

1 A Well, I might receive a letter or two 190

2 from a particular organization. A lawyer's organiza-  
3 tion that I have written to or pertaining to a legal  
4 matter or maybe to a book store but other than personal  
5 correspondence, nobody but my mom.

6 Q You have talked about your--you were given  
7 five to ten years at Attica.

8 A Yes.

9 Q When you arrived at Attica and after spending  
10 almost a year in that population, surely you talked  
11 to other inmates who were convicted of a similar crime?

12 A Right.

13 Q Who may be doing less time than you are?

14 A Right.

15 Q How do you react to this?

16 A Well, quite naturally, this makes me wonder  
17 about the juridicial system in the State of New York,  
18 right. I think when I got sentenced for my five to  
19 ten, third degree burglary, it was my first felony  
20 offense. I had been busted previously before but all  
21 charges, I thought, were misdemeanors. So this, as  
22 far as I am aware of the fact, this is just--this is  
23 my first felony bust.

24 So now when I receive the max, and had I  
25 went to court and had a jury trial, I couldn't have

1 received any more time.

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2 Q You have spoken with inmates who have less  
3 time for the same charge?

4 A Right.

5 Q I understand this is a common frustration  
6 among inmates?

7 A Right. I have spoken with inmates who have  
8 come into prison with four years, three years and have  
9 committed the same crime that I have. I have even  
10 talked to inmates who have committed murders and who  
11 have received three years and four years.

12 So naturally, this makes me wonder, what's  
13 happening and exactly just what is going on. And how  
14 did I wind up with five to ten years.

15 (Continued on page 192.)

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1 Q Brother Matthews, we have talked about 192  
2 your life at Attica, your days at Attica. Your frustra-  
3 tions at Attica. You talked about the kind of literature  
4 you are now reading. You spend a lot of time in your  
5 cell, naturally?

6 A That's right.

7 Q And we talked earlier about many of the things  
8 that you think about, many of the things that are going  
9 on in the world.

10 A Right.

11 Q And particularly in the black community.

12 A Right.

13 Q And you are now incarcerated?

14 A Right.

15 Q You hear about the political issues and you are  
16 in Attica, you are in a cell and you have certain feelings  
17 and certain kinds of responses to those and you said  
18 earlier that Attica was nothing but a reflection of  
19 society and that when you came there you expected certain  
20 things which in fact existed and when you got to Attica, the  
21 kind of discrimination between inmates, white inmates  
22 black inmates, white officers, black inmates was merely  
23 nothing more than what takes place in America.

24 How do you feel?

25 A Well, you come to the conclusion that everything

2 1 is a farce. The whole make-up, the whole  
2 system is a joke. Especially to the lower class, to the  
3 lumpenproletariat, every-day Joe Blow in the street.

4 You get the impression that you are being used,  
5 misabused and had. So when you lay in the cells you don't  
6 do anything but gather animosity, hatred and a dim view  
7 of the society and authority as a whole.

8 Q Brother Matthews, while you are in your cell,  
9 we understand the Commission has heard that there are  
10 radio stations. You are a black inmate and a large  
11 percentage of the population in Attica are black inmates.

12 A The majority is black, right.

13 Q You have three channels which you can plug  
14 into to listen to a radio or the audio part of a TV.

15 A Right.

16 Q I understand there are a large number of black  
17 stations which you might listen if you were on the street?

18 A Right.

19 Q How many times during the week can you listen  
20 to a black program?

21 A You listen to a black program maybe four to five  
22 times out of a week, right. You have WUFO from Buffalo.  
23 It goes off when the sun goes down. You listen to  
24 WBLK. This is what is known as the hounddog.

25 Now, you might listen to this one day and you

3 1 might listen to hard rock the next day on this 194  
2 one particular plug, right. You might listen to  
3 underground music the next day. You might listen to  
4 WBLK another day.

5 Q Were all these programs always available?

6 A They are always available, true.

7 Q When you arrived at Attica?

8 A Right. The majority of the guys, when they  
9 listen to the earphones at all, you listen to the first  
10 plug because this is what is known as the soul station.  
11 Brother and sister type, right.

