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Accomplices to the Crime

by Tom Murton, *Superintendent from February, 1967, to March, 1968, in the Arkansas Prison System*

and Joe Hyams

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For the inmates of the Arkansas State Penitentiary, both living and dead.

The captain asked the preacher, "Preacher, you think you can pick me three hundred pounds of cotton?"

The preacher said, "Captain, if the Lord's willing, I will get it for you."

But the preacher didn't get it, so that night the captain gave him ten hot ones across the back and asked, "Now preacher, you think you can pick me three hundred pounds of cotton tomorrow?"

And the preacher said, "Captain, I'm going to get it for you if the Lord is willing."

But he didn't get it on that day, so they whipped him again.

The next day when the captain asked the preacher if he could get three hundred pounds of cotton, the preacher said, "If the damn stuff's in the field I'll get it."

The preacher had learned his lesson. The Lord had forsaken His children in the Arkansas pen.

—*Parable from the Arkansas State Penitentiary*

Preface

A casual reader might say about this book, "Well, that was Arkansas. It could never happen here." The more callous ones will simply say: "At least it was done to convicts, and not decent people."

Some of the newsmen sent to Arkansas to write of the prison atrocities posed this provocative question: "How could this happen in twentieth century, civilized America?"

Prisons, mental hospitals, and other institutions are a thermometer that measures the sickness of the larger society. The treatment society affords its outcasts reveals the way in which its members view one another—and themselves. In a civilized country, is a man only his success? Or do we still value the life in a man who has stolen, murdered, or been unjustly convicted? Each member of our society must decide what treatment *he* wants our outcasts to receive: whether they should be destroyed, or given a chance to reconstruct their lives.

This is the story of my year as prison superintendent in the Arkansas State Penitentiary System. It deals with prisoners, penologists, and politicians. But it is not just a prison story: it is a universal story, unlimited by geography, time, or occupation. In varying degrees of sophistication, your institution, your power structure, and your town, are visiting humiliation and degradation on men—dehumanizing humans. We maintain the posture of respectability by engaging the services of "the professional"; the case worker, the organizational chart, the investigative report, the recommendations for change, and the staff meet-

ing, all attest to the validity of the claim that we are being properly "cared for." But we, the inmates of our culture, recognize the claim for what it really is—pure mythology.

This travesty is possible only because we do not challenge the system. We, by default, contribute to its perpetuation. No significant innovation, discovery, or creation in the history of mankind has been a product of conformity. Yet the majority of the population justifies its inaction with clichés like, "You can't fight City Hall," or, "What can one person do?" These beliefs are merely the constructs of cowardice. You *can* fight City Hall (although you may not "win"), and one individual *can* bring about significant change.

To engage in such an effort, one must first re-examine his concepts of "success" and "failure." One definition of "success" might be the full use of one's intellect, training, and resources to correct an intolerable wrong. "Failure," then, would be not making a total commitment of one's talents toward this end.

To sustain oneself in this lonely venture, the true reformer, as opposed to the official reformer, must subordinate his professional success to his primary mission—doing what needs to be done for the benefit of his fellow men.

There is little danger for the expert who sits, detached from the real world, and expounds on what should be done. But then, he does not have much impact on the system, either. Real change is brought about by those who have both the vision and the power to effect it—hence, the most effective reformer is the person within the power structure. But he must move quickly, for the body politic will waste little time rejecting this foreign organism. Integrity is not a very marketable commodity, and the career crusader is not self-sustaining, because the occupation itself is self-defeating. The true reformer must accept each challenge with the knowledge that ultimately he will be consumed in the process.

The cynic quickly steps forward to pose the question: "Is it worth it?"

And by his answer, each man not only determines his destiny, but also declares his view of man.

—*Tom Murton*

Inmate: You can get any job you want as long as you can pay. Hey!
Bruton: Who are you talking to you ole crazy son of a bitch?
Inmate: [Unintelligible.]
Bruton: Reckon you can get along with me?
Inmate: Yessir.
Bruton: Get them pants off. Get down there. I took care of you 'cause you've got a lot of time. Pull your pants off.
Second Inmate: Pull the legs off. He'll knock the shirt off.
[WHAM!]
Inmate: Oh Captain!
[WHAM!]
Inmate: Oh Captain!
[WHAM!]
Inmate: Oh Captain!
Bruton: Get down . . . Now I forgot how many licks that is, one or two?
Inmate: Three.
Bruton: Three?
Inmate: Yessir.
[WHAM!]
Inmate: Oh Captain!
Bruton: Lay down there. We may have to hold you.
[WHAM!]
Inmate: Oh Captain!
Bruton: How many's that, four?
Inmate: Four.
[WHAM!]
Inmate: Oh Captain! five.
[WHAM!]
Inmate: Oh Captain, six!
[WHAM!]
Inmate: Oh Captain. That's seven.
[WHAM!]
Inmate: Oh Captain! That's eight.
[WHAM!]
Inmate: Oh Captain! That's nine.
[WHAM!]
Inmate: Oh Captain! That's ten.
Bruton: Get up from there.
Inmate: Yessir.

Oh, Captain!

Bruton: You ole son of a bitch you're fixin' to get killed—God damn—that's the way you done.

Inmate: Yessir.

Bruton: Put that son of a bitch in the Longline in the morning. And you won't pay for nothin'; just do like I told you.

Inmate: Yessir.

Bruton: Don't never lie about what the captain said again for I'm gonna hit you when you do.

Inmate: Yessir.

Bruton: Why, you smoke-bred son of a bitch!

[Clang of the barracks door.]

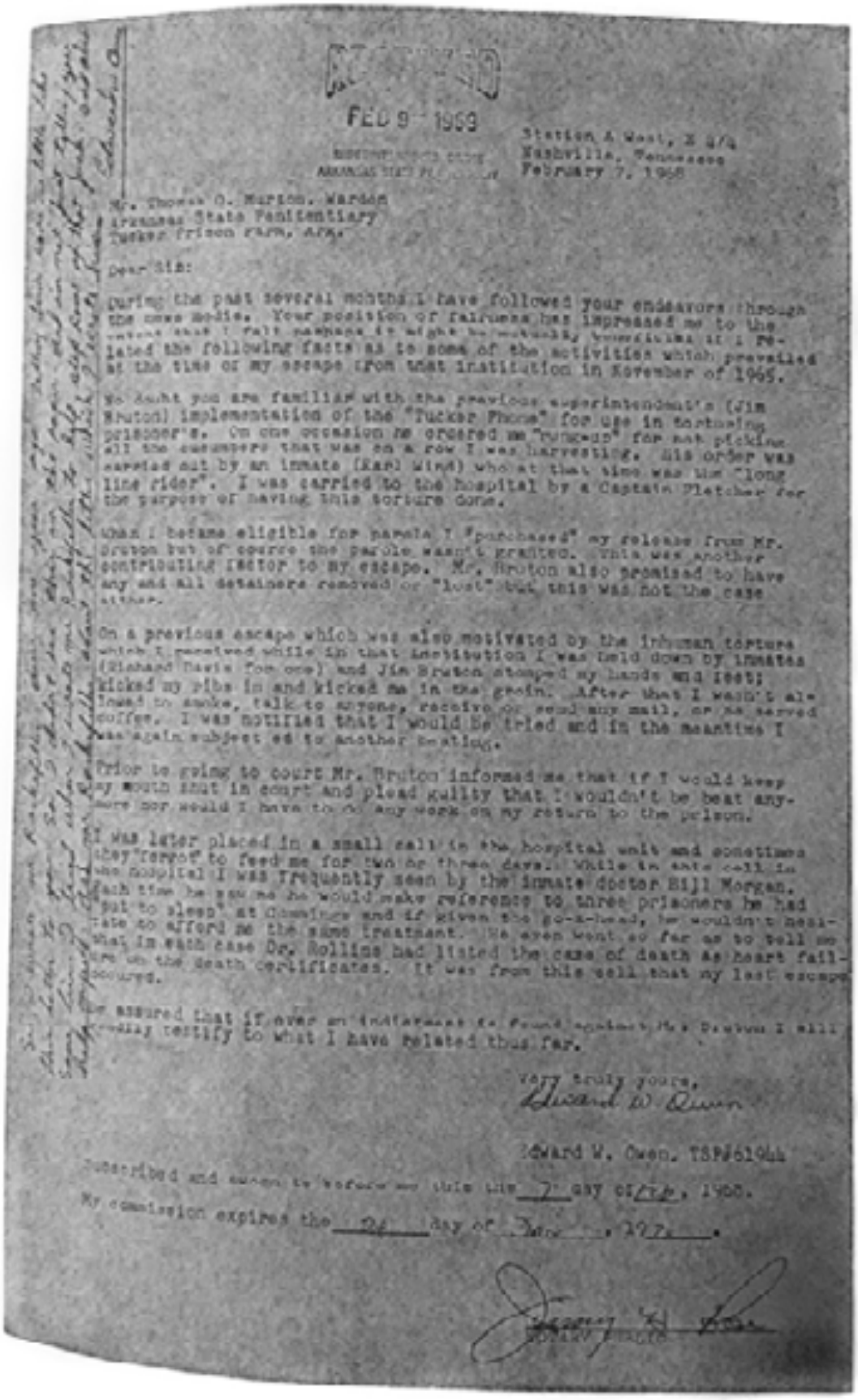
There were other, more vicious, instruments than the strap.

Again and again the investigators heard of inmates being "rung up" on the Tucker "telephone," and of several "long distance calls." The euphemism was satanic.

The telephone, designed by prison superintendent Jim Bruton, consisted of an electric generator taken from a crank-type telephone and wired in sequence with two dry-cell batteries. An undressed inmate was strapped to the treatment table at Tucker Hospital while electrodes were attached to his big toe and to his penis. The crank was then turned, sending an electrical charge into his body. In "long distance calls" several charges were inflicted—of a duration designed to stop just short of the inmate's fainting. Sometimes the "telephone" operator's skill was defective, and the sustained current not only caused the inmate to lose consciousness but resulted in irreparable damage to his testicles. Some men were literally driven out of their minds.

The Tucker telephone was used not only to punish inmates but to extract information from them. One of the two telephones known to be on the farm was found hidden in a hat box on the top shelf of a linen closet in the Big House, where Jim Bruton was living then.

Bruton, who had been running Tucker for twelve years before the investigation, was a former state representative, and former deputy sheriff of Conway County, which had a political machine recognized by the public as the most



FEB 9 1969

Station A West, R 4/4
Nashville, Tennessee
February 7, 1969

Mr. Thomas O. Murton, Warden
Arkansas State Penitentiary
Tucker Prison Farm, Ark.

Dear Sir:

During the past several months I have followed your endeavors through the news media. Your position of fairness has impressed me to the extent that I felt perhaps it might be mutually beneficial if I related the following facts as to some of the activities which prevailed at the time of my escape from that institution in November of 1965.

No doubt you are familiar with the previous superintendent's (Jim Bruton) implementation of the "Tucker Phone" for use in torturing prisoner's. On one occasion he ordered me "run-up" for not picking all the cucumbers that was on a row I was harvesting. His order was carried out by an inmate (Earl Wing) who at that time was the "long line rider". I was carried to the hospital by a Captain Fletcher for the purpose of having this torture done.

When I became eligible for parole I "purchased" my release from Mr. Bruton but of course the parole wasn't granted. This was another contributing factor to my escape. Mr. Bruton also promised to have any and all detainers removed or "lost" but this was not the case either.

On a previous escape which was also motivated by the inhuman torture which I received while in that institution I was held down by inmates (Richard Davis for one) and Jim Bruton stomped my hands and feet; kicked my ribs in and kicked me in the groin. After that I wasn't allowed to smoke, talk to anyone, receive or send any mail, or be served coffee. I was notified that I would be tried and in the meantime I was again subject to another beating.

Prior to going to court Mr. Bruton informed me that if I would keep my mouth shut in court and plead guilty that I wouldn't be beat anymore nor would I have to do any work on my return to the prison.

I was later placed in a small cell in the hospital unit and sometimes they "forgot" to feed me for two or three days. While in this cell in the hospital I was frequently seen by the inmate doctor Bill Morgan. Each time he saw me he would make reference to three prisoners he had put to sleep at Cummings and if given the go-a-head, he wouldn't hesitate to afford me the same treatment. He even went so far as to tell me what in each case Dr. Rollins had listed the cause of death as heart failure on the death certificates. It was from this cell that my last escape occurred.

Be assured that if ever an indictment is found against Mr. Bruton I will gladly testify to what I have related thus far.

Very truly yours,
Edward W. Owen

Edward W. Owen, TSP#61944

Subscribed and sworn to before me this 7 day of Feb, 1969.

My commission expires the 26 day of June, 1972.

Notary Public

Reformers

Three weeks after publication of the CID report I went to see Governor Winthrop Rockefeller at his penthouse suite in the National Old Line Building in Little Rock.

I knew very little about his background other than that he was from one of America's best-known and richest families, and had spent much of his time and fortune over the past thirteen years attempting to improve the quality of life in Arkansas. Almost alone, he had renovated the state's political structure. His electoral victory was an historic event: he had become Arkansas' first Republican governor since 1874; and reform of the state penitentiary had been one of his major campaign promises.

I was favorably impressed by the governor. He was bigger and huskier (six foot three, 210 pounds) than I had expected, and he had a disarming smile with imperfect teeth mottled by the two packs of unfiltered Picayune cigarettes he smokes a day. His only distracting trait was a nervous tic which caused his head to bob and weave for a few moments just before he started any statement. His ruddy complexion, which I then took as a sign of health and body tone, I realized later was probably the result of excessive drinking habits.

But he spoke with animation, in an affable and direct manner, which set me instantly at ease. "Arkansas prisons stink," he said at one point in our conversation.

I was quick to agree. I had read the state police report, and spent the previous day at Tucker Prison Farm seeing the eighteenth century methods used there. A visit to Tucker

was like going through a time tunnel. I was convinced the inmates were uptight and ready to riot.

"In my opinion the prison can blow up in a matter of hours," I told the governor.

"We need a consultant," he said.

"You need a consultant like Custer needed television," I said. "You need somebody who will do what needs to be done. I would like to offer my services as superintendent of Tucker. You have a vacancy and you need to hire somebody. I'd like to go to Tucker and demonstrate to the people of Arkansas that you can run a prison without torture and brutality."

The governor looked to his aide for his reaction. The aide nodded agreement, as I had expected he would. Tom Eisele, who was in his forties, already had a reputation as a crusading attorney committed to reform. He had spent much of his time since graduating from the University of Arkansas fighting battles of principle.

