given society.

(Jessica Mitford, Kind and Usual Punishment, p.79)

Master and slave, lord and serf, capitalist and worker, colonizer and colonized. In different times, the divisions in society have different forms, but such class divisions have existed for thousands of years—and wherever there are classes, there are conflicts between them. The poor always try to improve the conditions of their lives, and the rich must defend their wealth and position.

To do this, the upper classes set up governments. Governments may claim to serve "all the people," but their job has always been to protect the powerful against the powerless and to keep the existing "order" running smoothly. Although they may try to rule by persuasion, a government's last resort—and ultimately the basis of its power—is physical force. And so there are armies, police, courts—and prisons.

The economic system in the United States is known as monopoly capitalism or imperialism. The ruling class in this system is the capitalist class. This tiny minority of the American population controls the vast majority of the land, factories, resources, and money within the U.S. The majority of the people own and control little or nothing at all. The capitalist class runs the economy through enormous corporations which make huge profits at the expense of the rest of the population. In the U.S., Third World People—people whose families originally came from Asia, Africa, Latin America, and the native Indian nations of North America—suffer the most, enduring the greatest poverty as well as the effects of institutionalized racism.

The U.S. economic system is not confined to the country’s political borders. The U.S. ruling class controls land, resources, markets, and labor in many parts of the world, and has created poverty and misery on an international scale.

For capitalism to rule, any action that threatens its stability must be prevented. Such threatening acts are called "crimes" and the people who commit them are called "criminals." And the weapon used to prevent crimes is the criminal justice system—the police, the courts, and the prisons.
WHAT IS CRIME?

Crimes in any system are generally acts which harm other people economically or physically. But each system decides which particular acts will be treated as serious crimes, which as minor crimes, and which as no crime at all.

Under capitalism, many acts of economic and physical harm are essential to the functioning of the economic system and are therefore quite legal. A businessman may underpay his workers, subject them to unsafe working conditions, lay them off at will, market dangerous products, and spill poisons into the air and surrounding waters, all causing tremendous economic and physical harm to others, and all without breaking a single law. On the other hand, it would be illegal for the workers to take over the company and run it responsibly.

The government creates laws for its own self-preservation. Policemen frequently shoot people without provocation, but they are rarely convicted of a crime. An individual who defends him or herself against police attack, on the other hand, is likely to be charged with a crime like “assaulting an officer” or “resisting arrest” or “attempt murder.”

Most crime in the United States involves pursuit of property, a major concern in a society based on tremendous economic inequality and cut-throat competition. For some, acquiring property, such as food or clothing, is a matter of life and death. For most people, though, property is a matter of status and self-respect.

The capitalist class deliberately creates an obsession with property in the U.S., for the more goods people consume, the more profits the capitalists can make. Each year, they spend about $20 billion on advertising to convince people that their status depends on what they own, that they don’t yet own enough, and that they will be happier when they own more.

Most people in the U.S. accept these values, but only a few can really consume endlessly. For most people, the pressure to consume leads to frustration. For some, it leads to crime.

There is a growing preoccupation with violent crime in the U.S. Many people equate prisoners with murderers and rapists. But most people in prison are there for purely economic crimes involving no physical violence at all. And most crimes that do involve violence begin as crimes of property and escalate into physical confrontations.

Not all economic crimes are equally likely to become violent. White collar workers who handle large amounts of goods and money every day have many opportunities to steal without ever seeing their victims. But when poor people with menial jobs or no jobs at all decide to steal, they must often confront their victims directly, and this means that force or the threat of force may be involved.

Many violent crimes seem to be unconnected to the pursuit of property. These crimes are often due in part to severe individual problems, but there are usually additional factors which can be traced to the society as a whole. Violent crimes are often committed under the tremendous emotional pressures of unemployment, underemployment, poverty, and dog-eat-dog competition. Violence is also encouraged by the mass media, which show violence as an acceptable solution to people’s problems and which portray people—especially women—as commodities to be abused and disposed of.
To most people, the word "crime" means street crime—burglary, robbery, etc. These are poor people's crimes. But few people know that white collar crime is far more costly to society than poor people's crimes.

**The Economic Cost of Crime (1965)**

<table>
<thead>
<tr>
<th>White-Collar Crime</th>
<th>Annual Economic Cost in Millions of Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Embezzlement</td>
<td>$200</td>
</tr>
<tr>
<td>Fraud</td>
<td>1,350</td>
</tr>
<tr>
<td>Tax fraud</td>
<td>100</td>
</tr>
<tr>
<td>Forgery</td>
<td>80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Crimes of the Poor</th>
<th>Annual Economic Cost in Millions of Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robbery</td>
<td>27</td>
</tr>
<tr>
<td>Burglary</td>
<td>251</td>
</tr>
<tr>
<td>Auto theft</td>
<td>140</td>
</tr>
<tr>
<td>Larceny, $50 and over</td>
<td>190</td>
</tr>
</tbody>
</table>

**Source:** Based on data in *The President's Commission on Law Enforcement and the Administration of Justice, Task Force Report, Crime and Its Impact,* pp. 44-49.

Although they are less costly, poor people's crimes are the ones most severely punished. White collar criminals usually receive probation or very short prison terms.