12 The majority of the populas at Attica is black  
13 and Puerto Rican and this is what they like, right. Around  
14 eight o'clock or seven, they might interrupt and say we  
15 are going to bring on a hockey game. Nobody wants to  
16 hear no hockey. We want to hear some mighty singing.  
17 We want to hear somebody snapping their fingers so they  
18 can uplift my spirits a little bit because at the present  
19 I am feeling mighty low.

20 Q You also see movies or movies are available once  
21 a week, is that right?

22 A Now, I didn't see but one movie since I have been  
23 in Attica.

24 Q Why is that?

25 A Well, because during the summer there aren't any

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4 movies. Now, during the winter months is 195

2 when you go to the movies. I believe it's once a week.

3 I am not at all sure because like I said I only seen

4 one. I believe it's once a week. And guys have gripes

5 about that because they say in other institutions they have

6 three or four movies a week.

7 Q What kind of movies have they had available at

8 Attica last year? Have you seen the schedule?

9 A I haven't ever seen a schedule. The only one

10 I seen, it was maybe a Grade B comedy. That's the only

11 one I seen.

12 MR. ADDISON: Brother Matthews, at this

13 time I am going to let--I would like the Commission

14 to ask you questions and I will ask you a few more.

15 MR. MCKAY: Mr. Matthews, you have been

16 most generous and fully responsive to the questions

17 put by Mr. Addison. I have one or two questions

18 I want to ask.

19 First I want to tell you something that I

20 think you didn't get to hear when Mr. Liman spoke

21 this morning. And that is that each witness has an

22 opportunity to make a statement of his own if he

23 wishes.

24 I don't know whether there is something

25 that you want to say for the Commission and for the

5 1 public to hear that you can do now or 196

2 wait until after some of the Commissioners have  
3 asked their questions if you wish to say something  
4 separately in addition.

5 THE WITNESS: I will wait.

6 EXAMINATION BY MR. MCKAY:

7 Q I want to ask you in connection with your own  
8 sentence, am I correct in understanding you have not yet  
9 come up before the Patrol Board for a determination of your  
10 minimum sentence?

11 A No.

12 Q When do you become eligible for the first time?

13 A I believe it's '74. Not '74, '75.

14 Q It's the full five years before you can be consid-  
15 ered for parole, right?

16 A I believe it's three years and maybe six or seven  
17 months maybe.

18 Q Have you been given any advice as to what the  
19 consequences on that hearing are of the several disciplinary  
20 proceedings that you have had so far, does that give you  
21 any concern?

22 A Right. I have been told by fellow prisoners,  
23 this is usually where my information comes from, fellow  
24 inmates and I have been told that my disciplinary actions,  
25 the way I carry myself, my attitude and what not determines

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61 whether or not I will get an early release 197

2 or maybe if I will get hit with some time by the Board.

3 Q Have the correction officers ever threatened  
4 you with that as a kind of a sanction to hold over you?

5 A Not directly but indirectly, yes.

6 Q You spoke about the necessity to bring your  
7 grievances to the courts rather than within the system.

8 A Right.

9 Q How do you get your legal advice? Have you  
10 prepared any assistance from other inmates?

11 A This is the majority of it, assistance from  
12 fellow inmates. You buy or they tell you as to what  
13 particular law books to get. You send out and you get  
14 them and your fellow inmates work on them.

15 Q Have you found the books in the prison library  
16 that you want?

17 A I have never used the prison law library. I  
18 myself have never used it.

19 Q Have you actually filed a writ with the court?

20 A I have filed one but it was due to the riot.

21 Q You mean after the events of September?

22 A Right.

23 I am presently pursuing my case that brought  
24 me to Attica. I am doing research on that now. Because  
25 I find out it's a lot of words and a lot of procedures

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1 and justice that I am not aware of.

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2 I'm at present studying and gathering informa-  
3 tion concerning my case.

4 Q Who has helped you on that, inmates or have you  
5 had lawyers on the outside?

6 A No, only inmates.

7 MR. McKAY: Thank you. Mr. Henix, do  
8 you have a question?

9 MR. HENIX: I don't have very many  
10 questions.

11 EXAMINATION BY MR. HENIX:

12 Q One thing you did say that I think is important  
13 here is that what you felt that the officers needed  
14 sensitivity type of training.