I had met with another of Rockefeller's aides, John Haley, two days before. Haley had made headlines in 1957 during the Little Rock integration crisis. At that time, he had been only in his twenties. A member of the law firm which represented the school board in Little Rock, John Haley had defied Governor Faubus, who "wasn't going to let those niggers in":

"You can't do this," Haley had said.

"I know I can't do it," said Governor Faubus. "I know it's illegal, but what the people want is what we are going to do."

Haley was still standing his ground. He shook his head: "Governor, I am going to do everything in my power to get you out of office."

It was a courageous thing to do and say at that time and place, and Haley meant it. He campaigned actively to unseat Faubus and was a major figure in helping Governor Rockefeller get elected. It may be that the statue of Don Quixote he keeps on his desk is a significant clue to his character.

During my meeting with the governor and Eisele, I outlined my strategy and goals. My long-range goal was to eliminate the exploitation of inmates by other inmates or by non-prisoners for personal gain. I wanted to change

the purpose and effect of the institution and change the inmates' life in the institution.

I believed that the Arkansas prison system could rise from the worst in the nation to become one of the best, in a fairly short time, because it would not be necessary to go through the evolutionary steps other states had experienced. Arkansas prisons had no investment in concrete and steel that could hold us back. The prison farms could be converted to a camp system—that is, a system of small, minimum-custody institutions with emphasis on productive labor. The camp system is the best and most workable plan used anywhere for a large portion of the prison population.

No one seemed shocked. In fact, Governor Rockefeller and Tom Eisele thought I should take over both Cummins and Tucker. They wanted to fire O.E. Bishop, who was then in charge of Cummins and the prison system.

I felt that that would be creating a problem instead of solving one, though. I wanted to take over Tucker first, where there was a vacancy, and learn more about the system. At the same time, I could develop a cadre and staff which would give me a commando crew to attack Cummins later on.

It was agreed that although Bishop would still have titular charge of the system, Tucker would be autonomous, and I would have full authority to hire and fire there. There were only thirty-four civilians for the two institutions of nearly two thousand inmates. I would have to phase out the trusties gradually, substituting a civilian staff of my own selection. I made it clear that my initial plan was to bring in key people from outside the state, which would inevitably cause criticism from Arkansans with vested interests in the existing system.

The second part of my relationship with the Arkansas penitentiary system was to serve as consultant to the governor's office on prison affairs as well as to the prison study commission, which was then being formed.

We also got into a general discussion about the philosophy of penal reform. I pointed out that reform of a prison system rests with the people. I had talked with people in Arkansas, briefly, and I was aware of their tolerance of the abuses in the system. It was plain that we had to demonstrate publicly how bad the system was, so that after re-

form it could never revert to the horror of the past. I warned the governor of one thing: "I cannot operate without a free and open press," I said.

"I wouldn't have it any other way," the governor said.

"There will be some sharp edges here and there, and you'll have to see me through some rough spots. You'll have to be really committed to the project."

The governor assured me that penal reform was the number one item on his election platform of thirteen state reforms; that this was the first of the items he had attacked; and it was of primary concern.

"My commitment is sincere," he said.

Governor Rockefeller accepted my plan completely. "You will have the full support of my office and all my resources," he said. "We will not expect you to go through the hard work of reform and then dump you for someone else. When a department of corrections is formed, you will be commissioner."

At the end of the meeting, the governor told me that his staff would check on my background. "If you check out, you'll be hearing from us within the week."

That night as I drove back to Illinois, to my wife and children, I considered the economics of the job. The salary of the superintendent was fixed by law at $8,000 plus full subsistence and housing. At that time I was making $12,000 a year at the university. But I knew that Margaret, my wife, would feel that I should take the job, because it had to be done.

I thought I could do it, and I didn't know of anyone else who could or would, because it meant laying one's professional reputation, and possibly one's life, on the line. No one else had applied for the job.

I also knew that in the end I would be fired. That was the theme of my conversations with Margaret during the next few days. We knew that as soon as I branched out into real prison reform, I would start treading on toes. A quiet institution suits a lot of the "important" people, but a quiet institution is not necessarily a good one. If you are going to make changes, things have to be a little upset all the time.

I would not have much time. The governor had only a two-year term, which meant I had to complete the basic

reform before his first term ended. Whether he won or lost the next election, I wanted the structure, physical facilities, and ideology to be established along the correct lines.

On February 11 Eisele telephoned me and said, "Your references check out. You're the man for us."

"O.K.," I said. "How soon do you want me in Arkansas?"

"Tomorrow will be soon enough," he said.

I made immediate plans to return to Little Rock. The day I arrived, the governor met with O.E. Bishop and told him I had been hired to run Tucker, which was to be autonomous. He would be responsible only for Cummins, and he was not to interfere with me in any way. If he didn't like it, he would be fired and I would be given his job.

Later I met with the governor and Bishop. To be certain there was no misunderstanding, Rockefeller repeated the terms of his commitment to me:

1. Tucker was to be autonomous, under my supervision.
2. I would have full authority to hire and fire.
3. I would be consultant to the governor on correctional matters.
4. I would be consultant to the prison study commission.
5. If and when a department of correction—which would include probation and parole and juvenile matters—were established, I would be the commissioner, so that I could guide the development and evolution of the correctional system.

Bishop accepted the news quietly. "I didn't want to mess with Tucker anyway," he said. "Maybe we can all learn something about penology."

My appointment was announced, however, not by the governor but by Bishop, superintendent of Cummins Prison Farm, who was also in charge of the state prison system. The fact that Bishop instead of the governor made the announcement made it seem that I was appointed by and working for Bishop—a troubling note.

I took over Tucker Prison Farm less than a week later.

Weevils and Beans

One of the first things any prison administrator should do when he comes into a new institution, even if it is a good one, is see what's going on in the kitchen.

When a man is doing time in prison he is pragmatic; his concern is not how to do fifteen years, it's how to do tomorrow. The inmate's interest is in whether or not he will have weevils—worms that grow in flour or beans and, in a soup, float to the top of the pot—for dinner. This was the only meat most inmates were ordinarily served.

Many disturbances in penal institutions stem from dissatisfaction with the food.

When the CID investigators went into the Tucker kitchen, they found the entire area filthy. Flies were everywhere, and the food and meat were piled on the work tables, completely exposed. Tin cans with the tops cut out were being used as cups. All the cooking utensils were in a state of disrepair or damaged beyond repair.

For inmates with no power or money, the food was a very thin, watered-down serving of rice—one large spoonful per inmate. The bread was a tasteless cornbread, one medium slice per inmate. The kitchen personnel told the investigator that meat was served to the inmates only once a month, on visiting Sunday, and then only in small portions. Milk and eggs were drawn from Cummins, but they were used only for cooking for the trusties. Kitchen personnel said that the ordinary inmates got one egg per year, on Christmas morning, and were never given milk. One kitchen helper suggested that the food supply records

should be examined, as most of the meat was either being sold by the kitchen rider or carried out the "back door" by the wardens—civilian employees.

The kitchen at Tucker is in the center of the mess hall. The ranges, steam kettles, and other kitchen equipment are in the middle of the room with tables on both sides. On Sundays, this area was full of inmates and their visitors. (An inmate could have visitors once a month; one-fourth of the population had visitors each Sunday.) Little food was prepared on Sunday, and the kitchen looked like a camp ground. Visitors arrived at Tucker carrying tablecloths, jugs, picnic baskets, and enough food for an army. Inmates who were not fortunate enough to have visiting relatives either bought food from the commissary or scrounged from someone else.

During the other six days of the week, the kitchen was open twenty-four hours a day. Different meals were fed to each of the groups of prisoners at different times. The groups ate separately because of the hostility between the guards and the guarded.

The trusties ate best of all, of course. Many of them had steak for breakfast, and pork chops and hamburger. The last trusty was out of the mess hall before the first do-pop came in.

The do-pops ate almost as well as the trusties, because most of them were able to buy food in the commissary or had the money to bribe the cooks for better portions of food. Since the do-pops were halfway to being trusties, and used in privileged positions, they too were hated by the rank men. The do-pops had to be out of the mess hall before the rank men entered.

The rank men—the lowest classification of prisoners—had the worst food. Prior to the arrival of the state police, meat had been served only once a year. Then they had hog's head stew and pig's knuckle soup. Only the few rank men with money were able to improve their menu.

The rank men had never eaten their noon meal in the mess hall. They ate out in the fields on the turn rows (elevated rows for turning equipment around) with a spoon as their only utensil. At 10:30 every morning a mule-drawn wagon called a doby wagon came back from hauling garbage to the dump, and was driven around to the kitchen.

Several uncovered fifty-gallon barrels would be carried onto the wagon with a few dozen loaves of bread. While the wagon was pulled out to the field by a team of decrepit mules, wheels kicking up dust and dirt, the flies from the earlier trip gorged themselves on the rapidly cooling contents.

When the wagon pulled onto the turn row in a final burst of speed and dust, the Longline rider would shout, "Make it up!" The inmates would come from the field, keeping their lines but shortening the distance between each man.

The buckets always contained weevils, beans, and cod lards, in a kind of soup mixture. The rank men carried their own spoons in their hip pockets along with their cigarette "makings." They formed a single line in front of the wagon, where they picked up canteen cups or tin cans and the water cart boy spooned the stuff out.

Old pecks—inmates who had served a lot of time—made it a practice to be at the end of the food line so, when the boy dipped in with his spoon, they got less water and more beans. Inmates with money paid the boy extra for a little piece of fat back. The loaves of bread were torn into hunks and thrown to the rank men.

Trusties usually had lunches specially packed for them in the kitchen, and wheels among the rank men could buy meat or a decent sandwich from the water cart boy, who ran his own commissary. He shared the profits with the yard man, from whom he had bought his job, and the Longline rider.

The biggest hazard at meal times was not the food, however. Rank men never knew whether they were going to survive the lunch break and smoking period. Before my arrival at Tucker it had been a frequent sport among trusty guards to shoot the heels off the men's shoes while they were eating.

The rank man ate his evening meal immediately upon arriving at the main institution, before he even had time to wash any of the sweaty dirt and fertilizer from his face and hands. The supper after a day of grueling work in the fields was rice, soybeans, corn bread, and ice water. Little wonder that most of them were forty to sixty pounds under their normal weight.

I needed help with the kitchen and I needed it fast. And I knew that the farm itself was going to turn out to be a mess, so I called two old friends of mine who were living on their own farm in Willow Springs, Missouri. Frank and Bea Crawford responded immediately to my cry for help, as I knew they would.

The Crawfords offer quite a contrast to each other. Bea is big, full, and expansive. I had known her in Alaska, where she had been a cook for seven years in the institution at Wasilla. She was ideal to be the first woman ever to work inside Tucker. A plain, simple countrywoman, whose size alone commands respect, she is an excellent cook and dietician: at Tucker, she soon became known as Big Mama.

Frank is her physical opposite. As Bea herself once put it, "Why, that dried-up little old man wouldn't weigh 130 pounds dripping wet."

They arrived together within the week, and while Frank was out checking over the farm, Bea and I went on a tour of the kitchen. Bea was appalled at the filth; it was worse than anything she had imagined or anticipated.

There were other problems besides filth, too. For instance, we found more than four gallons of poisonous disinfectant and ten gallons of bug spray on the pantry shelf stored in bottles labelled "syrup." The consistency of the poison was the same as that of syrup.

I called together the thirty-two inmates who were working in the kitchen and introduced her. I told them they must take orders from her and warned them I would back her one hundred per cent. The first thing she did was put them to work scrubbing ranges, utensils, and tables, and she scrubbed too.

Within a few days Bea and I had arranged for a bus to bring the men in from the fields to the mess hall at noon. Knives and forks were purchased and distributed to the men. Under her supervision everyone, including freeworld staff, had the same meals. The innovations were simple and basic, because the kitchen equipment and mess-hall tables at Tucker were modern, having been installed in 1966.

The kitchen operation had been more of a private enterprise than an inmate service. Many of the kitchen workers were profitably in business for themselves. They bought

raw products from the commissary and used the institution's equipment to bake their wares, which they sold in the barracks. I preferred that the inmates get the food they were entitled to, in sufficient and equal amounts, without paying for it in money or any other way.

The kitchen had been open around the clock to enable these entrepreneurs to carry on their business, so we ordered the kitchen locked up at night. This was not the simple move one might think. The back door to the pantry, which was the outside door between the institution and the free world, had never been locked. It took some doing even to find the key.

One day Bea and I went to question some of the inmates assigned to the mess hall, hoping to learn something about their function in the overall setup. As was to be expected, the majority of the inmate staff had bought their jobs or were running side enterprises.

Four men from the night shift were still hanging around. Asked what they were doing, they said they were in the cigarette business. They bought bulk tobacco and paper and spent the day in a corner of the kitchen making cigarettes to sell in the barracks.

Their story was typical. The total operation was so unbelievable that we broke up laughing, and the inmates realized the ridiculousness of the situation and laughed at themselves as well.

We reorganized the kitchen so that rank men, do-pops, and trusties ate together three times a day instead of having at least seven or eight feedings with some men eating five times a day. Many of the trusties who worked in the towers had been eating four meals in the mess hall and then taking a lunch packet when they went on duty. We cut the kitchen staff back by a third.

Within a few days we were serving some type of meat at meals three times a day, and were using farm produce on the tables. The quality and quantity of the food increased, and milk and condiments—salt and pepper—were on the tables for the first time. The men were getting eggs and green vegetables.

Although we were able to straighten out the food and the schedules, we had a problem trying to cut down on the

home-made booze operation, which had traditionally been conducted in the kitchen because all the ingredients were there. The making of home brew was probably the biggest and most enterprising, if not ingenious, of all inmate ventures.

As in the freeworld, liquor offered a form of escape. Inmates had needed this antidote to the cruelty and drudgery of their lives. Former superintendents had recognized this, accommodated to it, and sometimes used it to make a profit for themselves. Drinking was generally ignored and sometimes even encouraged by the staff as a way of cutting down escapes. If the inmates could get liquor at the prison, they wouldn't leave the farm to buy it.

I cut off most of the supply sources of freeworld alcohol, but it was almost impossible to stop the inmates from brewing their own booze. You can put anything with a grain or sugar content into a jar, and when water is added and it is allowed to set for forty-eight hours, it will start to ferment. The longer it brews, the higher the alcoholic content.

