

**Heather Ann Thompson.** *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy.* New York: Pantheon, 2016. 752 pp. \$35.00, cloth, ISBN 978-0-375-42322-2.

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University of Michigan history professor Heather Ann Thompson spent thirteen years scrutinizing almost four decades' worth of court transcripts, interviews, police and legislative reports, official correspondence, and individual testimonies. The result was *Blood in the Water*, a magisterial, 571-page book that details both the appalling brutality and the devastating consequences of this country's single worst prison disaster.

*Blood in the Water*, a finalist for the National Book Award, is a monument not only to scrupulous scholarship but also to sheer doggedness. Thompson was forced to expend enormous effort securing her material since crucial files mysteriously disappeared, and the relatively few documents she was able to obtain through the Freedom of Information Act were heavily redacted. That she eventually gained access to a trove of valuable new information was in spite of ongoing official resistance. In 2006 a courthouse librarian in Buffalo, New York, granted her access to caches of documentation recently stored in the facility's back room. As Thompson writes, she "hit pay dirt" because this new data enabled her to write what is far and away the most comprehensive account to date of the Attica uprising (p. xiv).

Before describing the rebellion itself, Thompson provides a rich context within which to un-

derstand its causes. She makes clear, for instance, that the inmates' grievances were manifestly well founded. Their medical care was abysmal, they were chronically underfed (New York State spent only sixty-three cents a day on food for each man), and they received scant provisions (one roll of toilet paper a month). Worse, the inmates enjoyed no religious freedom, their mail was either censored or, if written in Spanish, simply discarded, and they were subjected to round-the-clock racial epithets and brutal, often capricious, discipline.

Yet, Thompson explains, the uprising was provoked less by these grievances than by unfounded but alarming rumors that within minutes gave rise to what a special commission later described as one of the bloodiest battles since the Civil War. Thus began the so-called Attica Invasion. On September 9, 1971, roughly thirteen hundred prisoners seized control of the Attica Correctional Facility in upstate New York and captured thirty-nine hostages. They subsequently issued a series of demands, pledging to release the hostages as soon as prison officials met these demands. They also requested a team of outside observers to help them negotiate with the state, and soon had assistance from such distinguished public figures as New York state senator John Dunne, *New York Times* columnist Tom Wicker, Nation of Islam minister

Louis Farrakhan, and US representative Herman Badillo.

The state eventually agreed to many of the inmates' demands—but flatly refused to consider the one they considered most crucial: the granting of amnesty. Yet escalating tensions, misunderstandings, and the hardening of positions notwithstanding, on September 12 negotiations were still ongoing and a nonlethal resolution still seemed possible—until Governor Nelson Rockefeller authorized an invasion. Helicopters signaled the start of this invasion. Upon seeing them flying overhead, many inmates cheered, assuming that at long last the governor was arriving to break the impasse. How misplaced was their optimism: the planes were suffusing the air with tear gas, and once their targets were enfeebled six hundred armed men stormed the yard, shooting blindly and with wild abandon. The book's title comes from a prisoner, blinded by tear gas, who later observed that ten minutes into the assault “all I could see was blood and water” (p. 187).

The troopers could be compared to Keystone cops were their actions less savage. They were poorly trained (if trained at all), and—shockingly—provided neither instructions nor supervision. Some carried their own firearms; others were handed unfamiliar weapons designed to inflict maximum devastation. Notably, all these weapons were disbursed by officials who agreed that no serial numbers would be recorded, every commando would remove his badge, and any incriminating paperwork would be destroyed. Then, in one thirty-minute free-for-all the guards and state troopers besieged the compound, shooting anything that moved. Ultimately forty-three people ended up dead: ten correctional officers and civilian employees and thirty-three inmates. Subsequent autopsies established that with one exception every death was caused by bullets—that is, friendly fire.

For months and even years after the last body was removed from the compound and the re-

maining blood washed off the skywalk, prison officials continued wreaking vengeance on the surviving prisoners, treating them with wanton, almost unimaginable savagery. Thompson observes that even the facility's medical staff “tortured” the inmates (p. 220). In detail painful to read, the author catalogues much of this abuse—scorching inmates with cigarettes, plunging their heads into toilets, crushing their feet, and forcing them to run through gauntlets while club-wielding guards beat them every step of the way. Thompson notes that in addition to physical abuse, officers also engaged in petty acts of cruelty—preventing inmates from eating or reading by smashing their dentures or “accidentally” stepping on their glasses.

Thompson is appropriately rough on New York State, devoting considerable attention to its sophisticated, decades-long, and well-coordinated campaign to conceal its own complicity in the Attica debacle, prosecute the prisoners while fully immunizing those responsible for the blood-bath, and ensure, through a variety of stratagems, that none of Attica's victims received adequate compensation. The cover-up, engineered by Governor Rockefeller, was a travesty. Through deceit, intimidation, political and legal maneuvering, and sheer obstructionism, he and his minions succeeded (in some cases to this day) in concealing both the identities of anyone responsible for the Attica carnage and much of the evidence relating to the state's own misconduct. As a result, not a single charge was ever filed against those who authorized or executed the onslaught or, in its wake, brutalized the surviving prisoners.