15 A Most definitely.

16 Q Becoming more aware.

17 In view of your feelings about being black and  
18 what it all means and being a part of the system, a racist  
19 society, would you be willing to participate in a group  
20 where officers were involved in being sensitized?

21 A Right.

22 Q In other words, you are willing to work in order  
23 to improve the conditions?

24 A Right.

25 MR. HENIX: That's all I have.

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MR. McKAY: Mr. Rothschild? 199

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MR. ROTHSCHILD: I have just

3

a short questions.

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EXAMINATION BY MR. ROTHCHILD:

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Q Mr. Matthews, in your discussions as to the  
6 motivation that brought you into the Moslem society, you  
7 said that basically it was, if I understood you, it was  
8 realizing why you were there and wanted to do something  
9 about it?

10

A Yes.

11

Q Am I right in inferring from that that your  
12 resentment basically that you have expressed is toward  
13 the institution Attica and not basically so much at the  
14 fact that you were put there for the offenses that the  
15 court charged you with. Am I interpreting your remark  
16 correctly?

17

A Repeat that again.

18

Q Well, you seem to--the Moslem conversion that  
19 you are going through is a result of your feeling that,  
20 trying to come to grips with the reasons you were there and  
21 what's been with your life thus far and that your resent-  
22 ment that you have expressed is basically toward the  
23 institution, the prison itself and not so much in a feeling  
24 that you shouldn't have been sent there for the offenses  
25 for which you were charged.

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9 1

Your resentment is really what

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2

goes on at Attica rather than the fact that the Judicial

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system resulted in your being there, am I reading you

4

right?

5

A Right. At present this is what I am speaking

6

about, Attica. But now, as to what led up to Attica,

7

right, and to why I was put there, I definitely feel as

8

though it was wrong and there was injustice there also.

9

I haven't elaborated on the fact, you understand

10

me, but I do believe this.

11

MR. ROTHSCHILD: Thank you.

12

EXAMINATION BY MRS. GUERRERO:

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Q Mr. Matthews, will you think that the officers

14

at Attica or any other prison, I don't know, have more

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descriptions or as much as you have found outside of

16

prisons?

17

A Well, the relationship there between inside

18

and outside is totally different. You see, Attica is

19

a very unnatural environment whereas society, out there

20

beyond the great walls are all together different.

21

When you come into Attica, you come into a

22

society where you have all types of people with all types

23

of attitudes but basically they all have one thing in common.

24

They are criminals. They are outcasts of society.

25

They are people who did wrong against someone

110 else. Now, when you realize this, you 201

2 realize the fact that you are around people who have a  
3 totally different concept of the people out there.

4 So therefore, you are in an unnatural environment  
5 from the getto. You have homosexuals, you have killers,  
6 you have burglars, you have confidence men.

7 All these types of people criminally minded.  
8 You have to learn to deal with this on this level.  
9 Consequently, when you get outside of the wall, you are  
10 in a totally different and totally new environment. It's  
11 all together different between night and day.

12 Q So that naturally, I suppose in other words,  
13 the discrimination of the guards there, it would seem as  
14 if it is even more because of the type of people who are  
15 there.

16 A With the discriminations of the guard--

17 Q That's what I asked.

18 A The first thing on your mind is that you are a  
19 criminal and they treat you as such. They forget that you  
20 are a human being and that you are a member of the human  
21 race.

22 Q I want to ask you another thing, Mr. Matthews.  
23 Do you think that being a member of the, having taken up  
24 the Moslem religion and also panthers, you did say that  
25 you have joined the panthers.

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2 Q Have anything to do with the denial of your  
3 educational requirements? Or desires?

4 A I can't say that because I really don't know.  
5 I hope it's not. I haven't found out any indication where  
6 it has been.

7 Q Now, I want to ask you, of course, only for  
8 my own edification. After finding which you have so  
9 eloquently told us that you are finding yourself and trying  
10 to find out why before you did, taking dopes and committing  
11 crimes, with all this profound spiritual which is done,  
12 do you personally hate the white people?