At harvest time the inmates traditionally got drunk on home brew. They made wine out of strawberries, apricots, raisins, prunes, and other dried fruits from the kitchen. We had acres of rice, which they made into a good wine almost like sake. And it was easy for an inmate to gather up two handfuls of corn as the basis of "white lightning," a ninety-proof brew of the south that guarantees instant drunkenness and a heavy hangover.

Fruit ferments on its own, but it ferments faster when a little yeast is added. Since we baked our own bread at Tucker, it was impossible to keep an eye on every spoonful of yeast, and buckets of it disappeared. If the inmates were unable to get at the yeast itself, they took the bread dough and used that as a starter for their alcohol.

There were one-gallon jugs all over the farm. The labels read "syrup," "mayonnaise," "coffee," or "preserves," but the contents were booze. There were bottles buried in the ground, hidden in the barns, and stashed in silage pits, and every shakedown of the barracks turned up jugs hidden under or in the bunks. When the mixture was ready for drinking, the inmate gave a building tender or floorwalker a shot for "protection"—and they were both off on a bender.

From time to time, we would discover a bottle hidden along the entry road to the prison. The drop-off place had been selected on a previous visiting day. Someone driving a prison vehicle would be tipped off and would share the contents for making the pick-up.

We locked up the yeast; we cut out the use of dried fruit in the kitchen; and we instituted frequent shakedowns. For the first time, there was no rice wine made there in the fall of 1967. We were never able to wipe out booze-making altogether, but we made it a lot tougher.

The Real Heroes

Chainsaw Jack was an old peck who had spent most of his fifty years in southern prisons. He was short and heavy set, had a ruddy complexion, wore glasses, and had a low, mellifluous voice which ran on and on whenever anybody would listen to him. He was bright, as many old pecks are bright, from listening to newscasts, constant arguing in the barracks, and hard thinking during long hours in solitary.

Jack loved roses and had rose bushes planted alongside his guard shack. Whenever I drove by his shack, he would stop my car and point out his blooms, and then we would talk a bit, his big head inside the car to shield his eyes from the sun.

He was a storehouse of tales, and after a while I began to catch glimpses of his past. He never told me the whole story, just bits and pieces. He was a country boy from Louisiana who had gone barefoot and worn faded, torn Levis to school. After school he had chopped cotton until dark.

For years he was in and out of fights, jails, love affairs, barrooms, and courtrooms. He paid fines to the city and county authorities as regularly as most men pay mortgages.

After serving a sentence in Louisiana, he went on to Wyoming; eventually he made it into Arkansas, where he committed the crime that earned him his nickname.

Jack was a poet, and I never tired of hearing his poems, written and committed to memory when he was in the hole.

In them he spoke of the not so distant days in Arkansas when a prisoner prayed to live out the day because death

and torture were as much a part of his sentence as time. In one of the poems, which he called "The Arkansas Pen," he told of his joy at meeting a trusty who was from his old home town and of how:

. . . I struggled and strived and made it 'til noon.
Then the captain drove up a little too soon.
He parked his truck on the old head land
And when he left the cab he had the hide in his hand.
Then here rider was on the head land jumping up and down saying,
"Come here, Cap'n, and meet old home town.
He thinks 'cause I know him I should let him slide
So give the dirty rascal a taste of that old hide . . ."

The poem that was one of my favorites ends:

. . . This place is no church house, it's plain to see
But doggone if it hasn't made a Christian out of me.

Jack had seen superintendents come and go during his twenty years in the Arkansas prison, and he played it cool. Until I came to Tucker, Jack's only interest in who the superintendent was or how the prison was run, was so he could figure out how to survive; reform was a word on a campaign platform.

Jack believed now that the changes we were making were good for the inmates. He gave me the best compliment I ever received when he told me:

"You make an inmate feel like a human—which he never felt like before."

So Chainsaw Jack Bell was on my side. There were others, too. Many others.

When I first went to Tucker, the hole was full of hard cases from Cummins because the latter had no cells. These men had a reputation for raising hell with the administration by ribbing and agitating, and slow-playing. I couldn't eliminate their influence by removing them from their jobs, as I could with freeworld staff members, so my strategy was to use their proven leadership for prison reform.

I met Arnold Rhodes on my fourth day at Tucker, when I visited death row and the segregation cells with Austin MacCormick, a visiting penologist. MacCormick stopped to talk with Rhodes and asked him what he thought about the new administration.

Robert Lebeck, Black Star

The Longline marches to work at Cummins, led by inmate guards. The two in front are "shotguns"; the mounted man is a "rider." Other inmate guards bring up the rear.

Matt Herron, Black Star

Matt Herron, Black Star

left: The Longline in the fields at Cummins.
above: Tucker inmates on a work detail.
below: An inmate "shotgun" warms himself at a fire while he guards the Longline in the fields at Cummins.

Robert Lebeck, Black Star

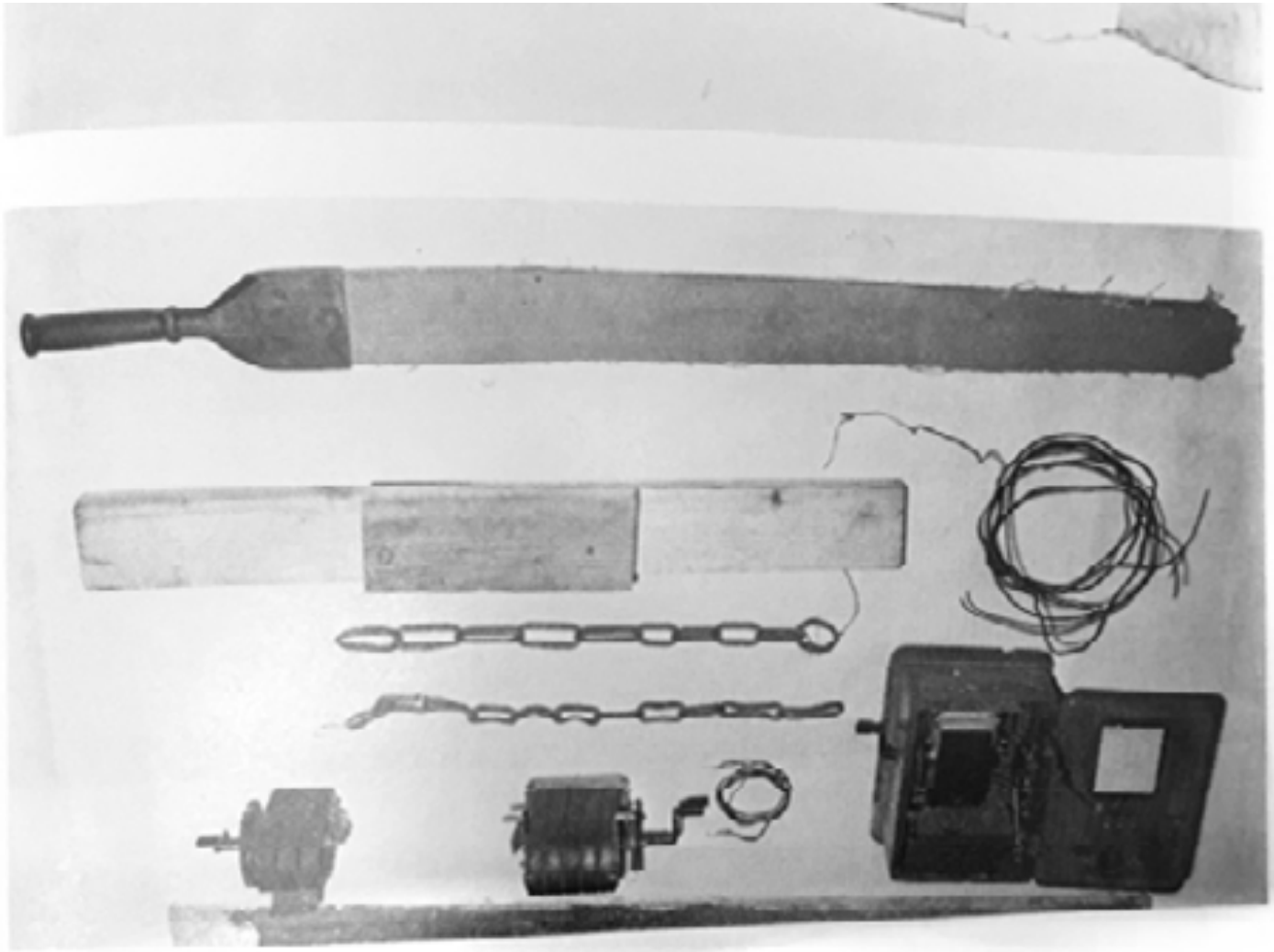
left: Inmate guards at Cummins.
above: A long-time inmate at Tucker points to his photo of Jim Bruton, former prison superintendent. Tapes were made in secret of Bruton whipping inmates.

Photos: Matt Herron, Black Star

above: Death row, Tucker Prison Farm. The men in this cell are Orion Trotter, Walter Brown, and Jerry Johnson.

top right: Electric chair, Tucker. The chair is in storage.

bottom right: Three inmates at Tucker painting the death chamber, which was being converted



Arkansas State Police

top left: Some of the depressions in the prison grounds that are thought to be gravesites of murdered inmates.

bottom left: Dr. Edwin Barron displays the skull and bones of a murdered inmate from one of the excavated unmarked graves.

top right: An inmate after a whipping.

bottom right: A sample of torture instruments from Tucker. From the top down, a strap or "hide," a teeter board, two trace chains, Tucker Telephone with two generating devices from other phones and connecting wires.

top: *Governor* Winthrop Rockefeller in his penthouse in Little Rock.
center: Inmate John Killey describing the use of the Tucker Telephone on him.
bottom: Inmate Sheriffs Chainsaw Jack Bell and John Dawkins.

Photos: Matt Herron, Black Star

top: The legislature, Arkansas.
bottom left: Henry W. Smith, Circuit Judge in Jefferson and Lincoln Counties. Judge Smith supported the whipping of prisoners.
bottom right: Tom Murton in his office at Cummins.

Profit-Making—Modern Slavery; Modern Medicine

At first I didn't understand why people in the towns around Tucker were so cool to us. Margaret and I took our children to the Methodist Church in the town of England, which was the hub of local social life, and although the parishioners seemed friendly they would never get involved in a meaningful conversation with us, much to Margaret's frustration.

She wanted to tell everybody that what was going on at Tucker was the most marvelous transformation she had ever seen, but nobody would listen. They never asked questions, and they avoided the subject if they could.

Then, when the inmate power structure began to crumble, resulting in many escapes, there was a lot of joking. Suddenly people did want to talk about Tucker. "Well, I wonder who-all is escaping from Tucker now?" they would ask me, or: "How many escapes have you had today, Mr. Murton?"

We were angry and hurt. We were also perplexed, until we found out from the minister of the church that Jim Bruton, the former superintendent, had been a solid member of the church community for many years. The minister had been his spiritual leader and very close to him during the time when Mrs. Bruton had been dying of cancer.

Like most Arkansans, the people of the congregation refused to believe that this good, staunch Christian, Jim Bruton, could have done all the things the newspapers said he did. They blamed us for his exposure, and resented us because of him.

Whenever I drove through a small town the police

would fall in behind and clock me through, presumably hoping I would commit some violation that would give them a reason to stop me.

Once I was returning from a trip out of state when a trooper stopped me to relay a message. As we talked he told me, "You know, while I was down there at Tucker as a guard I thought you were just another of those smart asses from out of state. I was suspicious of you at first. You were a big joke among us police. I didn't approve of anything you were doing there, but I can see now, after talking to other people, that you're on the right track."

When I went for a driver's license in Little Rock, the examiner spent half an hour telling me how to run Tucker. "Bring back the strap, boy," he said. "Don't be a damn fool. That's the only way to handle convicts. It's the only thing they understand."

A few days later, Henry W. Smith, a circuit judge, criticized us from the bench in Pine Bluff for doing away with the whippings. The judge made his comments after the father of a seventeen-year-old boy accused of burglary told the court he had given the boy "a good whipping." Judge Smith said, "You use better sense than some of the people down at the penitentiary. You know they don't allow the strap any more at the penitentiary."

Some of the citizens of the towns around Tucker warmed up to us a bit, eventually, but they never discussed the prison except to tell me how they used to get their horses shod while visiting the Tucker freeline or how they had ridden the prison horses or had their cotton picked by the prisoners. As they told me these things, I understood that for them the prison had been a place where you could get favors done if you knew the right people. Now all that had stopped, and they didn't like it much.

No one seemed to be aware of the bestiality, cruelty, and inhumanity that had gone on at Tucker. They were like the townspeople of Dachau who didn't want to find out what caused the constant greasy smoke from the concentration-camp chimneys. The people in the towns near Tucker would not believe that men they knew could take part in murder and torture. They still don't, to this day—and that's the whole problem in Arkansas. With a few rare exceptions,

people refuse to acknowledge that their prisons are evil places, worse even than concentration camps because they exist in a civilized country.