<table>
<thead>
<tr>
<th>Offense</th>
<th>Total Convicted Defendants</th>
<th>Percent Imprisoned</th>
<th>Percent Probation</th>
<th>Percent Other</th>
<th>Average Prison Term Served in Months (Releases in 1970)**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income tax fraud</td>
<td>502</td>
<td>18.9</td>
<td>66.7</td>
<td>14.3</td>
<td>9.5</td>
</tr>
<tr>
<td>Larceny</td>
<td>2,283</td>
<td>37.0</td>
<td>61.2</td>
<td>1.9</td>
<td>15</td>
</tr>
<tr>
<td>Selective Service Act</td>
<td>900</td>
<td>57.6</td>
<td>41.8</td>
<td>.6</td>
<td>17</td>
</tr>
<tr>
<td>Auto theft</td>
<td>3,791</td>
<td>62.6</td>
<td>36.4</td>
<td>1.0</td>
<td>21</td>
</tr>
<tr>
<td>Burglary</td>
<td>254</td>
<td>63.4</td>
<td>36.6</td>
<td>-</td>
<td>28</td>
</tr>
<tr>
<td>Robbery</td>
<td>961</td>
<td>92.3</td>
<td>7.6</td>
<td>.1</td>
<td>52</td>
</tr>
</tbody>
</table>


In sum, the most damaging crimes, those committed by the rich, are treated lightly by the law. The full weight of the criminal justice system lands almost exclusively on the poor.
WHO GOES TO PRISON?

"Of the 1.2 million criminal offenders handled each day by some part of the United States correctional system, 80 percent are members of the lowest 12 percent income group." (Mitford, p.317)

Third World people are disproportionately confined in prison because they are disproportionately confined to the lowest economic position in U.S. society. They are disproportionately poor, disproportionately unemployed, disproportionately under-educated, and disproportionately deprived of health care, adequate housing, and other essential services. If prisons are for poor people, they are particularly for Third World people.

The proportion of Third World people in prison is increased by another factor: the institutionalized racism of the criminal justice system.

"Negroes are more likely to be suspected of crime than are whites. They are also more likely to be arrested... After arrest, Negroes are less likely to secure bail, and so are more liable to be counted in jail statistics. They are more liable than whites to be indicted and less likely to have their cases dismissed. If tried, Negroes are more likely to be included in the count of prisoners. Negroes are also more liable than whites to be kept in prison for the full terms of their commitments and correspondingly less likely to be paroled."

("Jessica Mitford, p.60, quoting Donald Taft in Criminology, 3rd ed.)

The same is true of Puerto Ricans, Chicanos, and Native Americans. Statistics on the criminal justice system prove the point:

During a given year, one out of every three to four black men in his early twenties spends some time in prison, in jail on parole, or on probation, compared to one out of every fifteen white men in the same age group.

(Erik Olin Wright, The Politics of Punishment, p.34)

George Jackson has written:

Blackmen born in the US and fortunate enough to live past the age of eighteen are conditioned to accept the inevitability of prison. For most of us, it simply looms as the next phase in a sequence of humiliations. (Soledad Brother, p.9)
WHAT ARE PRISONS FOR?

How does this criminal justice system serve the rulers of the U.S.? Does it stabilize the capitalist economic system? Does it protect the haves from the have-nots?

It does. But the way in which the criminal justice system stabilizes U.S. society is rarely openly admitted by the people who run it. They have their own explanations and justifications.

Some government officials argue that the prisons protect society by keeping dangerous criminals off the streets. But crime on the streets is increasing, most street crimes go unreported and unsolved, and the prisons could not hope to hold all the people who pose a threat to “law and order.”

Some officials say the prison system stabilizes society by “rehabilitating” “maladjusted” individuals. But the prisons have no real programs which help the prisoners “adjust” to society, and the huge number of ex-cons who commit new crimes and return to prison show the emptiness of the “rehabilitation” theory.

People in prison can not be expected to “adjust” to a society which encourages them to pursue certain goals, which systematically denies them the means to achieve those goals, and which punishes them for trying.

Some authorities say that prisons deter crime through the threat of punishment. But although police and prison budgets increase, so does the overall rate of crime. However, the criminal justice system may deter people from committing certain types of crimes and make it more likely that they will commit other types of crime instead. For example, a bank robbery is usually much more profitable than a street mugging, but far more people commit muggings than bank robberies. Banks are well protected by sophisticated equipment and a massive police apparatus, but people on the street have practically no protection at all. Similarly, it is risky to attempt a burglary in a well-protected middle-class neighborhood; it is safer to stick to poor neighborhoods and ghettos where the turf is familiar and where, though the presence of the police is high, the level of police protection is low.

The criminal justice system therefore deters crimes against certain targets, but it makes crimes more likely against others. Statistics show that poor people, particularly in the ghettos, are far more likely to be crime victims than wealthy people. Most people in prison, in fact, have been convicted of crimes against the poor, not against the rich.
Rather than deter crime, then, the criminal justice system regulates crime. This is a form of social control which helps to stabilize capitalist society in several ways.

First, the property of the rich is protected.

Second, Third World and other poor people are turned against one another. The haves can sit back in relative security while the have-nots attack one another, rip one another off, and blame one another for their poverty and insecurity.

Third, the government can step in as the “protector of law and order,” and legitimize its presence in poor communities as an effort to “stop crime.” Its real functions are quite different.

“The announced function of the police, ‘to protect and serve the people,’ becomes the grotesque caricature of protecting and preserving the interests of our oppressors and serving us nothing but injustice. They are there to intimidate Blacks, to persuade us with their violence that we are powerless to alter the conditions of our lives.”

(Angela Davis, *If They Come in the Morning*, p.39)

Usually, some segment of the community supports this police role—often those who are slightly better off economically, less likely to be abused by the criminal justice system, and desperate for some form of protection. Some of these people are organized into “auxiliary police” groups supporting the activities of the official police. Whites may join explicitly racist groups like the Ku Klux Klan, ROAR, and the John Birch Society, which work hand-in-hand with the police, intentionally directing violence and hatred at Third World communities.
Finally, the prisons are used to stifle dissent and weaken organized attempts to challenge the capitalist system. The “dirty tricks” of the FBI and CIA are now well known, from wiretaps and break-ins to the use of informers and provocateurs to political assassination. The same methods are used by local police forces throughout the country with the support of the courts and prisons. Countless activists from the Black, Puerto Rican, Native American, women’s, labor, and communist movements have been imprisoned, exiled, or murdered by agencies of the criminal justice system over the years.