13 A No, no. This is something that I had to do  
14 a lot of soul searching about. Do I hate white. Do  
15 I hate Europeans. No, no, I do not hate.

16 I more or less am aware of the situation. I'm  
17 aware of why they treat me the way they do. Now, what  
18 I have to do now is to put all this in the proper perspective  
19 and now I have to step in the right direction.

20 I don't hate them but at the same time, I try  
21 to be aware of them. I try not to let hatred and malice  
22 come into me because, like I realize that this is a disease  
23 in itself.

24 Q Yes, because--in other words, because some white  
25 people hate black people, just because they are black

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121 without delving into the person, whether

203

2 that person is worthy or not. And the same thing happens  
3 from the blacks and since you are finding yourself,  
4 whether these things would continue or it wouldn't continue,  
5 or whether you ever felt that way, which I think it's  
6 beautiful.

7 MRS. GUERRERO: Thank you.

8 EXAMINATION BY BISHOP BRODERICK:

9 Q When you went up to Attica, you kicked off the  
10 drug habit, hadn't you?

11 A Right.

12 Q Did anyone ask you about it at that time?

13 A As a--

14 Q Was there any professional psychiatrist,  
15 psychologist, medical doctor?

16 A No.

17 No, I had heard they were trying to institute  
18 a rehabilitation program in Attica. I had heard that they  
19 had meetings or consultations, group therapy where inmates  
20 that had narcotics on their records could go into group  
21 therapy, right.

22 But I myself never attended because, for one  
23 thing, it was never publicized.

24 Q My wonder was whether, you know, maybe people  
25 like you should be sent to a hospital or to a prison,

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13 maximum security.

2           Then the question of your religious convictions  
3 and I ask this very sincerely because I admire your con-  
4 victions.

5           About how many inmates at Attica at the time of  
6 the revolt shared these convictions with you?

7           A     My particular--

8           Q     A ball park figure?

9           A     My particular religion, Suni Muslim, maybe  
10 100. Maybe.

11          Q     And you said there were some students who came  
12 in from Buffalo?

13          A     Right.

14          Q     No Chaplin?

15          A     No. No teacher.

16          Q     Then this is a theological question. If you  
17 get into a dietary situation, at least we do, is there  
18 someone who could grant a dispensation?

19          A     I beg your pardon? You shot past me.

20          Q     A dispensation would be a kind of a favor for  
21 grave inconvenience or preparing two meals in an institu-  
22 tion where someone, your leader would say, today, fellows  
23 you don't have to worry about the pork, it's all right  
24 to eat it or we will substitute something else?

25          A     No. I have yet to see that instituted, no.

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114 Q Many of us on the Commission have been 205

2 hearing the fact that if there were more black CO's, there  
3 wouldn't be unrest or very little unrest--there would  
4 be little unrest.

5 I was very interested in hearing what you said  
6 because basically I think it gets down to the person and  
7 to the education of the person and respect for human  
8 dignity and respect for treating a person as a person or  
9 as a human being.

10 A This, may I add, is a hang-up. Whether it's  
11 blue, green, polka dots.

12 Q Do you feel equally intimidated if a black  
13 guy stood talking to you hold a stick?

14 A I would feel moreso because I would feel as  
15 though hey, man, you are part of me. What's happening  
16 to you.

17 Q You wouldn't expect that from him?

18 A I would expect it seeing he came upon the rules  
19 and justice of the establishment. I would expect it but  
20 I couldn't go for it. I wouldn't like it.

21 This is what they tell him to do and this is  
22 what he does.

23 Q The athletic facilities, I assume you didn't use  
24 them too often. Would you say they were segregated,  
25 either forced or not forced?



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A No. No segregation.

Q It just happened that way as though the blacks were playing basket ball with ten blacks?

A Right. Now at one particular time, again before I came to Attica, they had what is known as black baseball and football teams and they had white baseball and football teams. When I came there, this was not institutionalized.

Q You would say today there is no such thing?

A At the present there is no such thing.

EXAMINATION BY MRS. WADSWORTH:

Q Mr. Matthews, you spoke about the relationship of the correctional officers and the inmates and the great need for more sensitivity and you said you would be willing to work in that area.