Instead, perversely, the state labored mightily to prosecute the inmates, none of whom had guns and who, as every team member later attested, treated the hostages humanely throughout the five long days of the stand-off. Government officials even dispatched troopers to funeral homes and morgues in the vain hope they would discover injuries not caused by gunshot wounds that could be blamed on the inmates. New York State

also engaged in unseemly maneuvers, one after another, to safeguard its financial interests--most egregiously, as Thompson recounts, by asking befuddled and still grieving family members to sign away what they later discovered was their right to file future legal claims. In exchange for such waivers they received only paltry checks from the state's Workmen's Compensation fund. Thanks to the heroic efforts of public interest attorneys, these family members eventually received additional, although small, compensation from the state. For sixteen years, one widow was forced to make due on thirty-six dollars a week. The last check arrived in 2005--thirty-six years after the uprising. Some prisoners, or their estates, also received modest reimbursements.

Among the legion of low- and high-level state officials who played a role either in the takeover or its cover-up, Thompson considers Rockefeller the most blameworthy. His actions were premature at best, tragically unnecessary at worst. He authorized the takeover when negotiations still had the possibility of succeeding and sanctioned the use of lethal weapons when the unarmed prisoners, already disabled by tear gas, could have been subdued without bloodshed. Thompson also faults the governor for remaining cavalier throughout--most obviously by declining to visit Attica during the riot despite pleas from the negotiating team and the hostages. Rather, she notes, he and his aides enjoyed an opulent breakfast at his Fifth Avenue apartment at the same time the prisoners and hostages were mired in a mud slick that lacked both a sewage system and a source of clean water. Ultimately, she asserts, he ordered the invasion for one major reason: to advance his political career by establishing his law-and-order bona fides.

Rockefeller may also have been influenced by the FBI's erroneous claim that "the prisoners are all standing the guards at attention with knives at their throats threatening to kill them should they sit or fall down" (pp. 81-81) and President Richard

Nixon's insistence that the attack was master-minded by "black militants" and their "communist supporters" (pp. 199-200, 266). The governor may also have been swayed by the "fake news" then being brandished even by such estimable sources as the *New York Times*. One day after the rebellion was squashed, this paper of record reported that "prisoners slashed the throats of utterly helpless, unarmed guards who they had held captive through the around-the-clock negotiations, in which the inmates held out for an increasingly revolutionary set of demands." The *Times* corrected itself the next day, reporting that "Autopsies Show Shots Killed 9 Attica Hostages Not Knives; State Official Admits Mistake" (p. 196).

Although villains abound in *Blood in the Water*, the book also features a few brave and principled heroes: public interest lawyers (William Kunstler, Gene Tenney, William Cunningham, and in particular the redoubtable Elizabeth Fink) who fought long and passionately with scant remuneration and even at their own expense to secure justice for Attica's victims; *New York Times* journalist Tom Wicker, whose honest exposes countered the official misinformation; Dr. John Edland, the Rochester medical examiner who, in the face of great pressure to conceal the truth, accurately reported that the prisoners died of gunshot wounds inflicted by those retaking the prison; New York State Judge Michael Telesca, who in the face of great resistance successfully won settlements for the victims and their families; and Malcolm Bell, a Wall Street lawyer who first became a special prosecutor and then a whistleblower by revealing how his supervisors were sabotaging cases brought against state troopers.

Thompson states in her epilogue that the Rockefeller drug laws, enacted in 1973, remain Attica's most durable legacy. These laws were in direct response to the prison rebellion, she maintains, and were nonpareil in their harshness--imposing severe mandatory minimum sentences on anyone convicted of a drug offense and stripping

almost all discretion from sentencing judges. New York's prison population accordingly went from 12,500 in 1971 to nearly 74,000 by the year 2000. Many other states and the federal government also passed punitive new legislation, lengthening sentences, eliminating "perks" (such as education grants), and restricting appeals. As a consequence, the United States now has the dubious distinction of housing more prisoners than any other country on earth.

Attica spawned a second legacy, this being heightened cynicism by a citizenry already disillusioned by Vietnam and Watergate and already disinclined to trust government at any level. That New York State would strive so mightily to conceal its malfeasance, insulate from any liability the troopers and prison guards whose rampage resulted in multiple deaths, and begrudge the victims of this rampage so much as a modicum of legal and financial recompense, is difficult to reconcile with a country supposedly dedicated to equal justice under law.

Finally, Attica confirmed--were confirmation necessary--how cheap are the lives of prisoners, and in particular how cheap the lives of prisoners who are black or brown. Before, during, and long after the uprising security guards subjected the inmates--largely men of color--to relentless racial slurs: they whipped them, stripped them naked, spat in their faces. One prisoner implored his captors to remember that "we are not beasts" (p. 78). *Blood in the Water* is ultimately a cautionary tale--about what can happen when government is neither transparent nor accountable; when individuals are not constrained by laws, virtuous leaders, and moral codes; and when anyone in power regards other people as less than human.

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