In recent years, there has been a dramatic growth in the number of U.S. political prisoners, reflecting the growing opposition to U.S. policy at home and abroad. Many people who have committed property and other crimes have become politically active inside the prisons, and a national prison movement has developed to resist the inhumanity and racism of the prisons themselves. The tension and anger of prison life is now often channelled into organizing and uprisings around conscious political demands, rather than the random violence and racial antagonisms of the past.

These uprisings can not be stopped by tinkering with prison programs or increasing repression. Their fundamental causes are rooted deep within capitalist society, and only through sweeping economic and political changes can we ever hope to deal fully with the problem of the prisons.

As long as there have been prisons, there have been prison riots and uprisings. The overview of the prison struggle that follows begins with the events in Marin County in 1970 and culminates in Attica, highlighting some of the events which took place during that time. This period marked a new epoch in the Prison Struggle because of prisoners’ self-consciousness and the state’s response to them.

Just as Attica was not the beginning of the prison struggle, it does not mark the end. Countless prison uprisings have occurred since Attica throughout the United States. The racism and brutality of the New York State prison system was revealed once again on August 8, 1977, when prisoners at Napanoch State Prison seized hostages to demand the ouster of guards known to be members of the Ku Klux Klan and the dismissal of two sergeants suspected of Klan membership. The prisoners also made other demands, including complete amnesty for the rebellion. The rebellion ended without bloodshed, but prisoners who took part have been brutalized and charged with new crimes as a result. The struggle continues.

**THE MOVEMENT GROWS**
On September 9, 1971, Attica prison burst in anger as a response to the frustration and repression administered by the prison personnel there.

Attica had a reputation for being if not the most racist and brutal prison in New York State, then second only to Clinton at Dannemora, New York.

Approximately 2600 men, twice the prison's capacity, were locked for 16 hours a day in cells measuring 6x9x7 feet. They were denied decent food and medical care, denied sufficient soap and toilet paper, and permitted to shower only once a week. Reading material and mail was censored, lawyers were not permitted at parole board and disciplinary hearings, family and friends could not easily visit because most lived in New York City and had neither the time nor the money to make the eight-hour trip to Attica.

George's brother Jonathan understood the political and historical import of the situation.

To many of us, the action was both educational and instructive. This incident, although it was an extension of many episodes in history, placed the prison struggle and the prison movement on a higher level.
SORRY!

Pages 20 and 29 were accidentally reversed in the first printing of **ATTICA: THEN AND NOW**.
THE TOMBS

On August 10, 1970, at the Tombs (Manhattan House of Detention) a few days after the Marin County shootout, the prisoners rose up. The reason was blatant negligence, culpability, and insensitivity of prison and judicial officials and their refusal to deal with the inhumane and deplorable conditions affecting prisoners.

Examples of what the problems were can be seen when one looks at the demands that were raised.
Some were around: excessive bails; absence of speedy trials; incompetent Legal Defense, especially for those clients who relied on the Legal Aid Society; physical brutality against the prisoners; overcrowding; non-nutritious food; lack of law books; infestation by rats, mice, and lice; poor medical facilities and medical staff; etc.

On October 2, 1970, several of the New York City county jails rose up.
The city-wide demands were basically the same as in August. The Tombs was once again a place of attention and focus around the position of prisoners that they had a right to rebel against oppressive, repressive, and inhuman conditions and forces.

At Branch Queens House of Detention, in Long Island City, hostages had been released, but some prisoners continued to hold out for the demand of a “jury of peers” for the New York Black Panther 21 and for bail for one of the Panther defendants.

Ironically, it was at Branch Queens, not the Tombs, that the public was able to see the State’s reprisal measures against prisoners who rebel. The then Mayor of New York City, John V. Lindsay, N.Y.C. prison officials under then Commissioner George McGrath, plus New York City police stormed the jail with tear gas and clubs, and the revolt was crushed. It was here that spectators and reporters witnessed prisoners being beaten with axhandles and clubs. Some of the Panther defendants plus some of the participants of the October 2-5, 1970 Tombs Incident were indicted on charges of up to seventy-nine counts of kidnapping, 1st degree.

The lesson drawn from these incidents was that prisoners could not trust officials who promised no reprisals if hostages were released, whether in the form of physical reprisals, legal reprisals, or both.
BLACK SOLIDARITY DAY AT AUBURN

On November 4th, 1970, prisoners at Auburn State Prison at Auburn, New York, rioted or rebelled for one day.

One may say that there are many uprisings that last for a day or more, so why mention the Auburn uprising?

The import of this event has to do with Black Solidarity Day. Because of the blatant institutionalized racism that Black people have borne witness to, one could see why this event was and is important.

White holidays have been legitimized without any problem, but you could count on one hand the holidays that are Black-oriented. Black Solidarity Day in 1970 was being celebrated for the second time in this country and Black prisoners at Auburn had utilized all available legal measures to get the prison officials to observe that day. They were consistent in their refusal, racist attitude, and practice against this observance. So Black and other Third World prisoners took over the prison as a means of insuring its observance. The Brothers were able to let the public know what was happening and why it was happening.

In the negotiations that followed, the correctional services personnel stated that they agreed to “no reprisals” against participants of the event. But as soon as the prisoners were returned to their respective locations, the reprisals ensued. Brothers were physically beaten and transferred to other prisons like Green Haven, Comstock, Clinton, and Attica.