I would like to go next into the area of sensitivity between the whole prison world and outside the walls, society. It seems as if unless there is some awareness in education and understanding of the whole criminal justice system we aren't going to move anything.

Is there any way to promote or do you think there is any validity in going further with the ideas of volunteers working within a correctional facility, of having branches of organizations within a correctional facility, of increasing the visiting privileges of--over the weekend I guess.

2 going to be significant changes?

3 A This is very beautiful. This is what we need.  
4 Everything that you have just said is what we need. This  
5 would give fellow prisoners and me a chance to talk, a  
6 chance to communicate with the outside world. This is  
7 the whole hang-up. Lack of communication.

8 They hear stereo-typed ideas, stories that con  
9 artists or the rapist, the murderers, what have you. So  
10 when they hear this, the first thing that the public does  
11 is they shy away. I don't want to rap with them. We  
12 don't have anything in common, but they forget the facts  
13 that I am a human being just like you are.

14 I come from the same world that you come from.  
15 Why don't you come in here and let's get this thing together  
16 and find out why I'm here. So now I could come out there  
17 and make it maybe to be your next door neighbor. This  
18 is what we need.

19 EXAMINATION BY MR. CARTER.

20 Q Mr. Matthews, I had an impression from something  
21 you said that you pleaded guilty?

22 A Right.

23 Q Was it a sort of a plea bargaining that you entered  
24 into with the prosecuting attorney?

25 A It was supposed to be but it didn't turn out as

2 Q And you got the maximum sentence?

3 A Yes.

4 Q From what I have heard you say, I gather what  
5 you classify as a major complaint from your time up there  
6 has been the diet issue, the treatment by the doctor and  
7 not being assigned to school. But other than that, the  
8 frustration I'm getting listening to you is the petty  
9 little incident which you were told to go to the front of  
10 the line and now go to the back.

11 You can't wear a turtle neck. You can't do  
12 this, you can't do that. Based upon how the officers feel,  
13 what--whether he is feeling good or feeling bad, so that  
14 you get this sort of thing constantly.

15 Am I correct that this is the real problem, the  
16 one that you find frustrating in prison life?

17 A Fifty per cent, right.

18 EXAMINATION BY MR. MARSHALL:

19 Q What's the other 50 per cent?

20 A The other 50 is being dehumanized. Made to feel  
21 less than a human being.

22 Q You are eligible to get out in about three years?

23 A Beg your pardon?

24 Q You are eligible to get out in about three years?

25 A Something to that effect, right.

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18 Q On parole. Have you thought at all 209

2 now what you will do when you got out?

3 A I thought about it a great deal. A great deal.

4 Q Can you tell us if there is any kind of program,  
5 maybe it's what Mrs. Wadsworth talked about, but if there  
6 is any kind of a program that could be put in place in an  
7 institution like Attica with the walls and all the maximum  
8 security and all that that implies, that would help you  
9 with that problem or rather that's sort of basically im-  
10 possible?

11 A I don't think--did you say possible, impossible?

12 Q Yes.

13 A I don't believe anything is impossible. I be-  
14 lieve if the establishment wants to institute it, they  
15 can. It's up to the establishment as to what they want  
16 to do.

17 Outside programs, work programs, give inmates  
18 --a prisoner a sense of responsibility. Give them a sense  
19 where he can feel as though he can be trusted, put a little  
20 burden of trust on him and see what he will do with it.  
21 Make him feel as though that he has a little more or less.  
22 Let him know that he also obtains a little scruples. Let  
23 him know he also has a certain amount amount of intelligence  
24 and give this to him and see what he will do with it.

25 Now, subsequently, if he has his own self, more

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19 1 power to him. But at least you have given him 210

2 something. But first, give this to him. And let him  
3 try this out. I was listening to the program the other  
4 night and they were speaking about a halfway house in  
5 Rochester.

6 Prior to that they had a program coming from  
7 California. I believe it was from the Soledad prison  
8 where inmates were involved in outside programs. Things  
9 that the inmates themselves wanted to do.

10 Musicians, plumbers. Guys who wanted to go  
11 to college. Or school and what not and the programs,  
12 what I gathered from the program that this was working  
13 famously and that it was a better relationship between  
14 prisoners and officers.