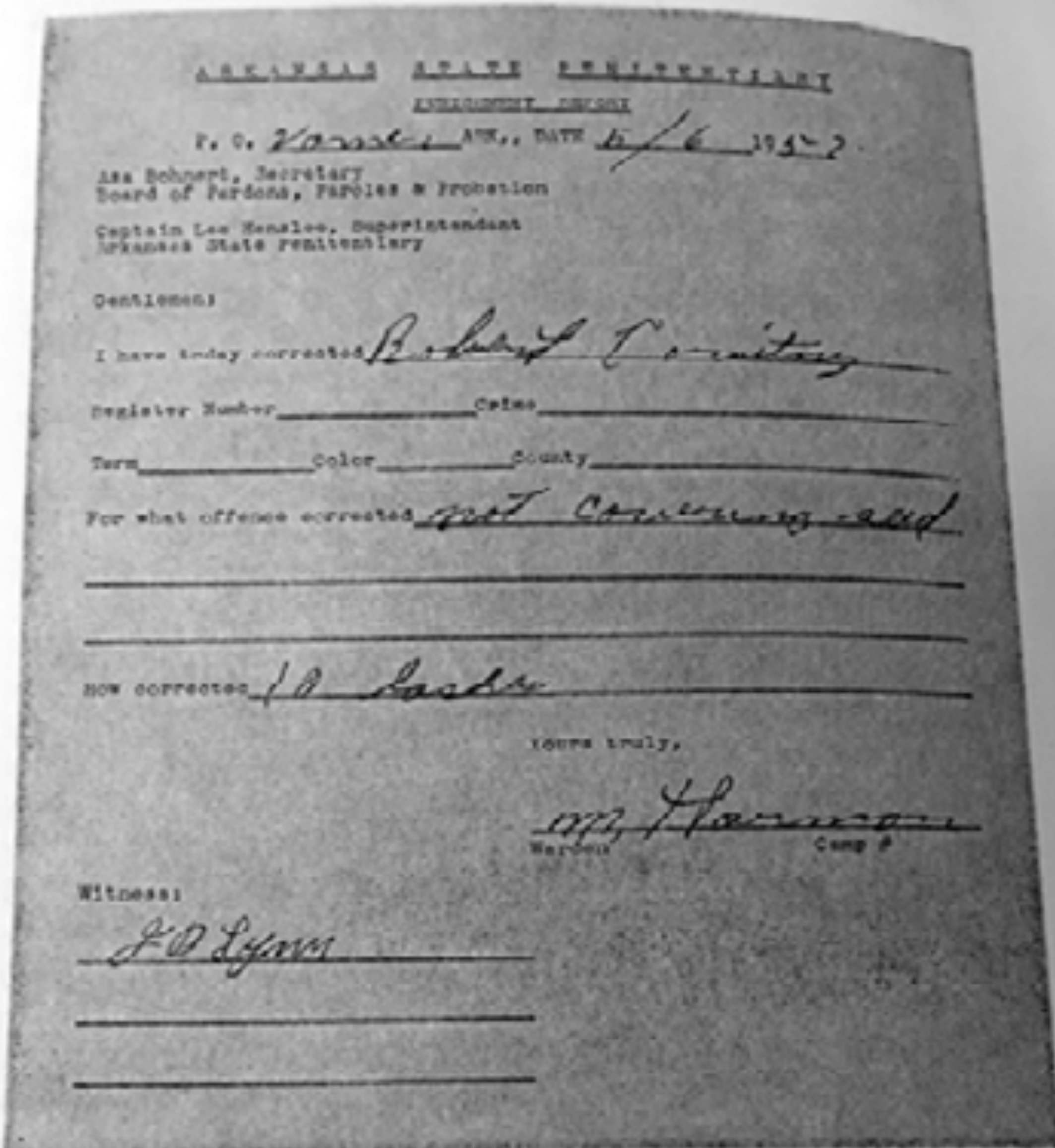
There was another basic reason for much of the hostility toward our attempts to reform the Arkansas prison system. The success of reform meant the death knell of profitable exploitation.

The state prison farms had long been self-supporting. Traditionally, they were run for the profit of the state and of a few selected individuals. In 1966 the penitentiary system made a profit—for the state—of $300,000. The profit in 1967 was $220,000. The profits that went to individuals have not been tabulated.

The state, fond of its profits from what amounted to slave labor, was not willing to relinquish more than a little of those prison profits for operating funds for the maintenance of the prisoners. The prison, therefore, functioned with a minimum of money. There was little mechanization. The bulk of farm work was done with mules and convicts who labored in the fields ten to fourteen hours a day, six or seven days a week. Within the prison, the needs to maintain discipline and meet work quotas were the immediate causes of the brutality which sometimes resulted in murder. Nothing was to get in the way of production for profit—men were beaten for minor infractions. (See p. 100.)

Neither Tucker nor Cummins had adequate medical services. The penitentiary dentist visited Tucker the third Sunday of each month and was paid by the extraction. No teeth had ever been filled by any dentist in the history of the institution or the recollection of the inmates. Although dentures were supposedly provided at prison expense, the inmate dental assistant charged patients $15.

Most prisons in the United States have vocational training projects. Arkansas didn't. The work programs used in the institution were designed for two ends: profit, for the state and individual freemen; and for the inmates, degradation. There was absolutely nothing an inmate could learn in the Arkansas prisons that he could ever put to use in the freeworld, unless he planned to be a sadist or a criminal.



ARKANSAS STATE PENITENTIARY

P. O. ______ ARK., DATE ______ 195_

Asa Bohnert, Secretary
Board of Pardons, Paroles & Probation

Captain Lee Henslee, Superintendent
Arkansas State Penitentiary

Gentlemen:

I have today corrected ______

Register Number ______ Crime ______

Term ______ Color ______ County ______

For what offense corrected ______

How corrected 10 Lashes

Yours truly,

Warden Camp #

Witness:

The best he could do was continue as a slave. Penitentiary commitment in Arkansas was penal slavery, and the parole system was indentured slavery.

To get a job, a parolee had to have a sponsor, and sponsorship of penal slaves was a privilege generally accorded people who had contacts with the parole board. As late as 1966, Arkansas inmates had been furloughed or paroled to state senators for two or three years at a time, to work on their farms.

In all this morass of inmate exploitation, I kept hoping

that somewhere there would be a "good guy." There had to be somebody connected with the prison situation who was honest, decent, and not interested solely in making a buck off the convicts. I was wrong. Everyone involved with the prison seemed committed to exploiting the inmates, and the inmates had become so accustomed to this treatment over the years that they rarely dared complain. If a complaint was uttered in the barracks, it would be stilled by the goon squad, and on the rare occasions when the press ran a critical story, it was soon hushed with the usual clichés about convicts being subhumans and liars by definition.

This whole system of exploitation began in the days after the Civil War, when the farmers and plantation owners who were forced to free their slaves looked for a new source of cheap labor and found it in the prisons. The same thing happened intermittently in other states, but it became a way of life in Arkansas.

State records show that on May 5, 1875, "the entire penitentiary, its buildings, equipment and the labor of all convicts confined then or after," were leased to a Mr. Jno. Peck for ten years.[1] State supervision of such an arrangement was minimal, and anyone who submitted critical reports would be dismissed by the Penitentiary Commission. During this period, up to 10 per cent of the prison population might die during one year.

As early as 1890, the prison board did attempt to abolish corporal punishment, but pressure from the lessees of the penitentiary was too strong. The board was, however, able to establish rules limiting the use of the strap and requiring that only wardens that the board had specifically authorized could administer punishment.

In 1892 the penitentiary lease earned the state a profit of $32,128.42. The next year, the highest bid for a ten-year lease was $31,500 a year. As a result, the state decided to

[1] Some of the sources relevant to the history of penology in Arkansas are: *Legislative Audit Report*, State Legislature, Little Rock, Ark., June 30, 1963; *Survey of Prison Labor Problem of Arkansas*, Prison Industries Reorganization Board, Washington, D.C., Nov. 25, 1936; *Arkansas Gazette*, Little Rock, Ark., Jan. 22, Oct. 6, & Dec. 12, 1936, Jan. 30, Feb. 14, 1937, Sept. 4, 1940, March 13, 1941, Jan. 4, 1943, March 6, April 6, April 7, July 6, July 23, Aug. 11, Sept. 5, Sept. 9, 1949, May 17, 1951, May 9, July 22, 1952, Aug. 9, Dec. 14, 1953, April 10, 1955, Feb. 13, Dec. 18, 1956, April 15, May 26, Aug. 27, Nov. 1, 1965, Jan. 19, 1966.

eliminate the middle man and lease individual prisoners and groups of prisoners. In the one-year period from 1898 to 1889, over two hundred inmates died in mines, quarries, and turpentine camps.

A public scandal ensued, and the prison board had to restrict the type of labor for which a prisoner could be leased. The leasing of prisoners was formally abolished in 1912, when the governor, George W. Donaghey, pardoned more than four hundred prisoners and broke the back of the system.

Correspondence and investigative reports on file in the office of the State Board of Pardons and Paroles show that until the late 1940's, influential citizens would let the board or the superintendent know that they were looking for "likely Negroes" to work on their farms. Paroles or indefinite furloughs for "boys" who met the plantation owners' requirements would then be arranged. The exposure of this practice led, in 1953, to the establishment of a rule that anyone who wanted to provide employment for an inmate on parole had first to submit a request for a specific prisoner by name. However, the practice of furloughing inmates to individuals continued until 1967.

Although the parole system was tantamount to indentured servitude and an extension of penal slavery, there was little we could do quickly to reform it other than release about twenty-five men who were over their release date and then start to determine parole eligibility of the other inmates.

According to Arkansas law, a convict who had more than one sentence had to complete the first before he was eligible for parole on the second. As most men were serving more than one sentence, there was no way for them to get out on parole in a hurry.

Traditionally, parole in any state is an extension of prison outside the walls. The parolee is a prisoner with time yet to serve, and although he is allowed to serve his time outside the prison, he can be controlled almost as rigorously. If an inmate has a three-year sentence and is paroled at the end of one, he has two more years to serve. If he serves one year on parole and then commits a violation, he is returned to the institution to finish out his last year.

A prisoner's eligibility for parole is determined by a

parole board, which in Arkansas was composed of the five-man penitentiary board—the governing body of the prison system—and a director. The members are political appointees named by the governor. They cannot, however, be removed by the governor. Nevertheless, during Faubus' years, the board members had been puppets of the governor's office. They were told who was to be given parole and whose sentences were to be cut.

The average age of four of the board members was around seventy-five years. The fifth member was thirty-two-year-old John Haley, who was Governor Rockefeller's first appointee.

One member, R.E. Jeter, was partially deaf and in his eighties. He slept through most of the board meetings, snoring loudly, until someone punched him and said it was time to vote. Between July, 1967, and January, 1968, he was so physically incapacitated he never attended a board meeting.

I found it difficult to tell him apart from Grady Wooley. Wooley was in his mid-seventies, had white hair, wore glasses, smoked cigars, and spoke with an Ozark drawl. Jeter was a Wabaseka farmer, and Wooley a former sheriff from El Dorado and a long-time friend of O.E. Bishop, superintendent of Cummins.

Jeff Wood was an active man in his sixties, with thinning white hair. He constantly fingered a pencil or his coat buttons; and he seemed to consider his task of moderating board meetings an agonizing ordeal.

L.A. Green, the secretary, was in his late sixties. He was a dapper man with a mustache, and perhaps the most alert member of the group.

The Director of Pardons, Paroles and Probation was W.P. Ball. An elder of the Methodist Church, he was almost seventy. In addition to being chairman of the meetings, he was executive secretary.

The board met the last Tuesday and Wednesday of the month at Tucker and Cummins respectively. No proper parole evaluation was prepared, as is standard practice elsewhere. Instead, board members had simple forms with the prisoner's name on it, and spaces for comments on his "attitude" and "work ability," the only two things they cared about.

The chosen inmate would appear before the board. "You keeping your business straight?" he would be asked. The answer was Yes, of course, and the board would then pass some comment such as, "He looks like a nice boy," or, "I know his pappy," or, "He goes to a good church."

If the inmate had a written offer of a job, at $10 a day plus room and board and a forty-hour week, a board member might ask—and frequently, he literally did—"You never got arrested in church, did you?"

The proper answer, of course, was No, and parole would then be granted with the comment, "Old Ned's a good man. He'll take you to church every Sunday. He'll take care of you."

Charles Noyes is a case in point. He was paroled in May of 1967 to the owner of a Little Rock bowling alley who promised him a forty-hour week at a fair salary. Within a month, Noyes telephoned. "I'm uptight about the job," he said. "Can I come down and talk to you?"

I said, "Sure, come on down."

When he walked in I scarcely recognized him. He had lost at least twenty pounds and his face was haggard, his eyes bloodshot. He had been working sixteen hours a day, seven days a week, and getting considerably less money than had been promised, even though he had got married on the strength of his having a job. The long hours were also wreaking havoc with his domestic life.

Noyes was also forced to do heavy work, although a condition of his employment specified that he be given only light work because of an earlier back injury.

When he told his employer he couldn't keep on working under such conditions, he was told that if he complained or tried to get another job, the employer would call his parole officer and Noyes would be sent back to prison.

Noyes asked me if he could come to work at the prison. I cleared his employment with the parole director and became Noyes's parole sponsor as well as supervisor. He worked out extremely well, and a few months later we hired his wife, too, to work as a secretary.

Noyes's story was typical. This was the psychological situation of the convicted prisoner, from which there was no escape but the grave, because he could not legally leave Arkansas while on parole. And if a parolee managed to

make it through his parole period, he still lived on the razor's edge between the freeworld and the prison, because the system, once set in motion, continued to work against him.

Local authorities were well aware that he was a former prisoner. If he was ever picked up again on any charge it was most likely he would be sent back to prison. In Arkansas, as in most other states, a convict's word is worthless in court. Any kind of sentence in Arkansas for any offense, resulting in imprisonment in the Boys' School or the prison farms, is tantamount to a lifelong sentence of apprehension, anxiety, and harassment.

One of the principal problems a parolee or ex-convict faced in the freeworld was repugnance, and reluctance on the part of most people, including farmers, to hire him. There was little we could do to educate the entire population of Arkansas, other than discuss the human qualities of the inmates in public speeches. But there was something we could do to equip the prisoners to return to the freeworld. We discovered that the Arkansas-Louisiana Gas Company, Arkla, had been trying to set up a vocational training program at the prison—since 1949. They needed about four hundred small-appliance repair men each year, and the prisoners would have been ideal trainees. Previous superintendents had refused to allow the men to take training courses, even though Arkla was willing to provide the instructors and equipment. Such a program would not cost the state anything, and it would not interfere with the operation of the prison, but the prison authorities were determined not to do anything for the convicts; only to work them.

I explained the idea of the program to the inmate population, and asked the men to sign up if they were interested. Fifty students registered for the first class, twice the number that could be accommodated. The group included one of the men from death row. Although he was under sentence of death and might never be able to use the training, I believed that if his mind was occupied fruitfully by classwork it would relieve some of his tension, so he participated in the program.

The instructor from Arkansas-Louisiana Gas was so inspired by the inmates' enthusiasm for the project that he

agreed to conduct two sections of the same class. We released the men from work in the field to attend classes—the first time that training had taken precedence over punitive—and profit-making—labor.

During the eight weeks of the first vocational training course in the history of the penitentiary system, the prison auditorium looked like a gigantic kitchen. There were ranges and small appliances all over the room in various stages of assembly. We made plans to conduct additional classes after that course was completed. When the inmates attained sufficient proficiency they could qualify for an apprenticeship with the gas company, and a position upon release from prison.

One of the several purposes behind vocational training in prisons is to prevent the men from being exploited when they get out. Some basic general education is helpful in the freeworld too. One of the reasons these inmates were so easily exploited was that few of them knew anything about the law or could even read newspapers. We arranged with the state department of education to give literacy tests, and to my horror—but not surprise—I found that in the group of three hundred we had four who knew only their ABCs, about fifty-five functional illiterates, and forty more who were just beyond the "see Dick run" stage. With the exception of the two college men, and a few with some high-school background, most of the men had only a grammar-school education.