Other Brothers were placed in punitive segregation and beaten. Eventually six brothers were indicted as an outcome of bringing Black Solidarity Day to New York State prisons. They were referred to as the Auburn Six.

Many prisoners who were at Attica during September, 1971, remembered that both Commissioner Russell Oswald and his Deputy, Walter Dunbar, were negotiators at Auburn and were mendacious then regarding the issue of reprisals.

This is one of the reasons that the Brothers at Attica could not and would not accept the State’s claim of no reprisals.

THE GEORGE JACKSON MEMORIAL AT ATTICA PRISON

On August 21, 1971, while prisoners at Attica State Prison were locked-in until the next day, the news of the death (Political Assassination) of Comrade George Jackson was revealed.

Up until today, certain things are unclear, except (1) Who killed Comrade George? and (2) Why?

San Quentin Prison officials’ untenable and ridiculous explication of why they shot George Jackson in the back was that George had a gun hidden under a wig he wore, and attempted to use it in an escape. Both the gun and the wig, they claimed, were smuggled in.

When some of us heard of the State’s murder of George, we knew that the level of reprisals against prison activists was surely escalating. What ran through our minds was: Who would be next and When?

The following week, some people organized a day of memorial to show that we were in complete solidarity with Comrade George Jackson. To some of us, he wasn’t merely a comrade, but one of our mentors who was under the same degree of oppression and repression as we were.

The prison officials at Attica specifically were alarmed because they had been accustomed to killing us off, and our only noticeable response had been that some people vented some ephemeral dissatisfaction.

In the case of the George Jackson memorial, more than seven-eighths of the prison population observed that day by: (1) not eating anything in the oppressor’s mess hall, (2) silence in the oppressor’s mess hall, (3) silence through the corridors, and (4) wearing a black arm band as a sign of mourning.

The memorial really enabled us to see that we had reached a new level of resistance that really scared the Administrators of Injustice and Repression.
THE UPRISING
The Attica Rebellion of September 9-13, 1971, was the culmination of prisoners' dissatisfaction with intolerable and repressive conditions at New York State prisons. Historically, it was a continuation of the prison revolts/uprisings/rebellions that had been going on plus a part of the general struggle by the seekers of freedom, justice, humanity, self-determination, and national liberation.

According to the New York State Special Commission on Attica, "With the exception of Indian massacres in the late 19th Century, the State Police assault which ended the four-day prison uprising was the bloodiest one-day encounter between Americans since the Civil War."

As stated from the various chronicles of history, it was and is so far the most penetrating protest issue in the history of prisons in the United States.

On August 7th, 1970, at the Marin County Courthouse in California, a very significant incident happened.

An attempt was made to free Comrade George Jackson. It was initiated by his younger brother Jonathan and was joined by three prisoners. They took several hostages whom they intended to release in exchange for George Jackson's freedom. Subsequently, there was a shootout with Marin County law enforcement officers.

The only surviving prisoner is Ruchell Cinque Magee, who was eventually convicted of aggravated assault. He was sentenced to a life sentence that would preclude his release.

One of the important things about the event was that in the U.S., someone from the outside joined prisoners in demanding on a serious level the release of one of our foremost political prisoners—Comrade George Jackson.

George was then serving a one year to life sentence, having already served over nine years.

George's sentence, his various parole denials, plus a new charge of allegedly killing prison guard Wills, naturally convinced many of us that the State would move quickly to kill George. The only real support and solidarity one could provide was George's liberation or an attempt to gain it.
The agony of Attica was the most intense for Black, Puerto Rican, and Indian prisoners. Attica's guards and civilian staff were 100% white and overwhelmingly rural in background. They had enormous power over the Third World prisoners but little ability to communicate with or understand them. Many facilities in the prison were forcibly segregated, and whites were constantly given preferential treatment in jobs and privileges. The prison's repressive force was directed disproportionately at Third World prisoners. They were the ones mostly likely to be confined to segregation ("the box") and most likely to be beaten up on the way there. They were the ones most likely to be punished for political activity or for pursuing their religious beliefs.

As early as July, the Attica Liberation Faction had presented a detailed list of demands to the Commissioner of the Department of Corrections, Russell Oswald, about these conditions. He refused to consider these basic grievances, saying he needed more time.

When the prison burst in September, fifty hostages were taken and placed in D-Block Yard.

A setting similar to Tent City was established which provided all the essential things for both the prisoners and the hostages.

Some of the demands presented in D Yard were based on the July demands. The September demands as a whole showed a heightened political awareness of how the society as a whole functioned, particularly in regard to the racism of the system as it applied to prison and Third World communities all over the world.

The Brothers then sent requests to a disparate group of people, ranging from journalists to legislators to community leaders, asking them to form an outside Observers Committee. This group had two purposes: (1) to provide an additional check on the state, and (2) to bear witness to the events and to represent these facts to the outside world. Many of the Brothers were sufficiently familiar with the state's disregard for prisoners' lives to assume that the state would stop at nothing.

Observers later gave testimony about the good faith and seriousness of the Brothers and sharply belied the fabrications fed to the press by prison officials.

One of the Brothers' most important demands was for complete administrative and legal amnesty for all those involved in the uprising. Many of the Brothers were aware that years could be added to their sentences for participating in the rebellion. The amnesty demand was also important as a statement that the rebellion was not a crime, but rather a fully justified and necessary political act. The importance of the amnesty demand became even greater on Saturday, September 11, when word was received of the death of William Quinn, a guard who had been injured at the beginning of the uprising. Quinn's death meant that all the Brothers in the yard could technically be prosecuted for murder and might face the death penalty. The state's absolute refusal to grant amnesty became a major stumbling block in the negotiations.
During the entire rebellion, armed forces, including state troopers, correction officers, and sheriffs, were assembling outside of the prison. Their very presence increased the pressure on the state to go in forcibly.