15 It was a better relationship between prisoners  
16 and society. And everybody was having a beautiful relation-  
17 ship as a whole.

18 Now, I hear about the halfway house coming out  
19 of Rochester. The state can't find the money in order to  
20 institute it. But the state can find the money to do  
21 anything else they want to do.

22 Q So there is nothing like that at all for you now?

23 A No. There are at the present dreams. That's  
24 what they are about now.

25 EXAMINATION BY MR. WILBANKS:

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2b Q How much money do you make a week 211

2 in your present job?

3 A A week?

4 Q Approximately.

5 A You add up 45 cents a day, five days a week.

6 Q Are you able to support your smoking habit  
7 with the money you make?

8 A With the money that I make I couldn't possibly  
9 support my cigarette habit and maybe my education habit.  
10 Reading material. Like some of the books I ordered may  
11 cost four, five dollars.

12 Q And supplement your diet?

13 A Beg your pardon?

14 Q And add to your diet? Your food.

15 A No, no. If my girlfriend doesn't send it to  
16 me, I don't even get it. I have to either pick one or  
17 two. I say, well, this week I'm going to buy me two  
18 crates of cigarettes which cost what, three dollars or  
19 something, right. That's seven dollars for two cartons.

20 Consequently, I got about a dollar or two or three  
21 left over. On a monetary basis. Now, this month I might  
22 buy cigarettes. Next month I might buy books and I do  
23 without cigarettes. Something definitely has to go. I  
24 can't have them both. I can't have my cake and eat it too.

25 Q You indicated in the very beginning you wanted

211 to go to school.

212

2 A Right.

3 Q What if you were in school, for which I assume  
4 you would not be paid, then how would you afford your  
5 cigarettes?

6 A You get something like 20 cents a day. This is  
7 basic. Guys who are idol who don't have any particular  
8 job or who go to school are eligible for 20 cent a day.  
9 They tell me this is--

10 Q To go to school you have to sacrifice other  
11 things from the commissary?

12 A Definitely. If you have no money coming from  
13 the outside, very definitely.

14 EXAMINATION BY MR. ADDISON:

15 Q Mr. Matthews, I have just a few more questions  
16 I would like to ask you. We have talked at length today  
17 and prior to today about your feelings about black people  
18 in the community, black people in the country and black  
19 people all over the world.

20 You expressed tremendous concern for young  
21 people.

22 A Right.

23 Q And have you thought about what you would like  
24 to say to them about Attica and about your experiences  
25 in Attica and prior to coming to Attica?

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1           A     My message is this.     When I met                     213  
2     you, you were walking in the metal shop. I was curious  
3     to ask who you were and what you were doing. So now  
4     when I came over and I listened to the conversation and  
5     I heard that you were from the McKay Committee, I had  
6     heard quite a few foul stories about the McKay Committee  
7     as to they weren't really on our side and so forth and  
8     what have you.

9                     And you mentioned television. So that right  
10    there started to turn me off and I started to breeze.  
11    Then you said something else which made me do a cute about  
12    fact and listen.

13                    You said that the only way for the public to  
14    understand what's going on behind the great walls is for  
15    somebody behind the walls to come out here and shoot it  
16    to the public. I dug that. And this alone is what brought  
17    me here.

18                    I am not by no means a camera bug. I am by no  
19    means trying to seek political position or trying to  
20    let everyone know that I was on television. I simply  
21    came here because I thought I had a message to get to the  
22    people.

23                    The message that I want to get across is to  
24    my young brothers and sisters because I find it very hard  
25    trying to relate to dudes who are in their middle thirties,

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23<sub>1</sub> to dudes who are what is known as grown men, 214

2 females also. I am not too much interested in the  
3 suburban areas. I am not too much interested in the  
4 Tonowandas and the Chekawakas (Phonetic).

5 I am interested in the young black brothers  
6 and sisters who live in the getto. I am interested  
7 in the youth, you understand, that are growing up in the  
8 environment that I grew up in. I am interested in young  
9 brothers who are in the gangs of Buffalo, who are shooting,  
10 killing each other for no apparent reason.