Armed with this information, we were able to get the department of education to set up a fund to hire six teachers, including four women, from the Plum Bayou School District. We set up school for grades one through nine, with classes held two nights a week for three hours at a stretch in the prison auditorium.

Canvas curtains were draped from the ceiling to make school rooms. Each class had around twelve men learning such basic essentials as how to read and write their names.

My wife, who is a certified school teacher, insisted on being an instructor. At home, after her first class, Margaret told me she had been nervous because the prisoners at Tucker were tough convicts. As time went on she felt more and more comfortable with them. After a few weeks, she

told me that although for the most part they were emotionally immature, they were very attentive in class and tried their best to learn.

Margaret was especially impressed that at no time was she treated with anything but the utmost courtesy and respect. The inmates were, in fact, better behaved than her regular school students had been.

As a by-product of the educational experience, I began to bring more women into the institution. To my mind this was an important factor in helping inmates adjust to their future life in the freeworld. Again, we were taking a giant step forward, as women are not generally on staff inside men's prisons in the United States.

But the freeworld society is heterosexual and heterogeneous, and one of the basic problems of penal institutions is that men don't have any contact with women. If, upon release, the inmates are going to be able to communicate with women and relate to them in the world outside the prison gates, it is important that they do it in a positive fashion.

One of the two female secretaries—whom we hired at Tucker to replace inmate clerks—had previously worked in a construction office; the other had worked in a retail store. They both told me they were treated with more courtesy and respect by the inmates than by the freeworld personnel they had worked with before.

The men reacted to the presence of women in the institution in a most predictable way, and Margaret noticed it almost at once.

"When I first came to Tucker," she told me, "I didn't have to turn around to know an inmate was standing behind me. I could smell him. But after a while, the only odor they had was of freshly washed clothing."

We also attempted to do away with medical exploitation of the inmates and provide them with an adequate health service. The former prison physician, Dr. Gwyn Atnip, had spent half a day, five days a week, at Cummins, and visited Tucker about once a month, until April of 1967, when he was discharged. His dismissal followed the death of Luther Bailey, an inmate on death row, who had never been out of his cell in fourteen years. Bailey had died of peritonitis

as a result of a lack of medical attention. Dr. Atnip had refused to attend him for three weeks, and had never come to the main building to see anybody.[1]

Most Tucker medical services were provided by the "convict doctor," who had no medical training but had established his own empire at the prison. He pushed pills, and he sold medical passes so inmates with money could goof off in the hospital—one of the most corrupt places in Tucker.

The prison hospital at Tucker was the oldest structure on the farm. Originally built as the death house, in 1922, it was across the bayou from the main building and had a levee around it to keep the water out when the bayou was up. The levee didn't always work. After heavy rain storms the water inside the building was sometimes a foot and a half deep, with fecal matter floating around. When that happened, all the patients stayed in bed until the bayou went down.

There was algae growing on the floor and the wiring had been condemned. Gas was piped through the building in water pipes. Cooking was done under the least sanitary of conditions. The shower was a pipe hanging down from the ceiling in the corner of a cell. Fire-fighting equipment consisted of a box on which was written, "In case of Fire, RUN!"

Although the hospital would not meet any acceptable standards, the state department of health had issued it licenses yearly since it was "converted" to a hospital in 1948. In April, I wrote a letter saying that in my opinion, it ought to be condemned. When the state health inspector came, he agreed.

Rather than attempt to get funds to build a new hospital, however, we decided to convert the "new" death house—built in 1948, when the older one had become a hospital—into an infirmary. It had already been used as a temporary

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[1] Sources for this information were statements by convicts and Captain R. E. Brown's investigation (Brown was in charge of Tucker shortly after this death). See further the Little Rock *Arkansas Gazette*, Feb. 4, 1967, for an account of this death. The superintendent of the state hospital refused to perfom an autopsy as requested by the governor, although it was required by statute. An autopsy was eventually performed, at the request of the victim's attorney, but a copy was never provided to the governor.

operating room. There had not been an execution in the state since 1963 and it seemed a shame to let the space go unused. The structure was poured concrete with security steel, and there were barred windows, drains, an operating table, and leg-operated water faucets with hot water. The facility was attached to the main building.

The morgue, where the bodies of legally executed prisoners were examined and prepared for burial, could serve as an excellent examination room. A third room, where the jumbled electrical switches were installed, had enough space to hold dental and optical offices and serve as a records office for the medical technician.

Old Satan, the 22,000-volt electric chair, had to stay, so it was boxed in, and the rest of its room was used as a ward for ten beds.

By May, the new infirmary was in operation. James Hargraves, a licensed medical technician, was in charge. Hargraves picked up an eye examination unit through surplus channels. With the assistance of Dr. Morrow in the town of England, he set up a program for examining the inmates' eyes and providing them with prescription lenses. For the first time in the history of the penitentiary system, we had a regular optometry program.

We could not do much more than this to improve medical services for the inmates, except cut out the corruption. We were effective in stopping the "blood-sucking program," run by Dr. Austin R. Stough, who had the contract for blood collection at the prison. Dr. Stough paid each inmate $5 for blood plasma, which he sold to Cutter Laboratories for $15. John Haley studied the books, and estimated that Stough made between $130,000 and $150,000 a year from this contract. One dollar of the inmate's money went to the Officers' Welfare Fund and another dollar to the Inmates' Welfare Fund. At Cummins more than $73,000 in "blood money" was in the inmates' fund, but the inmates derived little benefit from it. All they got was the immediate $3 for each donation.

John Haley filed a report about the program with the penitentiary board, and in May got approval for a nonprofit foundation (Medcor) to take blood from prisoners, at Cummins. Under the new arrangement, which went into effect in November, the inmate donors received $7, and

profits went into a prison fund to provide better medical care for the inmates.

The only problem with this arrangement was that we had to transport our men by bus to Cummins, and many inmates were reluctant to go through the plasma program because outbreaks of hepatitis were blamed on it, and they believed there were certain inherent dangers in this blood plasma program.[1] For those inmates who did not want to take the risk we set up an alternate plan. A firm in Little Rock sent nurses to Tucker weekly and drew whole blood, for which they paid each inmate $7.

We also instituted a program in collaboration with the University of Arkansas Medical Center, under which trusties went to the medical center for a couple of weeks and engaged in a research project of a noncritical nature. While they were there they ate well, got to watch color TV, and were paid. They considered it a paid vacation from the prison.

Our men were not anxious to go to Cummins hospital, because many of the inmates working there were homosexual and the drug situation was almost completely controlled by the inmates. They even had a price for aspirin. For six months Tucker could not get medical supplies from the Cummins hospital, because the inmate doctor refused to fill our requisitions.

We also had problems with the Arkansas State Hospital at Little Rock, which consistently created confusion whenever one of our inmates had to be transferred there for special medical treatment. We spent weeks in profitless correspondence with the superintendent of the hospital, who was forever changing his policy.

Early in June, Dr. Elizabeth Fletcher, who was in charge of one of the departments at the state hospital, refused to admit five of our men on the grounds that there were only so many beds available for prisoners. In the past, we had used bed space and the business manager at Cummins had not paid our bills. She said she didn't see any reason why the inmates should be admitted anyway. Two of the men

[1] It seems they were right. The *New York Times* (July 28, 1969, pp. 1, 20, & 21) carried a fourteen-column article by Walter Rugaber titled "Prison Drug and Plasma Projects Leave Fatal Trail" exposing this abuse of inmates.

and slug lighter fluid intravenously with a hypodermic needle, and one of them was in very serious condition.

To help upgrade the medical services, we contracted with Dr. Willie Harris of England, Arkansas, in April, 1967. He was young and capable, had no previous relationship with the prison—and he cared about the inmates' welfare.

Dr. Edwin Barron, Jr., a director of the Medcor Foundation and a lifelong friend of John Haley, was hired in September at a salary of $20,000, to be the prison physician, eventually freeing Harris for his private practice, and to upgrade the Cummins hospital, which was reasonably modern and well-equipped. He never came to Tucker to see a patient, although this was among his duties. We sometimes used medical students who came to Tucker to hold sick call. If an inmate needed treatment, we had to arrange to have him driven 110 miles round trip to Cummins and back, without any guarantee a doctor would be there to see him.

Dr. Barron, who was nicknamed "the Red Baron" by the inmates, was an aviation enthusiast and flew around Arkansas making calls in his "Sopwith Camel." During a week of good flying weather, he might spend a total of eight hours at the Cummins prison hospital. The inmate doctor screened sick-call patients for him, signed his signature better than he did, and admitted and discharged patients at will.

When one of our inmates came back to Tucker from the Cummins hospital, he would be accompanied by reams of forms—many of which were still blank—supposedly a medical report of his stay in the hospital.

Each man who transferred to Tucker also arrived with an impressive medical file prepared by the staff at Cummins. My attention was directed to at least two inmates whose official medical reports didn't match with what laymen observed: their vision was rated as "normal" in each eye by the prison physician, but they both complained of poor vision, and the Longline rider told me that they couldn't see well enough to clean the rows. I referred them to Hargraves, our medical technician, for examination. He reported that not only did each man have very poor vision in one eye but, in each case, the other eye was glass.

The Four and One-Half Pound Menace

The Women's Reformatory, which forms part of Cummins State Prison Farm, is about fifty yards behind the superintendent's house and is surrounded by a high wire fence. The reformatory itself is nestled among dense hedges, its thin grass kept "mowed" by the Negro women inmates who sit cross-legged on the lawn snipping off the blades of grass with their fingernails, as they were not allowed clippers or scissors. Because of this, the women's hands were gnarled and their fingernails gone. They are scarred for life, but this was a typical work program for the Negro women, who were considered too dumb for anything else.

The women had been used in the past as slaves—and worse. There was a buzzer in the master bedroom of the superintendent's house, which a previous superintendent had ordered put in so he could summon his favored doxie from the Women's Reformatory while his wife was off visiting.

Female prisoners were even transported from the county jail to the prison in the same wagon as the men and were forced to have sexual intercourse with them if they wanted to survive the trip.

The Women's Reformatory was generally overlooked by casual visitors to Cummins, and it was undoubtedly the least discussed of the three adult penal institutions in the state.

But after a visit to the reformatory, penologist Austin MacCormick told the Penitentiary Study Commission: "If there is a more neglected institution for women in the United States, I would not know where to look for it."

Mrs. Clay Smith quit as head matron when her husband left his Cummins job, and I sent Bea Crawford to the reformatory, which then housed fifteen whites and twenty-five Negroes. The majority of the Negro women were serving sentences for homicide and many of the white women had been sentenced for habitual alcoholism, which is a crime in Arkansas and draws an indefinite sentence, to be determined by the superintendent.

Bea reported to me that she found the women were nearly freezing to death from the cold air, sleet, and rain pouring through large cracks and holes in the walls.

The rules of the Women's Reformatory were mimeographed and hung on the wall. (See pp. 172 and 173.) They were impossibly restrictive. The women were not allowed to look at or talk to men. They could not lie on their beds or talk with other inmates. They could not smoke during the day, and they could not exercise.

There was total segregation of Negroes and whites: each group had its own dormitory or barracks, but only the white women had TV and their own dining room. The Negroes ate the scraps left over from the white women's table. The visiting rooms were segregated, and the Negroes even wore different clothing than the white women.

The Negro women, of course, had the worst of everything. They washed personal laundry for the matrons in a tub with a scrub board, even in winter, and even though there was a laundry at Cummins. A former matron had had her pedicure done by the inmates, using one of the cooking pots to soak her feet.

The women prisoners were required to make clothing for the families of matrons and wardens, in addition to making all the clothing for the male prisoners. All this cost the state $73.45 a day for everyone and everything, including salaries, food, tobacco, and other operating expenses.

Several women told Bea they had been beaten with leather straps as recently as a month previously. She heard of a woman who had died in her bed after being told by a doctor that all she needed was "more work," and a pregnant woman who went into labor in solitary confinement in a small cell behind the reformatory.

Women sentenced to the hole were fed only bread and

ARKANSAS STATE PENITENTIARY
WOMEN'S REFORMATORY
RULES AND REGULATIONS

THERE WILL BE NO SITTING ON THE FLOORS

THERE IS TO BE NO BORROWING, LENDING, OR EXCHANGING OF CLOTHING OR PERSONAL ARTICLES WITHOUT PERMISSION FROM THE OFFICE.

THERE IS TO BE NO SMOKING IN YOUR BED. SIT IN YOUR CHAIR.

HAIR WASHING IS TO BE CONFINED TO FRIDAYS, SATURDAYS, AND SUNDAYS, UNLESS YOU HAVE SPECIAL PERMISSION.

ALL READING AND WRITING MATERIAL WILL BE LEFT IN THE DORMITORY OR AT YOUR BE UNTIL YOU ARE OFF DUTY.

ALL TWEEZERS, GLASSES, ECT. ARE TO BE TURNED IN BEFORE 9:00 P.M.

ALL STREET CLOTHES ARE TO BE TURNED IN BEFORE 9:00 P.M. SUNDAY

THE SEWING WILL BE LIMITED TO ARTICLES FOR YOUR OWN USE. HOME STYLING WILL NOT BE PERMITTED OR SENT OUT.

THERE IS TO BE NO EATING IN THE DORMITORY AFTER 9:00 P.M.

IF YOU ARE ON A DIET, STAY ON IT. YOU ARE NOT TO BE EATING BETWEEN MEALS, IT IS EXTRA WORK ON THE KITCHEN GIRLS TO FIX YOUR DIET PLATES.

YOU ARE TO BE OUT OF YOUR BEDS DURING WORKING HOURS, WHETHER YOU ARE WORKING OR NOT.

YOU ARE NOT TO BE SQUEEZING OR MASHING PIMPLES, OR BUMPS ON EACH OTHERS FACES OR ANY OTHER PART OF THE BODY. THERE IS TOO MUCH DANGER OF INFECTION.

THERE WILL BE NO BED CHANGING. ONLY WHEN TOLD BY THE MATRON

THERE IS TO BE NO MASSAGES OR CHIROPRACTIC TREATMENTS DONE IN THE DORMITORY. THERE IS TOO MUCH DANGER OF INFECTION OR INJURY.

THERE IS NOT TO BE TWO GIRLS FROM ANY STATION IN THE BATHROOM AT A TIME. ONLY IN TIME OF AN EMERGENCY. AND NOT OVER FIVE MINUTES. SHOWERS ARE TO BE LIMITED TO 12 MINUTES ONLY.

