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Exploring Attica's legacy

Conference recalls an uprising that changed America



Courtesy of The Buffalo News



UB Law Professor Teresa A. Miller organized the conference.

One of the most painful chapters of New York State history, and a turning point in thinking about the American system of incarceration, was the subject of a major conference in mid-September at UB Law School.

The conference, called “40 Years After the Attica Uprising: Looking Back, Moving Forward,” marked the anniversary of a prisoner rebellion at Attica State Prison, about 40 miles east of Buffalo, that brought the world’s attention to long-festering problems in the U.S. prison system. The Attica uprising began on Sept. 9, 1971, and ended four days later when then-Gov. Nelson Rockefeller ordered state troopers to storm and retake the prison from the inmates who had taken control. Twenty-nine prisoners and 10 security and civilian staff died. It was the deadliest prison uprising in U.S. history.

The conference presenters, who spoke at UB, Buffalo State College and at a Buffalo church, were a diverse: prison advocates, legislators, policymakers, corrections professionals, activists, and a few people who were on the front lines of the conflict, on both sides.

“It’s about healing, in part,” says UB Law Professor Teresa A. Miller, who organized the conference. “This is the last decade in which these people are going to be able to sit down together. One of the contributions of the conference is that so many different stakeholders are willing to be in the same room even though they’re on different sides of the story. For the public in Buffalo, this is one of the last opportunities to hear firsthand from people who were there and to hear some of the most influential policymakers on the future of prison reform.”

Miller was a child growing up in Virginia at the time of the uprising, so it hardly registered at the time. But when she came to teach at UB Law, and soon a 25th anniversary commemoration was held, she realized how deeply the Attica uprising had ingrained itself in the psyche of Western New York. And now in the 40th anniversary year of the tragedy, she says the corrections industry, an entrenched part of the state’s and the nation’s economy, is undergoing re-consideration.

“We run a very expensive prison system. New York is leading the country in

looking at the wisdom of that and evaluating alternatives,” Miller says. “We’re at a point at which we need to look at prison reform and look at downsizing a system that has just grown too large. As a parent, you spank your child as a last resort. That needs to be the way we approach corrections as well, with incarceration as a last resort.”

The conference was an occasion to re-examine the work of corrections officers as well; according to Miller, they suffer stress-related illnesses at rates far greater than that of the general population, as well as disproportionate rates of drug abuse, domestic violence and other social maladies. And they die young—at age 58 on average, she says. “Day after day, it’s all negative,” she says of that difficult job. “It takes a toll.”

In addition to academic researchers, presenters included:

- **Malcolm Bell**, a former special assistant attorney general who helped lead the investigation into the uprising and the state response.
- **Jim Conway**, recently retired as the prison’s superintendent.
- **Arthur O. Eve**, a negotiator and observer in 1971 and a former New York State assemblyman.
- **Brian Fischer**, commissioner of the New York State Department of Corrections and Community Supervision, who presented the keynote address.
- **Michael Smith**, who was held hostage and shot during the retaking of the prison.

Of all the presenters, those involved in the 1971 uprising spoke the most memorable words. Melvin Marshall was 21 when he was incarcerated at Attica. “When I first when into that prison, I could feel the tension in that place,” Marshall says. “I knew something wasn’t right. There were always fights here and there, and always between guards and inmates.

“I knew the main people involved in the riot. It was destined to go up.”