11 I realize why they are doing this, you under-  
12 stand, because I myself used to be a youth, believe it  
13 or not. Now, I want to get the message to them that  
14 if they keep this activity, if they keep this up, subse-  
15 quently they are going to wind up in Attica with me.

16 I sit down in the mess hall. I see young  
17 brothers coming in. I say, "Hey, what's happened, man."  
18 Every time they do that, I feel it here. Because he  
19 doesn't have to be here. He got 18 years. Twenty years.  
20 Coming there with life sentences. They are getting  
21 younger and younger every day. This hurts.

22 This hurts because I know that when I leave  
23 out of here there will be a whole new population of blacks  
24 in here which could have been avoided.

25 It could have been avoided if the people out

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241 there would wake up. If the people out there 215

2 would forget about trying to get the White House on the  
3 hill. If the poeple out there would quit trying to get  
4 the alligator shoes that come up to the kneecap. If  
5 the people out there would try to understand the youth,  
6 would try to deal with the problem and quit pushing it  
7 off on everyone else.

8 If they would try and explain, try and under-  
9 stand, try to reason and rationalize with the youngsters  
10 coming up today. This is what I am here for. If I can  
11 get a message to them, you understand me, if I could get  
12 a little bit of insight and make them see a little of  
13 what's really going on, what's really happening and if  
14 they keep going the way that they are going, they are going  
15 to wind up behind prison with me and an unnatural surround-  
16 ing and an unnatural atmosphere which they are totally  
17 unaware of.

18 This is the message I am trying to get across.

19 Q I believe you got that across.

20 Would you--we have talked earlier about your  
21 conviction. You said that at the time you went to court  
22 you were a junkie. Were you ~~certified~~ as an addict?

23 A Right. I was certified by one Dr. Webster  
24 at Beach Street Rehabilitation Center. The certifications  
25 came back that I was a drug addict.

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24 1 Q Did you request to get into any 216

2 kind of program?

3 A Right. I had spoken with my lawyer. My lawyer  
4 had told me that it was a possibility that I would get  
5 the hospital.

6 Q Instead of coming to Attica?

7 A Instead of coming to Attica. I told him,  
8 "Beautiful" because this is what I wanted and this is  
9 what I felt I needed. He said, "But don't worry about  
10 a thing, right." So now he comes and I am laying in  
11 Delaware.

12 He tells me, "Man, I don't know," scratching  
13 his head.

14 I said, "What's wrong, man." He said, "The  
15 judge is acting kind of funny." I said, "Why?" He  
16 said, "Well, he doesn't believe that you are an addict."

17 I said, "Why he don't believe it." I said,  
18 "The doctor said I am. He said, "Well, I don't know, man."  
19 He said, "But I think it's a great possibility. You'll  
20 get it, right."

21 Any way, I don't know exactly what's going to  
22 come up, right. But I'm hoping for the program, right.  
23 Seeing that the certification papers come back that I am  
24 an addict, right, 90 per cent of the chance is I would get  
25 the program.

25 1

Q Instead of going to Attica?

217

2

A Right. I spoke with the probation officer

3

that was doing, taking my probation report. He came

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to me while I was in Windy Penitentiary and I asked him,

5

"How does it look with the probation report?"

6

He said, "Everything is going on all right."

7

He said there is a great possibility. He said, "There

8

should be no problem. You should cop." When I get up

9

to the sentencing date, when I stand before the judge

10

to get sentenced, right, I am looking, I am hoping

11

for the program which my lawyer, with the help of the

12

probation officer led me to believe that this is what

13

I'm going to get.

14

So now I stand in front of the judge. He is

15

ripping through the papers and he looks at me and he says,

16

"Well, Mr. Matthews," he says, "Due to the time that

17

you got busted, due to the year that you got busted in,

18

which was in '67, October, you come under the jurisdiction

19

of the old law." He said--

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Q The old penal law?

21

A Under the old penal law. He told me that the

22

new law came into effect in September of 1967. Being

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that this is so, he has no alternative but to sentence me

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under the old law. He could not give me the hospital as

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it was out of his jurisdiction.