THERE IS TO BE NO GANGIN UP AT ONE BED. VISITS TO A BED WILL BE FIVE MINUTES ONLY..THIS IS ALSO FOR THE TRUSTIES.

THERE WILL NOT BE MORE THAN TWO GIRLS GANGING UP IN THE BUILDING.

YOU ARE TO USE ASH TRAYS AT ALL TIME WHEN SMOKING. EVERYONE IS TO IRON THEIR OWN CLOTHES. THERE WILL BE NO IRONING DURING WORKING HOURS. YOU IRON BEFORE OR AFTER WORK.

THERE WILL BE NO TALKING IN FRONT OF THE T.V.

WHEN WARNING LIGHTS ARE TURNED OUT AT NIGHT AT FIVE MINUTES TILL NINE, YOU TO GO TO YOUR BED OR TAKE YOUR CHAIR AND GO WATCH T. V.

THERE IS TO BE NO LOUD TALKING, LAUGHING, OR SCREAMING IN THE DORMITORY.

WHEN YOU GO INTO THE DINING ROOM AFTER WORK HOURS YOU ARE TO WEAR SHOES AND BUTTON UP UNIFORM.

THERE IS TO BE NO FEET HOPING ON THE FURNITURE.

WHEN YOU GET UP IN THE MORNING, OF COURSE YOU MAKE YOUR BED. TURN BE SURE YOU PUT ALL YOUR THINGS THAT YOU HAVE ON THE FLOOR AND UNDER YOUR BED ON TOP OF YOUR BED. YOU ARE NOT TO DEPEND ON SOMEONE ELSE TO DO THIS FOR YOU.

YOU ARE RESPONSIBLE FOR KEEPING UP WITH YOUR OWN CLOTHES. PUT THEM IN THEIR DIRTY CLOTHES BOXES, AND BY ALL MEANS STOP LEAVING THEM IN THE BATHROOM FOR SOMEONE ELSE TO PICK UP.

IF YOU HAVE A RADIO, YOU MUST PLAY IT MOSTLY IF YOU WANT TO KEEP IT.

WHEN A WOMAN WANTS A CONFERENCE WITH THE MATRON PERTAINING TO PERSONAL AFFAIRS, SHE WILL HAVE TO DROP A NOTE IN THE MAIL BOX, SHE WILL BE CALLED BY A NUMBER WHEN SHE WANTS TO CONVERSE WITH HER.

AT ANY TIME YOU WANT TO GO TO THE OFFICE YOU MUST BE CLEARED WITH A TRUSTY.

AT ANY TIME YOU ARE IN THE OFFICE AND THE TELEPHONE RINGS, YOU ARE TO STEP OUT AND SHOW RESPECT FOR THE MATRON, SHE WILL CALL YOU WHEN THE CALL IS FINISHED.

YOU MUST MAKE THE MAIL OUT, IN CASE YOU DON'T, IT IS MONDAY AND SATURDAY. THERE WILL BE NO MAILING OF ANY LETTERS EXCEPT AT THE REGULAR TIME. SO IF YOU WANT YOUR MAIL TO GO OUT SEE THAT IT IS IN THE MAIL BOX BEFORE SEVEN O'CLOCK IN THE MORNINGS ON REGULAR MAIL DAYS.

THERE IS TO BE ABSOLUTELY NO ONE IN THE BATH ROOM WHEN THE KITCHEN GIRLS GO FOR SHOWERS IN THE EVENING. IN CASE OF EMERGENCY BE SURE TO CHECK WITH THE TRUSTY BEFORE GOING.

NO GIRL WILL GO TO ANOTHER GIRLS BED AT ANY TIME TO GET HER UP IN THE MORNING. THAT IS THE JOB OF THE TRUSTY ON DUTY.

THERE WILL BE NO EXCEPTIONS, YOU ARE TO GET YOUR SLEEPING CLOTHES ON BEFORE SIX O'CLOCK. THIS YOU MUST REMEMBER TO DO.

THE TALKING FROM BED TO BED MUST BE STOPPED. IF YOU WISH TO VISIT, GO TO THE TABLES AND DON'T CARRY ON YOUR CONVERSATION IN THE AISLE. THE TRUSTY ON DUTY IS EXPECTED TO SEE THIS ORDER IS CARRIED OUT.

THESE RULES WILL BE ENFORCED. THE TRUSTY THAT IS ON DUTY IS EXPECTED TO SEE THAT THESE RULES AND REGULATIONS ARE CARRIED OUT, WITH NO EXCEPTIONS. THE WOMAN THAT BREAKS ANY OF THESE RULES WILL BE TAKEN TO THE OFFICE. COURT WILL BE HELD BY THE MATRON, AND THE GIRL OR GIRLS WILL BE PUNISHED.

Mrs V. Smith

MRS. V. SMITH, SUPERVISOR

placed in isolation for infractions of the rules, such as talking back to the head matron.

When Bea first went into the women's quarters, the inmates sat or stood like zombies, doing nothing but nod or shake their heads in answer to questions. They had been told that I was going to take away one of the few privileges they had, that of wearing freeworld clothes on Sunday.

As soon as Bea took charge of the Women's Reformatory, she began cleaning the place up and having the holes in the walls patched. She allowed the Negro women to make curtains for their dormitory and found reading lamps for them; there had been only five light bulbs in their whole barracks. She assigned Negroes to the kitchen and integrated the dining hall. She permitted all the women to have coffee breaks, and she moved the TV so that all the women could see it. She also allowed all the women to talk with one another.

Frank Crawford was the first man ever to eat a meal in the Women's Reformatory. I became the second when I visited it shortly afterward.

On January 12 we invited the press to attend open house at Cummins. Tucker Steinmetz, who was one of the first reporters to visit the Women's Reformatory, interviewed several of the inmates.

"It was a miracle and how do you describe a miracle?" a white woman told him, when asked what she thought of the changes. After a few seconds' thought, she added, "I think the improvements are here because Mrs. Crawford cares about what happens to us and I think Mr. Murton cares, too."

An elderly woman sitting by her bed spoke of the changes made since Bea's arrival. "We was so glad, we cried. That's what we did. We just cried."

"Before Mrs. Crawford came we didn't have sheets on our beds like the white girls did," said another Negro inmate. "We just got old rags and stuff like that."

Some of the mail found in a box had been postmarked six months earlier and never given out. One of the women said that she had been getting letters from her son asking why she didn't write to him. "I had been writing to him twice a week but the letters weren't being mailed," she said.

It seemed as though Bea had, indeed, wrought a miracle. There were curtains in the freshly painted barracks. Everything was neat and clean and airy. Most important of all, the women smiled, and even laughed.

Then in mid-January, when we had an inmate dance at Tucker, I invited the women from the reformatory to attend. In the days preceding the dance, they were like schoolgirls preparing themselves and their clothes for the occasion.

Nabors and Rhodes, accompanied by the Crawfords, drove them from Cummins to Tucker in the bus and we could hear them singing and laughing as they arrived. This was the first time in the history of the Arkansas State Penitentiary that the female prisoners had been allowed to dance.

The evening started at eight and was great fun for everyone—except me. most of the thirty-one women from Cummins insisted on dancing with me. I tried my best, and one girl told me I was her first dancing partner in eight years, so judged by such standards I suppose I didn't do too badly.

Some days later I told George Douthit of the *Arkansas Democrat* about the dance in an interview. There was an immediate reaction to his article—most of it bad.

Mail started to pour in. The letter on p. 176, which was postmarked Hot Springs, was typical.

The reaction of the immediate community, and the whole state, was anger. I had committed three offenses: I had let dances occur at the prison, I had let prisoners dance, and I had allowed Negroes to dance with whites.

Although the governor's office was concerned over the publicity given the dances, the new penitentiary board members endorsed them at a meeting on January 25. This was the first time I had met the new board and they seemed to be young (average age 43), progressive, and conscientious.

The chairman was John Haley; the other board members were Marshall N. Rush, a farmer from Pine Bluff; W.L. Currie, a farmer and vocational-school teacher and the first Negro to serve on the board; Dr. Payton W. Kolb, a Little Rock psychiatrist and professor at the University of Arkansas Medical Center, and a deacon of the Baptist Church;

Well Mr Murton.

By what we see in the paper seems like you are all having a fine time at the Tucker Farm. I did not know when a person was sen t to prison he went there for a good time . if he committed a crim he was to pay for it by being in confinement you are letting them dance and have fun leading u to no telling what.

Fine thing for a white women and a white girl dance with a stinking NEGGER . what on earth is the world coming to I am glad that I have seen the only good times on this earch as I am my 75 years of age but I am a loo % white man and can not stank the stink of a NEGGER. some time there will be a time when the white race will be Mollatho we will have no pure white blood .

From a white man
to a bunch of fools.

and William Pierce Lytle, a Presbyterian minister and professor at the College of the Ozarks—whom I had known for almost fifteen years, since the day he married Margaret and me in New Mexico. Bill expressed his empathy, concern and support of me in a letter to us on February 21.

I convinced the board to have a look at the next dance, scheduled for Valentine's Day. That was prayer meeting night, though, and Dr. Kolb wouldn't go along with it, so we scheduled the dance for the following Saturday.

This controversy over dancing was overshadowed very quickly by a problem at the Women's Reformatory.

Bea Crawford told me that Ann Shappy, one of the women inmates, had just returned from Little Rock, where she had given birth to a baby boy. She had been kept in the hospital for two weeks but she had not been allowed to see her baby at all. She was distraught; she wanted to know what was going to happen.

Mrs. Shappy, who was thirty-eight years old, had arrived pregnant at Cummins in November from a northwest Arkansas county to serve a fifteen-year sentence on a morals charge: she allegedly aided in the rape of one of her daughters. She was half dead from a kidney ailment and was sent to the infirmary at the Little Rock State Hospital, then moved to the University Medical Center across the street when it was time to have her baby.

The baby's father was an inmate at Oklahoma State Penitentiary and Mrs. Shappy had seven other children, all girls, by another father.

I called the state hospital and asked why Mrs. Shappy had not been allowed to see her baby. The only answer I could get was that she was a convict. I went into the question with the medical center, and they didn't know why either. So I asked what the status of the baby was at the present time and was told that the welfare department was going to place it for adoption that afternoon. I checked with the mother and found she had not signed any papers. Even in Arkansas you have to go through a hearing to take a baby away from its mother, convict or not.

I went to the Women's Reformatory and found Mrs. Shappy on her bed in a state of semi-shock and depression.

"Do you want your baby?" I asked her.

"Yes," she said.

I knew that Mrs. Shappy was in prison on a serious morals charge but I also knew that she had a right to her baby unless and until a court decided otherwise. I was confronted with a problem that I would have preferred to face much later, when I had the prison settled down. But the time to deal with problems is when they arise. The woman had had her baby, and the problem existed right then.

My most basic concept of reform was at stake: that inmates have to be treated with dignity and as human beings if they are to have instilled in them some concept of human dignity, theirs and others'.

There is no way of instilling that concept in a mother more quickly than letting her have her baby. If Mrs. Shappy had been a Girl Scout or even a model prisoner, the problem would have been easier to handle, but my decision would still have been the same: she was entitled to her baby.

The other women were standing around quietly and expectantly, watching us, waiting for my decision. I went around and asked them what they thought about having a baby in the dormitory. They all thought it was great.

"Get your hat and let's go get your baby," I said to Mrs. Shappy.

She looked up at me with disbelief in her eyes, then a big smile of joy came over her face. Simultaneously, there was a shout of approval from the other women and a burst of applause.

Ruby Nichols rushed up and gave me a hearty hug and a resounding kiss on the cheek. There were tears and laughter in the dormitory as Mrs. Shappy and I packed some blankets and headed out in my car for the State Hospital with Bea Crawford.

So we took away little Woody Dwayne. He was a premature baby, and weighed only three-and-a-half pounds then, which is why the hospital kept him two weeks. En route to Cummins I stopped at a store and bought a case of Similac. By the time we got back to the farm, the other women had made little gowns, jackets, and diapers. One of the trusties had given up her bed and stretched a sheet across the corner of the room to create a nursery.

Woody Dwayne was enthusiastically welcomed and proved to be the greatest morale booster I've ever seen in any institution. Women are by nature more interested in

babies than men are, and since most of these women were mothers, the baby gave them something to care for and focus their attention on.

The male inmates made little toys, a dresser, and a high chair, and one of the matrons donated a crib.

An open press policy, however, can work two ways. A newspaper man drifted into the Women's Reformatory one day early in February and said, "Hey! There's a baby here." He took a picture, which was published with a very good but controversial article. As a result of the article, pressure was brought on the welfare department to come down and take the baby away. They sent two caseworkers to "solve" Mrs. Shappy's problems—"solve" meaning taking her baby away from her. They wanted to put Woody in a foster home for six to eight months and then put him up for adoption permanently. By their standards, Mrs. Shappy was incompetent, since not only was she a convict but four of her other seven children had been wards of the welfare department.

The welfare department assumed that there could be no change in human behavior, and the fact that both the doctor and I testified that Mrs. Shappy was functioning actively and legitimately as a mother in that setting was regarded as immaterial.

The caseworkers talked to Bea and the baby's mother for several hours, and then came back and talked to me. We had a little problem of communication, but they left to try and find a foster home; while I was to talk to the mother and see if we couldn't arrange a placement.

I wanted Woody in a foster home where he could be brought back to visit the mother occasionally, but they opposed this. Finally I negotiated a foster-home agreement between the mother and Bea Crawford, which was duly recorded. We had a crib set up in Bea's house and completed the transfer of the baby to her. I notified the front gate that if welfare department people came to the prison, the guards were to phone the reformatory and the baby would be taken over and put in Bea's house. This was all legal. The woman was the natural mother and she had the right to dispose of her child as she saw fit.

Then Mrs. Shappy had to go to the state hospital for treatment of her kidney ailment, and the baby was sched-

uled for a routine checkup. The welfare department had arranged to take the baby from Mrs. Shappy as soon as she arrived at the hospital. We anticipated this move, however, and did not allow the baby off the farm, thus forcing the welfare people to try another tactic. Dr. Barron performed the examination at the reformatory.

The board of welfare ordered the welfare commissioner to take whatever means he deemed necessary, including getting a court order, to take the baby off the prison grounds, which they claimed was unfit for human habitation. In their view, the prison was fit for convicts but not for free people.