At 9:46 a.m. on Monday, September 13, 1971, the state's police assault on Attica began. The assault was ordered by Commissioner Oswald with the prior approval of Governor Rockefeller. Over 2000 bullets were fired at unarmed men in D-Yard. When the shooting was over, forty-three men were dead, and eighty-nine had serious gunshot wounds. Many people bled to death due to the lack of available medical care.

The reprisals did not stop with the retaking of the prison. Prisoners were forced to strip naked and crawl through mud, then run a gauntlet through a tunnel where they were beaten by scores of prison guards, troopers, and sheriffs. Many were severely tortured. There is testimony that at least one Brother was murdered during this aftermath. Cells had been ransacked. Brothers suspected of providing leadership for the uprising were placed in segregation for periods of at least eight months.

In order to justify and cover up their murderous actions, the state fed vicious lies to the news media during and after the uprising. On the first day, the state claimed that guard William Quinn had been thrown out of a second story window, despite the fact that they are all tightly barred. The state has been inventing lies about the death of William Quinn ever since, particularly at the trial where Dacajeweiah (John Hill) was convicted of killing Quinn in 1975.

Perhaps the most vicious lie created by the state was the claim that prisoners had killed hostages by slitting their throats and castrating them. Official autopsies later revealed that all those who died in D-Yard lost their lives as a result of the state's gunfire and that there were no castrations.
Immediately after the rebellion was crushed, Nelson Rockefeller seized political control of the criminal prosecution which was sure to follow. A special Attica prosecutor's office was set up, headed by Robert Fischer, a long-time Rockefeller law-enforcement trouble-shooter. Collection of evidence was placed in the hands of the state police, led by Captain Henry Williams, who had commanded the Attica assault force that had done all the shooting at the prison. (It was later learned that the state police had kept no records of their actions during the assault, and in the course of "investigating" the assault, destroyed most of the physical evidence which could have been used against them.) A special Attica grand jury was set up to hear evidence about the uprising, and it was made up entirely of white rural neighbors and friends of the Attica guards and local troopers.

Within the next 15 months, 42 indictments would be brought down on 62 Attica prisoners, charging them with over 1300 crimes from murdering a guard to stealing a prison key. Fischer announced that there would be no indictments of guards or troopers in connection with the massacre.

The purpose of the prosecution had become clear for all to see. The state had developed as many charges as possible against suspected leaders of the uprising and had whitewashed the state's role in running the prison, executing the massacre, and committing the atrocities which followed. The blame for Attica was to be fixed firmly on a group of prisoners; the crimes of the state were to be covered up. There was a legal name for the state's strategy: selective prosecution. It would eventually become a major issue in the Attica struggle.

The Indicted Brothers issued three demands which guided their struggle against the Attica prosecution: Drop the Indictments, Indict the Real Criminals, and Implement the Demands from D Yard.

In preparing for the legal battle over the indictments, the state had tremendous advantages. The prosecution had enormous sums of public money at its disposal, and it spent a total of over $30 million. The Brothers' defense organization, on the other hand, received no state-allocated money and had to subsist on contributions and donations from the public.

The prosecution had leverage it could use to alter the testimony of witnesses, for virtually all the potential witnesses were under some form of state control. Guards, troopers, and other state employees were subject to pressures and incentives on the job. Prisoners were threatened with parole denial, new indictments, and physical brutality. Many were offered immediate freedom in exchange for testimony needed by the prosecution.
Despite all these advantages, however, the state was able to obtain a jury conviction in only one of the 42 indictments against the Attica Brothers. For the Brothers had the ultimate advantage: their own determination to make the truth about Attica known, and the active support of thousands of people the world over who shared their goals and supported them legally, financially, and politically.

As 1975 began, however, the prosecution came forward with its most important and most carefully staged case. Only one guard had died at Attica under circumstances that could conceivably be linked to the prisoners. He was William Quinn, who had been injured in the opening moments of the uprising and had died before the massacre. The prosecution needed to show that the prisoners had indeed killed guards at Attica, and this was their only opportunity to do so. They had chosen as scapegoats two young Native Americans, Dacajeweiah (John Hill) and Charley Joe Pernasilice.

The evidence against the two Brothers was weak and filled with contradictions. All four prisoner witnesses had received immediate parole in exchange for their testimony for the prosecution. A guard witness had been able to see very little of what happened to Quinn and repeatedly tried to change his testimony. But the prosecution conducted a sensational and inflammatory trial and used all of its many advantages to the fullest. The trial attracted national attention, and support for the Brothers continued to grow. But the railroad was moving too fast to be stopped. On April 5, 1975, Charley Joe was convicted of attempted second degree assault, and Dacajeweiah was convicted of first degree murder. Charley Joe was soon released on bail pending appeal. Dacajeweiah was sentenced to twenty years to life and sent to Green Haven prison.

The greatest clamor, however, was still to come. The timing could hardly have been coincidental. Three days after the conviction, the New York Times revealed that four months earlier, in December, 1974, Assistant Attica Prosecutor Malcolm Bell had resigned his post to protest the cover-up of official crimes at Attica. He had submitted a 160-page report to Governor Hugh Carey, detailing how the chief Attica prosecutor had blocked investigation of crimes committed by troopers, guards, and other officials. His report forced a response from the highest levels of the state government.

A week later, on April 12, 1975, Mary Jo Cook, a former defense volunteer, revealed that she had been a paid spy for the FBI, providing personal, legal, and political information on the Attica Brothers which was made available to the prosecution.