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He then said, "I sentence you to 218

Attica correctional facility for no less than five and no more than ten years." I want to fall down because I am looking for one thing and I get another. So I ask my lawyer as to how this came about.

And he quickly runs to me and he says, "You know it's up to the discretion of the judge whether or not you get the program."

Q Did you have private counsel?

A Did I have private counsel? No, I had a state lawyer. I didn't have no money.

Q How do you feel about public--

A State lawyer?

Q Yes.

A Well, look, how would you feel if I am going to prosecute you and then slide somebody up under you to be your lawyer. Which I am paying. How are you going to feel.

Q So you have been at Attica for almost a year?

A Right.

Q After not having been certified or having been certified but not going to a hospital program?

A Right.

Q You came into Attica, you spent some time in reception in attempting to get into a rehabilitation program

27 1 A Right.

2 Q Having failed that you--

3 A I formed one of my own.

4 Q You formed one of your own?

5 A Right.

6 Q Now, you have been in Attica almost one year?

7 A Right.

8 Q Will you tell the Commission what you think  
9 Attica has done for you?

10 A Well, as a whole, Attica has made me realize  
11 that--if I, when I get out, I shouldn't come back. It's  
12 made me realize that people in my position are subject  
13 to anything that may come down from the jurisdiction or  
14 the ruling bodys.

15 I have been subject to dehumanizing tactics.  
16 I have been subject to misrepresentation. I have been  
17 told that I can't be trusted. I have been told that  
18 the establishment is right and I am always wrong.

19 So from this I gather that I am going to try  
20 to make this my first and last time to ever come to a  
21 place like Attica.

22 Q Mr. Matthews, when you came out earlier and  
23 testified, you asked not to be sworn, is that correct?

24 A Right.

25 Q Why did you not want to be sworn in?

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A Because the last time that anybody 220  
wanted me to put my hand on the Bible, I got shafted.

Q What do you mean by that?

A Railroaded. Deceived.

Q To Attica?

A Yes.

Q Those are not your own clothes, are they?

A No, this is not me at all. This is definitely  
now me.

Q Where did you get those clothes from?

A Well, the institution provided them. They  
provide everything that they have in the clothing shop,  
in the clothing department for guys coming out or, you  
know, parole or what no. It's out-dated about 20 years  
behind the time.

Q Brother Matthews, before you agreed to come  
here, we talked at length and we talked a lot about  
anticipating reprisals.

A Right.

Q You are going to leave here in a few minutes.

A Right.

Q You are going to go back to Attica.

A Right.

Q Do you feel jeopardized?

A I know that I am not going to be very well like

1 and reception. I know that the correction officers  
2 are going to be looking at me out of the corner of their  
3 eyes.

4  
5 Somebody might say something to me funny out  
6 of the side of his neck but as long as no one tries to  
7 put their hands on me everybody will be kosher.

8 MR. ADDISON: Thank you, Brother Matthews.

9 MR. MCKAY: Mr. Matthews, you have been  
10 most eloquent in your testimony and we are very  
11 grateful for your being with us today.

12 (Witness excused).

13 MR. MCKAY: I believe that closes the  
14 hearing for today, Mr. Liman. Let me just preview  
15 very briefly what is on the schedule for tomorrow.

16 Again at ten o'clock in the morning and at  
17 two o'clock in the afternoon tomorrow we will have,  
18 again, witnesses. This time there will be witnesses  
19 from the correction officers' side and other inmates'  
20 side.

21 We hope you will be able to join us again.  
22 The meeting is recessed.

23 (Time noted: 4:50 p.m.)  
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C E R T I F I C A T E

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5 STATE OF NEW YORK )  
6 : ss  
7 COUNTY OF NEW YORK)

8 I, LEON ZUCK, a Shorthand Reporter and  
9 Notary Public within and for the State of New  
10 York, do hereby certify:

11 That I reported the proceedings in the  
12 within entitled matter and that the within transcript  
13 is a true record of said proceedings.

14 I further certify that I am not related  
15 to any of the parties to this action by blood or  
16 marriage; and that I am in no way interested in the  
17 outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 27 day of April 1972.

20  
21   
22 LEON ZUCK  
23  
24  
25