

TIMES UNION

Sunday, December 31, 2000

Attica ringleader awarded \$250,000 bonus in lawsuit

Associated Press

ROCKY HILLS — Frank "Big Mike" Smith was a prison ringleader during the bloody 1975 rioting at Attica prison.

He later led the successful effort to extract from New York state \$12 million in damages to inmates injured during the riot that left 43 people dead and hundreds wounded.

Now the 47-year-old Smith will get a \$250,000 "bonus" for helping the lawsuit win, a ruling that has angered some who say a criminal and riot leader like Smith shouldn't be rewarded.

U.S. District Court Michael A. Talaska, who ruled federal procedure for everything such as overtime, and if Smith, hadn't signed other lawsuits to go along with the \$12 million settlement, they might never have seen a penny from the state and the rest may have disappeared.

"I feel Smith single-handedly saved this case," Talaska said.

In a decision dated last August, Talaska awarded \$63,000 each to a group of 200 injured ex-inmates, \$103,000 each to a group of 112 ex-inmates, \$15,000 each to the heirs of 20 inmate who were killed, \$11,000 each to a group of 30 ex-inmates, and \$15,000 each to a group of 15 ex-inmates considered co-defendants, including Smith.

In addition to the \$8 million, Talaska will have to divvy up \$4 million in legal fees.

"This is the 31st year in an attorney in this community, and the money went to a judge give an incentive award to attorneys to settle a case," Richard S. Moore told The Buffalo News. Moore was the lawyer for Vincent Mancini, an imprisoned inmate at Attica upon the time of the riot.

"It surprised that the judge would give such money to an inmate who is one of the ringleaders of a riot that led to many deaths, many injuries and the destruction of prison property," Moore said.

Smith, who refers to himself by the nickname "Big Mike," was held naked on a table, strapped, bound with canteens, beaten and subjected to a game of "Russian Roulette" by prison guards after the riot, his son serving time for robbery.

Four other inmates or their families were granted small settlements totaling more than \$13,000 to \$21,000.

Edward Velez, 61, of Pennsville, Pa., received \$6,500 for being brought to the stand with a rifle butt and having his glasses, false teeth and wedding ring stolen, even by police and courtmen take a break-out.

"I think we all deserve more," Velez said the newspaper. "The newspapers getting \$4 million means out of all of us, I know they would hurt, but they weren't getting out of this we were."

Arthur Crawford, 73, of Buffalo, who received \$6,500 and felt he deserved more.

"They lost an area had that I still can't walk right to this day," he said. "I don't think it fair, but some got some more than others."

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Case Files: 75-132

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