After these revelations, the movement for amnesty for the Attica Brothers reached new heights. Thousands marched on Albany, and an amnesty resolution gained the votes of one-third of the state Assembly.
The state moved swiftly to minimize the damage caused by the new revelations. The Bell Report was treated as suspect and was kept secret, and a new commission was formed, headed by former Judge Bernard Meyer, to investigate Bell’s allegations. Meyer’s investigation lasted six months, during which time the Attica trials continued.

The effect of the scandals was felt in court. Two cases ended in acquittals; ten more cases were dismissed. One Brother on trial for murder was granted a hearing on the issue of selective prosecution, a demand which had been consistently refused in earlier trials. As tales of official brutality at Attica filled the courtroom and the media, the prosecutors hurriedly negotiated a deal to stop the hearing. The Brother was permitted to plead guilty to a minor charge carrying no additional time. The cover-up of official crimes continued.

As the release of the Meyer Report drew closer, the state attempted to quiet the protest against its selective prosecution of the Attica prisoners by indicting a single state trooper. The charge was a minor felony, reckless endangerment. The trooper, Gregory Wildridge, could have received a maximum sentence of seven years in prison. The Wildridge indictment further inflamed the public controversy.

The first volume of the three-volume Meyer Report, containing conclusions and recommendations, was released to the public in December, 1975. Meyer found that the prosecution had made “serious errors of judgment,” including destruction of evidence, granting immunity to state troopers, and “indifference to crimes against prisoners.” But he insisted that there was “no intentional cover-up.” The evidence on which these conclusions were based was in Volumes Two and Three, which remain secret to this day.

Meyer recommended a review of all indictments and convictions against prisoners. He also suggested an attempt to press criminal or disciplinary charges against troopers and prison guards. Governor Carey complied by appointing yet another special investigator, Alfred J. Scotti, to carry out these tasks. Meanwhile, the prosecution attempted to bring another indictment to trial, this time a massive kidnapping indictment in which ten Brothers faced multiple life sentences if convicted.

Scotti completed his investigation in February, 1976. He found evidence of “serious offenses” on the part of state troopers and guards, including “unjustifiable homicides.” But he found that the investigation of these crimes was so “appallingly deficient” that not only could none of the crimes result in an indictment, but even the one indictment already lodged against state trooper Wildridge would have to be dismissed! “It would not be just,” Scotti argued, “to single out one state trooper for prosecution.” Thus Scotti used the issue of selective prosecution to justify a blanket amnesty for those who maimed and killed scores of prisoners in the Attica massacre, while Dacajeweiah was finishing the first full year of his twenty-year-to-life sentence, one prisoner singled out as the scapegoat for all the crimes of Attica.

Scotti dismissed most of the remaining Attica indictments, but he totally ignored Dacajeweiah and left a few other issues unresolved. He did not dismiss the Attica murder charge against Brother Dalou Asahi (Mariano Gonzalez), who had become a fugitive shortly after Dacajeweiah’s conviction. Seven Brothers still had minor Attica convictions on their records. And Scotti left open the possibility of departmental disciplinary proceedings against certain prison guards and state troopers.
Governor Carey remained under public pressure on Attica throughout 1976. On December 30, 1976, he issued a statement on the importance of "even-handed justice" and claimed to "firmly and finally close the book" on Attica. In fact, his actions tipped the scales even further out of balance. He halted the remaining disciplinary hearings against ten troopers and ten guards, thus removing the last possibility that the gunmen of Attica might be held at all responsible for their actions.

But he did virtually nothing for the prisoners. He pardoned Charley Joe Pernasilice, Dacajeweiah's co-defendant, who was out on bail pending his appeal, as well as six other Attica indictees who had plead guilty to minor charges and had all finished serving their time. He commuted Dacajeweiah's sentence, making him eligible for parole. But he allowed Dacajeweiah's release to be blocked by the state Parole Board, acting under pressure from the prison guards' union and other right-wing forces. He totally ignored the remaining indictment against Dalou.

Today, Dacajeweiah remains in prison, still serving a maximum life term, still the lone scapegoat of Attica.

The struggle has changed, but it is not yet over. Public outrage has repeatedly forced the state to retreat and to compromise but the state still has the strength to hold Dacajeweiah captive. The official policy of selective prosecution, which began with the original 42 indictments against the prisoners, continues in a new form. So does the effort to defeat it.

Today our principal task is to FREE DACAJEWEIAH!!
John Hill (Dacajeweiah) had been at Attica for two weeks when the rebellion occurred, having been transferred there, at his request, to be nearer to his family which resided in Buffalo. He was a 19 year old Native American who had just been convicted of attempted robbery. On September 9th, he was one of the prisoners who occupied D Yard.

In December, 1972, Dacajeweiah and Charley Joe Pernasilice, both Native Americans, were charged with murdering William Quinn. It was the only indictment which charged an inmate with the death of an officer, and was therefore one of the main focuses of the prosecution's case.

Dacajeweiah and Charley Joe were carefully chosen to be among the main Attica scapegoats. The State theorized that because they were not white, they would not readily receive white community support, and a white jury would not readily empathize with them. Because they were not Black or Puerto Rican, they were less likely to receive the full support of the Black and Puerto Rican mass movements of the early seventies. The Native American movement was still comparatively small. Because they were young, they could easily be depicted as juvenile hoodlums. And because they were not leaders of the rebellion or well versed in the law, they could easily be made victims of a judicial lynching.

And yet, the State had no case against Dacajeweiah and Charley Joe Pernasilice, because both men were innocent.