The welfare commissioner was ordered to go to Cummins and take the baby away from Bea Crawford. And Bea Crawford had been ordered by me not to give him up. I issued a press release suggesting that if it was inappropriate for this six-week-old baby to live on the freeline, where there were no inmates, perhaps they should bring a bus to pick up all the other kids, because there were twenty-five other children living on the freeline. I didn't pose it as a threat, I merely tried to introduce logic into the controversy. If they were going to take one child, they might as well take all.

I also pointed out that literature on raising children is full of evidence that the first few months of an infant's life are critical and that unless a mother is mentally incapacitated, the child is probably better off with her than anyone else.

For a while, this infant—four-and-a-half pounds by then—seemed to have the entire officialdom of Arkansas in a turmoil. The governor's office was in a flap over some of the adverse reaction in the press from the electorate. They ignored the favorable reaction. Bob Scott insisted that we remove the baby.

The board of corrections vacillated. In the first of two meetings about Woody's future, the board tabled the discussion and told me that I could handle the matter as I saw fit. In a secret meeting the following day, which I was not allowed to attend, they reversed their stand and decided the baby would have to leave the farm. I learned of that decision from the newspapers.

The welfare board also met in secret session and

livered an ultimatum to the welfare commissioner. If he did not go down and remove the baby from the prison grounds they were going to fire him for nonfeasance.

When I spoke with Mrs. Shappy about the problem, she said, "I'm not going to give up my baby no matter what, unless maybe it's going to get you fired, Mr. Murton."

"It's your decision," I told her. "But keep in mind that there's no assurance I won't be fired—even if you do give up the baby."

On February 29, I was in California attending a criminology conference. I telephoned Barbara Peterson, my secretary, on other business—and she told me that Woody Dwayne had been removed from the farm. The mother was upset, and apparently Bea Crawford had raised a lot of hell. The two women who came from the welfare department to get the baby were heartless and unbending.[1]

Mrs. Shappy had not reached her decision quickly nor without considerable thought. This was her first son; she had overcome the initial trauma of being denied the right to see him; her mental health had greatly improved; and for the first time since commitment to prison, she had hope. She had her baby with her and knew that I would not let him be removed as long as I was superintendent.

And that was the problem. She knew from press accounts that the prison board, the welfare board, and Bob Scott had ordered the baby taken from the prison grounds and that I could not long resist this pressure—and remain superintendent.

She pondered the changes that had been brought about under our administration and considered the probability of the Women's Reformatory's reverting to its former condition, after my removal. She was also aware that if she surrendered Woody Dwayne at this time she had the assurances of the welfare department that she would never see him again.

Yet this woman, deemed unfit as a mother and as an immoral person by the welfare department, chose to sacrifice her son and her feelings in an unselfish, albeit futile, effort to secure the welfare of her fellow inmates.

[1] They refused, incidentally, to go to the Women's Reformatory. The baby had to be brought up to the main institution. They were afraid to go and get the baby themselves.

Arkansas' "Model Prison System"

Early in January Dr. Edwin Barron, the prison physician, told me that after studying the prison death certificates through 1964, he felt there was not only a remarkably high death rate but an unusual number of young men listed as victims of organic heart disease.

Between January 4 and 8, 1959, for example, six inmates were shown as having died of "heart disease." Dr. Barron found that some other death certificates failed to list the cause of death at all, and many had the signature of the former prison physician typed in but not signed.

Dr. Barron had also talked with a Negro inmate, Reuben Johnson, who told him that he had helped bury three murdered inmates, one of whom, Jake Jackson, was listed on the records as an escapee.

Old Reuben had been in Arkansas prisons on and off for thirty-one of his fifty-eight years, ever since he was convicted in 1937 of slaying his brother. Reuben said he had seen Jake Jackson killed about 11 P.M. on Christmas Eve, 1947.

He claimed he had been working with Jake in the garage that night when the yard man came in and told him, "Captain Tom wants to see you over at the building, Jake."

Reuben said Jake and the yard man went just outside the garage and met two wardens, who asked Jake for his share of money from the sale of some scrap iron. Jake said he had lost the money gambling.

According to Reuben, the warden struck out at Jake with an old angle crowbar, Jake ducked, the bar hit the wall

making a dent in the wood and Jake ran back to the shop with the warden behind him. When Jake was almost at the door of the garage he looked around to see if the warden was still chasing him. The warden was about fifty yards away; he shot Jake through the heart with his pistol.

Reuben rushed to Jake's side and brought him into the garage. The warden came up, looked at the dead inmate and told Reuben: "Bury him."

Reuben said he left the body on the garage floor until six o'clock Christmas morning. He removed the clothing and gave it to the laundry for other inmates. Then he made a rough wooden coffin out of planks, and with another inmate he toted the casket on a doby wagon to old Five Camp. The coffin was buried about five feet deep in a grave close to the fence behind a cotton gin, near a levee which kept the Arkansas River from flooding the area.

Reuben also said he had helped bury two other murdered convicts in the same place. He said one of the men, a fellow named Bradley, had had his head chopped off by a warden, and the third man had been bludgeoned to death with rifle butts by the trusties. Reuben swore he could pinpoint the exact location of the three graves.

Soon after this conversation with Reuben, Frank Crawford told me that while going over the farm he had seen some sunken holes by the levee. He had asked a Negro inmate what caused the holes and had been told that there were over one hundred murdered inmates buried in the field, and that was why the inmates nicknamed the area Bodiesburg.

The place Frank had noticed was where Reuben claimed to have buried the three murdered inmates.

I knew that since 1917 more than two hundred inmates were on the prison books as escapees who'd never been found, a far larger number than would be expected. It occurred to me that some of the men listed as escapees possibly had been killed at the prison and buried in unmarked graves.

A new "archeological project" was on my mind in mid-January when I was interviewed by Walter Rugaber of the *New York Times* about my takeover at Cummins. Rugaber asked if I had heard rumors of murdered inmates having been buried on the farm. I told him that I had heard, and

I was convinced a number of inmates had been shot or beaten to death in the past and secretly buried on the grounds. I indicated we would begin digging for the bodies within ten days.

I had already told Bob Scott, the governor's aide for prison affairs, what I had in mind and he'd said, "Go ahead and dig them up." He agreed with me that the scandal would wake up the people of Arkansas.

Rugaber's story was published in the *New York Times* of January 28, 1968. The paragraph about my suspicions that bodies were buried on the farm drew attention from newsmen all over the world. The press began to hound me for a date when the digging would take place.

I had not set a definite time because I was then more concerned with the problems of the living than the dead. I couldn't spare the men while the good weather was holding, so I said that when the weather was unfavorable again I would send a detail out. I set it up with Claude Overton, who was the farm manager at Cummins now, that as soon as he had some men free on the line, Harold Porter would take them down and start digging.

On January 29, I had a call from Ed Rable of CBS News in Atlanta, Georgia. He was in Little Rock and wanted to come up with a camera crew and spend a week between both farms, doing a feature story.

Rable and his crew arrived around 9 or 10 A.M. and took extensive film shots in the barracks and mess hall. Then, at about 11:30, some men from Channel 11 in Little Rock unexpectedly came to the farm and asked if we were going to do any digging. I told them to check with Porter.

While I was inside the building talking with the postmaster from Little Rock, trying to straighten out the mail problems at Cummins, Overton decided the weather was so bad he couldn't get any work done on the crops. He told Porter he could release some men for digging. Porter picked up Reuben Johnson, who was in the hospital recovering from hepatitis, loaded fifteen of the Negro inmates into the bus, and drove out to Five Camp, followed by the newsmen and TV crew.

After lunch, Frank Crawford and I drove over to old Five Camp to see how the digging was progressing, and

to check out a nearby area which he planned to turn into a new hog lot.

We had had seven inches of rain earlier in the month and our shoes sucked ooze noisily as we struggled through the muddy pasture. The air was thick with the sour smell of silage and manure and the promise of rain again by mid-afternoon.

The inmates were digging in the area posted as sites 1, 2, and 3. Trusty guards were sitting on the fences with their rifles and shotguns aside, rolling smokes.

Frank and I talked for about half an hour, discussing ways of draining the hog pasture, when an inmate came up to me and said, "We've struck a coffin." I automatically glanced at my watch. It was 2:20.

"Okay." I said. Crawford and I went over to look in the Number 2 hole, where newsmen were snapping pictures. One of the wardens was already in the five-foot hole supervising the crew and telling them to be careful as they chipped around the edges of the plank coffin.

They removed the lid and found the box filled with mud. Someone gave them some spoons and they started scooping mud out, a spoonful at a time. Then someone shouted they had struck boards in the Number 1 hole. A few minutes later the men in the Number 3 hole hit wood.

The newsmen were dancing all over the area getting in each other's way. I sent Porter up to get some sheets so we could lay out the bones, and I made notes and observations as the inmates set the skeletons out.

All the graves were perpendicular to the levee and in the precise locations that Reuben Johnson had described. The skull in the third grave was no bigger than a grapefruit, and it obviously had been crushed or shattered. The bones and skulls in the other graves were whole.

In the Number 2 grave I noticed that both of the lower leg bones had been severed from the thigh bone and stacked in beside the knees. It looked as though the legs had been cut off to get the man into the box. The skull was lying under the skeleton's right arm. The body in the first grave had been decapitated. I also made a note that the graves had never caved in.

We laid the bones out onto the sheets, folded them into bags and numbered them, and then put them in the back of Potter's car for security.

By the time I returned to the office the switchboard was about to ring off the wall with calls from newsmen all over the United States. And Bob Scott had called several times in a panic, and wanted to send the state police down to make an investigation. Tom Eisele had called, on behalf of the governor, who was out of the state, advising that he was ordering Lynn Davis, former director of the state police, to come and render an "accurate and objective report" for the governor. Eisele said that the governor didn't believe he could get a valid report from me. So, later that evening, Davis and Scott arrived at the prison to assume leadership over the investigation.

Meanwhile, the inmates were in a furor. They had heard the news on the radio and they were cheering and slapping each other on the back. It was like New Year's Eve. Their story had finally hit the outside world.

I had my secretary immediately impound all the escape files; if the men in the graves had been murdered they would probably be listed as escapees.

Then I rushed off to appear in a panel discussion that had been arranged a month earlier by the Junior Chamber of Commerce. Senator Knox Nelson, attorney Lewis Ramsey, and Lloyd Henry were the other members of the panel, which was to meet at the Holiday Inn in Pine Bluff. I arrived wearing the same clothing I had worn at the grave site, including my holstered .38.

Don Bassett, who had gone on ahead with his wife and mine, was waiting for me. The place was packed with spectators and newsmen. I realized I still had my gun belt so I gave it to Van Winkle. I paused briefly to brush the mud from the murdered inmates' graves off my Levis before joining the panel on the stage.

As I settled down next to Lloyd Henry, I noticed Big Mose Harmon and former warden Cresswell standing back of the audience against the wall. Bassett armed himself and took a position where he would have them in sight. He later told me these men had a map sketched out with the location of the panel participants and an X where my name was. He had been afraid that I might be shot.

After about an hour and a half of debate the discussion was opened for questions from the floor. Naturally everyone wanted to hear about the bodies we had dug up that afternoon. I explained in some detail the circumstances surrounding the exhumation.

Following forty minutes of questions Lloyd Henry said, "Well, things weren't really so bad."

That comment from the president of the Prosecuting Attorneys of Arkansas brought the house down.

A woman in the audience screamed, "How can you sit there and say the prison isn't really as bad as we've been led to believe when Mr. Murton told us he's just dug up three bodies of murdered inmates? You're doing the same thing they've been doing for years! Trying to cover up!"

I could have run for governor that night, with those people. The support of a few of the more enlightened citizens of Arkansas was not what I needed most at that moment, though. I needed the support of the governor's office and the penitentiary board—and I wasn't getting it. I had all the responsibility for running the prison system; I had only half the authority. The new prison board, under Haley's urging, had been looking for a commissioner, and this meant that while I was securing the beachhead at Cummins, steps were being taken to assure that I would no longer head up the prison system.

Since going to Cummins, I had never worked less than an eighteen-hour day. I was bone tired just trying to keep my head above water. One night later in January Margaret asked me why I didn't just say the hell with it and quit, since it was obvious both the governor's office and the board were now committed to inhibiting our reform efforts.

Rather than quit, I decided to try and make one last attempt to get support from the board. I wrote John Haley a personal note saying that unless the board would give me the authority I needed to run the prison, I saw no way for me to complete the job successfully. Lacking the board's support, I would resign in a few months, when they found someone else to take my place.

I hoped the letter would draw support from Haley, who was the real force behind the board. But the letter had the opposite effect.

February 4, 1968

Governor Winthrop Rockefeller
STATE HOUSE
LITTLE ROCK, ARKANSAS

Dear Governor Rockefeller:

Your personal honor as a man, the honor of your family which your grandfather so carefully presented to us as a monolithic unit, and therefore, the honor of your brother, Nelson Rockefeller, for whom I would like one day to vote as president of this country, is at stake in your suspension of further disclosures in your infamous prison farm operation. No white-wash, no cover-up, no soft-pedalling at this point can stop the indignation of the American people over the Nazi methods of extermination practiced by a state agency over which you have been presiding and, therefore, can be held accountable before the world.

Any hesitation, any equivocation now about proceeding to clean up the torture chamber that is your state and you are lost. And we as Americans are lost as a decent people. You are lost as a person and as a politician—as well as your brother—because you and your brother cannot any more be separated in the public view than the Kennedy brothers can be separated. And we as Americans are lost because we will have had destroyed for us the belief in our heritage of law and justice and our ideal of democracy—no matter how badly they all seem to be challenged at this point.

The world is beginning to think of us as murderers of innocent peoples abroad as in Vietnam, the CIA-inspired carnage in Indonesia and the Dominican Republic and now with the disclosures of your extermination camps in Arkansas, we are to be branded as murderers of our fellow citizens at home. If you do nothing else as Governor of Arkansas—and what is more important than to reaffirm the right of due process of law, see justice done, and redeem the trust a democracy places upon an elected official—you must bring to justice those who are guilty of such heinous crimes and immediately put a stop to a system of barbarity that is continuing at this moment. Otherwise, you become—if indeed, you have not already—a participant in the same crimes.

The damage has already been done to your state. No matter what further disclosures, they could not do more damage than is already done. The damage was done to your state by Arkansans and by Arkansans who represented the state in an official capacity. The damage was not done by the press which reports what has and is happening. I wouldn't drive through this State of Arkansas until you assure the world that those conditions no longer exist or could exist in a state ruled by law. I might get arrested for speeding, be thrown into a farm camp and be murdered. The only thing that can correct that image is a full disclosure of all the facts and a swift indictment of all public and private officials involved for murder.