I can't remember ever seeing the correction officer I allegedly killed. At first they said he was thrown out a window. Well, all the windows are barred.

Dacajeweiah, 1974

With an expenditure of over 30 million tax dollars, the State proceeded to prepare its case against the Attica indictees, a case which rested on pillars of fraud, invention, and deceit. The Attica Brothers fought against this perversion of justice by touring the country and bringing the truth about Attica to the public.

Dacajeweiah spoke on college campuses from New York to California and met with countless community groups all around the country. He spoke about Attica, his specific case, and his innocence. He also spoke about the Indian rebellion at Wounded Knee, South Dakota, in February, 1973.

†Dacajeweiah is a Native American name meaning “Splitting the Sky”.
Dacajeweiah spoke about his people, the Native American people, and how he had been chosen as one of the main targets by the Attica prosecution because he was a Native American. He described how the Indians' land had been stolen, how his ancestors had been massacred, and how the white man had tried to extinguish his culture. The herding of Indians onto reservations and into lives of poverty and prison were only a continuation of this genocide. Dacajeweiah emphasized that this genocide, in the form of FBI death squads and police and legal harassment, still continues because Native Americans assert their right to sovereignty—demanding the return of the land which is rightfully theirs. Attica and Wounded Knee, prisons and reservations, two sides of the same coin.

Dacajeweiah was one of the people who raised massive amounts of financial, political and spiritual support for the Attica Indictees, but it was not sufficient to break the State's railroad.

On April 5, 1975, Dacajeweiah was convicted of first degree murder in the death of guard William Quinn. Charley Joe Pernasilice was convicted of 2nd degree attempted assault. On December 30, 1976, Governor Hugh Carey granted Dacajeweiah clemency.
"Instead of giving me a pardon, which would have been a complete exoneration of the conviction, he gave me a commutation. All it made me eligible for was to see the parole board.

As you know, I went to the parole board and there was a whole lot of opposition to my release, particularly from the guards’ union. Telegrams were being sent to the warden and the parole board, threatening that if they released me, there would be no support for them in the upcoming elections, in particular for Governor Carey. Acting parole board Chairman Edward Hammock himself was facing a confirmation hearing for his $42,000 a year job along with two other acting parole commissioners.

But the only thing that it (clemency) accomplished was that Carey duped people into believing that he was applying equal justice all the way around, and that he was going to "close the book" on Attica.

But in reality all he did was give out a few token pardens to Brothers who really didn’t have to serve no time anyway. He let at least 20 officials, who committed unjustifiable homicide on the 13th of September, 1971, during the rebellion, go off scott free from any kind of legal repression arising from the massacre.

In the meantime, I’m stuck with the whole burden behind the dupe. I’m still doing 20 years to life—every two years for the next 20 years or even to the next 50 years the parole board could turn me down if they want.

Still we’ve been successful in many ways. The defense’s strongest drive and force is we’ve been able to expose the reality of what happened at Attica, which in most cases shocks many people. They couldn’t believe that justice was applied in this fashion.

Also, we exposed the injustice of the entire prison system. When you come in here (prison) they tell you you’re less than a human being because you’ve committed a crime in society. When in the meantime it was the society and the class structure, racism and discrimination, that closes the door beforehand—doors into education and knowledge.

And if you submit yourself to the physical and psychological repression that keeps these places alive, you become very vulnerable to losing your own self-dignity. Every day I have to maintain my sanity—in an insane place—really . . .

Because I’ve had plans for a long time for when I get out. Basically my plans are to help the Native American struggle as much as possible, to help the young, to help the old, to help the people get back what is rightfully ours.”

Dacajeweia, 1977
IN THE COURTS

A. Since the New York Board of Parole denied Dacajeweiah's release on January 18, 1977, lawyers have filed motions contesting the Board's decision. On June 9, 1977, they appeared in Westchester County, White Plains, New York, in front of Judge Morrie Slifkin who, on June 24, 1977, denied the relief sought. Now this denial of the Board’s decision is under appeal.

B. Dacajeweiah's conviction on the murder charge resulting from the death of William Quinn is also being appealed.

C. A Civil Suit, referred to as the 1983 Civil Suit, has been filed. The suit seeks 2.4 billion dollars in damages from the State of New York for their actions on September 13, 1971, which resulted in forty-three deaths and over eighty people seriously injured. The suit does not, nor should it, imply that this is strictly a monetary issue. The suit is being utilized to:
1. educate the public about the Attica Rebellion and Massacre;
2. expose the State's Prosecutorial/Persecutorial machinery, such as grand juries which were both unable and unwilling to charge the state employees and officials with their crimes, but avidly found charges and handed down indictments against the Brothers;
3. explain the process of Selective Enforcement of the Law, the State's coverups, and their relevance to the specific case of Comrade Dacajeweiah;
4. expose the inhuman and intolerable conditions in prisons generally.

OUTSIDE THE COURTS

Because of the significance and import of this political and legal struggle, the political arm of the Attica Committee to Free Dacajeweiah (John Hill) has embarked on several projects. The purpose of these is to educate and organize people around the continuing significance of the Attica struggle. This includes the particularity of the struggle now, which is to get Dacajeweiah released from prison, and also its general relationship to both the prison and mass movements.

We are conducting film showings about Attica and the general struggle for liberation, independence, and self-determination; we are setting up speaking engagements throughout the country; we are getting petitions signed to Governor Carey of New York State for Dacajeweiah's release; we are sending form letters to the Chairman of the New York State Board of Parole demanding that the parole board rescind its decision of January 18, 1977; we are distributing an Attica chronology of events which is both educative and informative; and we are involving ourselves in the struggle to help gain the release of other political prisoners.

All of the above serve to complement the legal work of the defense lawyers.

PETITION

TO: GOVERNOR HUGH CAREY
EXECUTIVE MANSION
ALBANY, NEW YORK 11226

The crime of Attica still hovers over us, more than six years after 43 men were massacred by officers of the State of New York. Attica Brother Dacajeweiah (John Hill) was granted executive clemency in December, 1976, but the parole board refused to release him from prison. An indictment remains lodged against Brother Dalou Asahi (Mariano Gonzalez). Meanwhile, the real criminals of Attica - from former Governor Rockefeller to the guards and troopers who pulled the triggers - have been pardoned and remain free to commit more Atticas. It is the same story again and again. The guilty go free, and those who battle for justice are their victims.

The orgy of horror and injustice continues. You, Governor Carey, are writing the current chapter.

We will not remain silent. We know that the "book" on Attica can never be closed. We know that no words or deeds can mend the souls shattered or the bodies wounded as a result of Attica, nor can they bring back the lives which were taken in the name of "law and Order". But we must continue to fight for a shred of justice and see to it that the still unfinished business of Attica is taken care of.

With this in mind, we the undersigned demand UNCONDITIONAL RELEASE FOR DACAJEWEIAH! Nothing less will do.

NAME
ADDRESS

ATTICA COMMITTEE TO FREE DACAJEWEIAH
c/o Fink & Meyers, 350 Broadway, New York, N.Y. 10013
EPILOGUE

Many people have heard or read one of our slogans which says that Attica Is All Of Us!

For some people, it is construed as a mere slogan or worse, rhetoric, but to the members of the Attica Committee to Free Dacajeweiah (John Hill), plus the many steadfast friends, comrades and supporters, it is a vital espousal of our position and perspective both historically and politically.

The prisons, jails and kkkourts are very significant because they do serve as key sources to keep members of oppressed nationalities (especially Blacks and Hispanics) in containment and control—Repression.

Recognizing that it is community members being taken from the communities to kkkourts, jails, and prisons and then back to the respective communities, we should have clear positions about those three areas.

As one of the sixty-two Attica Indictees and as one whose status is that of community activist/prison activist, I feel it important to have these thirteen (13) questions included in this pamphlet.

Regardless of the labels we wear, each of these questions is pertinent, relevant and meaningful to us.

It is nice to do work around brothers and sisters who are inside, but it is my contention that it is sweeter when you are able to keep folks out of jails and prisons. The questions are here for the purpose of inciting or sparking serious dialogue with people from the various communities.

My hope politically is that they will serve as a goad to many people because politically, socially, economically, conceptually, and materially, it will enable us to know where we are going; how we gonna get there; and what to expect when and if we get there.

Some time in the very near future, those who are concerned with the prison movement or are a part of it will meet with the various forces of the over-all liberation and mass movements in a summit conference.

History dictates this union!

The Attica Struggle is/was a Part of the Overall Struggle Waged by Oppressed and Repressed People Regardless of their Geographical Locale.

Free Attica Brother Dacajeweiah (John Hill)!
Unconditional Amnesty for All the Prisoner Participants of the Attica Rebellion!
Free All Political Prisoners and Prisoners of War!
Build the Prison Movement!
Build the Anti-Imperialist Movement!
The Atticas Are All Of Us!

Akil Al-Jundi
Former Attica Indictee

BUFFALO, NEW YORK, SEPTEMBER 1975

PERTINENT QUESTIONS AROUND CRIMES, COURTS, PRISONS, PRISONERS, AND THE COMMUNITY

1. What is crime?
2. What are prisons? What purpose does prison serve?
3. What is a political prisoner?
4. Should everyone who commits what is currently referred to as crime be placed in prisons?
5. What are the alternatives to prisons?
6. What responsibilities does an individual from the community have around the issue of crime prevention?
7. Should prisons be abolished? If not, Why? If so, Why?
8. What are your views around such issues as the following: rapes, muggings, homicide, drugs, drug selling, prostitution, etc.?
9. What are your views around institutionalized racism?
10. What are your views around the courts and the present way they conduct criminal justice in America?
11. What concrete role or realistic role do jobs have on the issue of prisons?
12. What is rehabilitation?
13. In context to the present function, what concrete work must be done in order to say that a person is rehabilitated?

Akil Al-Jundi
These are some of the 33 Demands raised by the Attica Brothers in September, 1971. These demands are still applicable currently at Attica Prison, in the New York State prison system, and at other prisons throughout the United States.

3. Grant complete administrative and legal amnesty to all persons associated with this matter.

5. Apply the New York State minimum wage law to all work done by inmates. STOP SLAVE LABOR.

6. Allow all New York State prisoners to be politically active, without intimidation or reprisal.

7. Allow true religious freedom.

8. End all censorship of newspapers, magazines, letters, and other publications from publishers.

9. Allow all inmates on their own to communicate with anyone they please.

10. When an inmate reaches conditional release, give him a full release without parole.

11. Institute realistic, effective rehabilitation programs for all inmates according to their offense and personal needs.

12. Modernize the inmate education system.

13. Provide a narcotics treatment program that is effective.

14. Provide adequate legal assistance to all inmates requesting it.

15. Provide a healthy diet; reduce the number of pork dishes; serve fresh fruit daily.

17. Provide adequate medical treatment for every inmate. Engage either a Spanish-speaking doctor or interpreters who will accompany Spanish-speaking inmates to medical interviews.

18. Provide a complete Spanish library.

26. Arrange flights out of this country to nonimperialist nations for those inmates desiring to leave this country.


29. End approved lists for visiting and correspondence.

33. Access to facility for outside dentists and doctors at inmates' expense.
ATTICA COMMITTEE TO FREE DACAJEWEIAH

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