I congratulate you that you picked a man like Thomas O. Murton to try to clean up the mess. He seems to be the only man in Arkansas at this point who has a democratic and American conscience. He also seems to be the only one who has the guts to face up to the events as they happen. I hope he does resign and carry the fight to the American people if you permit political considerations to frustrate his investigations. I have not heard any statements from you except those that might hint at your trying to scuttle the investigation. The damage is done. You can only undo it.

The greatest dilemma of this decade is the one of the citizen's trust in the veracity of his government—federal and state—and their elected officials. The Bobby Baker case which threw a shadow on the activities of Senator Kerr of Oklahoma and others, the Senator Dodd disclosures, the exposure of bribe-taking and corruption in Washington and state Capitols, all have begun to erode the base of our confidence in government itself. These events in Arkansas put a further strain on that crisis of trust. If you fail to move swiftly and dramatically, you will betray further our trust in our elected officials and the governments they preside over.

Sincerely yours,

/s/ Paton Price

Murton's Failings: Fictions and Facts

No reason for my dismissal was ever given to me by John Haley, the board of corrections, or Governor Rockefeller. In response to pressure from newsmen, Rockefeller and Haley hastily called a press conference in Little Rock the day following my termination.

This conference proved to be the longest and most caustic in Rockefeller's administration. He opened his remarks by admitting that he had been avoiding the press for over a week while Haley "solved the prison mess." Then he sat passively as Haley read a "statement of charges" alleging a variety of misdeeds committed by me. After Haley's twenty-minute recital, the newsmen attacked him and Rockefeller for the ludicrous reasons given for firing me.

For the next one and a half hours, the administration tried unsuccessfully to justify my firing. Rockefeller later observed that the news conference was "like being confronted by a group of prosecutors" and Bill Conley, his press secretary, told newsmen that he would stop future press conferences if they again became "shrill and emotional."

This press conference was but a forerunner of Governor Rockefeller's attempts to rewrite prison history. To justify my dismissal, he found it necessary to discredit my administration, blame me for all deficiencies thereafter, and claim credit for the remnants of reform which had popular acceptance.

The following "charges" are from Haley's notes to him-

self for his press conference, at which he discussed my actions and character and the reasons for dismissing me, and subsequent reports of this press conference in the newspapers. My replies had to come later—at a press conference a week after—since I was not invited to hear the charges.

"Insubordination"

a. *Charge:* Murton failed to provide the personnel division with a list of prison job descriptions.

Response: I prepared the material in August and Urban personally carried the descriptions to the personnel division and discussed it with them in September. By order of Governor Rockefeller, I was not allowed by the personnel division to see the descriptions for Cummins because they had been sent to Bishop nor was I allowed to even see the ones I had previously submitted for Tucker.

b. *Charge:* Murton wrote a letter to the governor in an effort to be sarcastic.

Response: When the board expressed reluctance to appoint me as commissioner of corrections as planned, I wrote the governor a personal and proper letter reminding him of his original commitment to prison reform and my appointment.[1]

c. *Charge:* Great policy changes such as hiring ex-inmates as guards, holding dances and applying for grants were made by Murton without prior approval of the board of corrections.

Response: The governor's office and/or John Haley were informed of all innovations in advance; all were done *prior* to creation of the board of corrections: there was

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1 "Dear Governor Rockefeller:

"This is to refresh your memory concerning a commitment made to me one year ago as one of the terms and conditions of my employment. I agreed to place my professional reputation and life on the line to bring about needed prison reforms. In return Tom Eisele, John Haley and yourself agreed to appoint me as Commissioner of Corrections at such time as the department would be created. Such appointment is essential to completion of basic reforms thus far initiated. I have fulfilled my portion of this agreement.

"I ask that you urge the Board of Corrections to fulfill your commitment to me by appointing me as Commissioner of Corrections, with the same vigor and dispatch focused upon the continuing employment of O.E. Bishop.

Sincerely yours,
Tom Murton"

nothing to be gained by discussion of reform measures with the hostile penitentiary board; and the new board was informed of all these practices and asked for approval at the first meeting which I was allowed to attend.

d. *Charge:* Murton unilaterally canceled the cucumber contract for 1968 with an anticipated loss of $100,000.

Response: Cucumbers are a critical crop; Bishop had to plant cucumbers twice the previous year because inmates sabotaged the vines; the projected inmate population for the summer of 1968 was four hundred less than the previous year, which would result in a reduced labor force; a study established that a less critical crop, sweet potatoes, could be machine harvested—requiring less manpower and producing an income which would *exceed* that anticipated for the usual cucumber crop. Furthermore, I informed John Haley in advance that I planned to cancel the cucumber contract for the stated reasons and he agreed. Subsequently, he admitted in a secret board meeting that he was reversing his position because of the strong lobby by Atkins Pickle Company.[1]

e. *Charge:* Murton refused the board's order to retain Bishop on the payroll for two months beyond January 1.

Response: The old penitentiary board requested that Bishop be retained for *one* month to help him while he was looking for a job; I appointed him for one month; the new board of corrections suggested his salary be extended one month to honor a "deal" made by Bob Scott; Bishop was appointed by me for the additional month as requested.

"Fiscal Irresponsibility"

a. *Charge:* Murton intentionally circumvented the state purchasing law.

Response: Eventually it became necessary for me to devise a method to overcome slow-playing by the purchasing department in order to run the prison; that Sidney Kegeles was eventually fired as director substantiated my claims. However, the basic problems with purchasing were never resolved and in the interim I had to make a choice between allowing an agency to stop penal reform and developing a

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1 "Well, rest assured it [the planting of cucumbers] is a political decision. There's no question about it." — Statement of John Haley in board meeting at Cummins Prison Farm on March 2, 1968.

method of overcoming the interference. I chose the latter.

b. Charge: Murton did not exercise budget supervision until ordered to do so by the board and then instructed the dietitians to order "anything short of caviar."

Response: O.E. Bishop was the penitentiary fiscal officer for six months of the fiscal year prior to my appointment; funds were expended during my brief sixty-seven-day tenure as penitentiary superintendent primarily to meet obligations he had made; I never issued orders to buy anything short or long of caviar.

c. Charge: Murton has no conception of how to run an institution on limited funds.

Response: I ran Tucker for ten months in spite of O.E. Bishop, Eugene P. Nunn, Sidney Kegeles, and the governor's aides. I did so well at Tucker on limited funds that I was given Cummins to run as well!

"Intention to Leave"

a. *Charge:* Murton corresponded with Alaska concerning job opportunities.

Response: As it became apparent that I was no longer being backed by Rockefeller, it was obviously only a matter of time until my employment in Arkansas would be terminated.[1]

"Penal Reform"

a. *Charge:* Murton played no part in the preparation of the 1967 prison budget.

Response: Bishop was the fiscal officer for the penitentiary at the time; Governor Rockefeller had stated that I was not a consultant to his office on prison affairs; and Haley refused to allow me to appear before the legislative committees, choosing instead to do so himself.

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[1] "Governor Rockefeller disclosed Wednesday that he had discouraged the appointment of Thomas O. Murton to a position in Alaska before Murton was fired as superintendent of the state penitentiary. He said he had learned that Murton had applied for a job in Alaska before Murton submitted a letter of resignation to John H. Haley, chairman of the State Penitentiary Board, in January. Mr. Rockefeller said he had talked with the governor of Alaska about Murton. He said he felt that Murton was an 'extraordinary penologist' but because of other shortcomings 'I could not in good conscience recommend him.'" — *Arkansas Gazette*, Little Rock, Arkansas, March 14, 1968, p. 1.

b. *Charge:* Murton played no part in preparation of the prison industries act.

Response: Haley never let me see the bill; he did not discuss it with me; and did not allow me to testify in support of it before the legislature.

c. *Charge:* Except for a few comments, Murton played no part in drafting or planning the department of corrections bill.

Response: I submitted a 108-page proposal for creation of a department of corrections to Governor Rockefeller in August of 1967. The proposal was drafted in John Haley's cabin, made available to me for this specific purpose; Haley and I discussed the model corrections code on several occasions and I made suggestions, most of which were incorporated in the final report; I wrote the "good time" provisions of the bill; but Haley ultimately chose to have Vic Urban revise the final draft in February of 1968.

d. *Charge:* Murton failed to make suggestions on the Juvenile Training School Act as requested by Haley.

Response: I provided Haley with my verbal evaluation, which he said would be sufficient; I included written recommendations for care of juveniles in my master proposal; yet, Haley ignored my suggestions because Austin MacCormick contended it was "immoral" to care for adults and juveniles within the same department and the governor's office wished to make concessions to the legislators to ensure passage of the major bills.

"Reasons for Resigning"

a. *Charge:* Murton refused to honor the board's agreement to retain Bishop on the payroll for two months.

Response: (Duplication; see earlier comment "e" under "Insubordination.") The prison vouchers show that Bishop received a full paycheck for the months of January and February of 1968.

b. *Charge:* Murton says MacCormick has archaic ideas and it is not in the best interests of the system that he be a consultant to the legislature and the commission.

Response: This is true.

c. *Charge:* Murton accused Kegelcs of state purchasing of slow-playing him.

Response: Governor Rockefeller eventually fired Kegeles for slow-playing me.

"Inability to Cope with Other Individuals"

a. *Charge:* Murton never held a staff meeting at Cummins.

Response: In combat situations, formal staff meetings are customarily dispensed with while attention is focused on the exigencies of the moment. Nevertheless, I met regularly with my personal inmate and freeworld staff, and had daily meetings with individual staff members; I held a staff meeting with all the field wardens but I did avoid congregating the hostile wardens who were dedicated to effecting my removal.

b. *Charge:* Murton seems to bend over backward to inspire irritation in others.

Response: True reform is an intolerable irritant to the Establishment.

c. *Charge:* Murton claimed the board could not fire him because he and prison reform are one and the same in Arkansas.

Response: I said that the board could fire me but if they did so they could not maintain a commitment to true penal reform.

"Grave Digging"

a. *Charge:* Murton stated that people generally will never be convinced that the graves constitute a "potters' field" and that this will be a great impetus to reform.

Response: True.

"Abrasive Personality"

a. *Charge:* Murton uses descriptive adjectives such as "you can't get there from here."

Response: True. And you can't!

In the discussion that followed the formal charges, Haley listed additional deficiencies for the newsmen who rejected those given as the real reasons for my firing.

Charge: Murton bought Log Cabin Syrup, individual

packages of Krispie Krunchies, shelled pecans, shelled walnuts, and asparagus tips.

Response: Log Cabin Syrup was bought to thicken existing watery syrup; individual packages of breakfast cereal were acquired because they proved more economical due to better portion control; I never ordered shelled pecans or walnuts. No asparagus tips or asparagus were ever ordered or served in the prison to freeworld staff or inmates during my tenure, although 137 cases were bought for other state institutions by the state purchasing department.

Charge: Murton barred the state police officers from Cummins prison farm.

Response: I restricted access of peace officers in general to the prison unless they had some legitimate business on the farm; I prohibited officers from getting haircuts, shoe shines, meat, meals and other "fringe benefits" from the prison. I never denied access to the prison of any officer having business to transact nor did I at any time bar the state police. Captain Gene Donham unilaterally ordered his officers to stay away from the prison during the transition period in order to prevent their precipitating any incident.

Charge: Murton barred the school bus driver from coming on the prison grounds to pick up the school children.

Response: The bus driver, a school teacher in Gould, was disgruntled because I had refused to sell pecans to his wife, who had been buying them from the prison for years at 10 per cent of their value. Our children were abused on the bus and some were assaulted on the school grounds; he attacked me in a public forum without reason and circulated petitions to obtain my removal. He constantly sought to foment disorder in the community and on the prison grounds, so I barred him from the farm.

most knowledgable correction administrators think: 'So what else is new?'"

In Conclusion

There is no question in my mind that Governor Rockefeller was committed to prison reform during his campaign of 1966 and even after his inauguration in 1967. Initially, he seemed dedicated to clearing up the "prison mess," but the fact is that power structures can tolerate only a limited amount of integrity. There comes a time in a reform movement when the new administration discovers that its goals and objectives are radically threatened by the very reforms that have been initiated to correct the deficiencies of the former system.

Purism has no place in politics. The candidate's first thesis is that everything, including integrity, must be subordinate to his election. He claims that some reform is better than none—which would be the result if he were not elected—thus justifying the compromise of basic reform measures. The reasoning is fallacious: the compromise of *any* principle could lead ultimately to the forfeiture of all principles.

Rockefeller lacked the courage to be great. And, as a result, the prison system reverted, in essence, to the low established during the Faubus era. Arkansas could have had the most advanced correctional system in the United States. For a fleeting moment, the inmates knew the dignity of man. The memory of this experience is an important part of my legacy.

The model of reform viewed from the perspective of time can be represented as a spiral. At the low point there is a scandal which sparks a demand for drastic reform measures. The reforms are implemented. The curve of progress arcs upward toward the apex of achievement.

But the prison does not remain static. The reformer must race the clock to complete the maximum number of innovations before the apex is reached because reform consists of two facets: achievements within the dimension of time.

Just short of consolidating the gains, the reformer is removed. The process is reversed and the arc curves downward until it approaches the point of origin.

The Spiral of Reform

The lineal difference between the beginning point of the spiral and the new low indicates the net gain (or loss) that has been accomplished. The reformer must be willing to scale a mountain of obstacles and fall short of the pinnacle of "success" to attain the foothills of reform.

As the hiker climbs the mountain "because it is there," the reformer must seek the impossible "because it needs to be done."

Tom Murton, a professional penologist, was Assistant Professor of Criminology at Southern Illinois University, prior to taking on the task of reforming the Arkansas Prison System. Before that he had served in Alaska as Superintendent of an Army stockade and five other institutions. When Alaska was granted statehood, he became acting Chief of Corrections, in which post he was responsible for developing the institutional programs of the new system.

Joe Hyams got his education from Harvard and New York University, and from being the West Coast Bureau Chief for the New York *Herald Tribune* from 1952 to 1964. In his post as Bureau Chief he covered every major news story in the West Coast area. He left the newspaper to become a full-time freelance writer; *A Field of Buttercups*, the biography of Polish educator Janusz Korczak, who died with two hundred orphans in Treblinka, is his most recent book prior to working with Tom Murton on *Accomplices to the Crime*.

DESIGN: KUHLMAN ASSOCIATES
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