
APPENDIX TO SENATE JOURNAL

Preliminary Reports of Governor's Committee on Penal Affairs

Folsom Prison

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San Quentin Escapes

on December 26, 1943



Submitted to
Honorable Earl Warren
Governor of California

December 14, 1943 and December 31, 1943

Committee Members

Julian H. Alco, Chairman
Charles H. Deuel
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Pierce H. Fazel
J. H. McClelland
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TABLE OF CONTENTS

	PAGE
Letter of transmittal to the Governor.....	5
I—Introduction	6
A—Scope of the Investigation.....	6
B—Governing Authority of Folsom Prison.....	6
C—Previous Reports and Investigations.....	6
II—Folsom Prison	7
A—Administration	7
B—Guard Line	10
C—Discipline	11
D—Employment	12
E—Racial Discrimination	12
III—Harvest Camps	12
A—Straloch Farms, Davis, California.....	12
B—Bear Valley Camp at Wheatland.....	13
IV—Conclusions	13

EXHIBITS

A. Audit Report on Larkin Hall.....	14
B. Baseball Betting Pool Sheet.....	21
C. Alco Report	22
D. Preliminary Report, San Quentin Escapes.....	36

GOVERNOR'S COMMITTEE ON PENAL AFFAIRS

SACRAMENTO, CALIFORNIA, December 13, 1943

*Honorable Earl Warren
Governor of California
State Capitol
Sacramento, California*

DEAR GOVERNOR WARREN: The committee which you appointed on November 29, 1943, to investigate and survey the penal system of the State of California, has covered the initial phase of its investigation as related to the operation of the California State Prison at Folsom. The investigation also included the operation of harvest camps operating under the jurisdiction of the Prison Authorities.

Your committee held hearings at Folsom Prison and at the State Capitol, Sacramento, on the following dates: Monday, November 29th; Tuesday, November 30th; Wednesday, December 1st; Saturday, December 4th; Sunday, December 5th; Monday, December 6th; Tuesday, December 7th; Wednesday, December 8th; Sunday, December 12th; and Monday, December 13th. At these hearings the committee heard testimony of 103 witnesses, including citizens and peace officers from the vicinity where harvest camps were located, and inmates, officers and employees of Folsom Penitentiary.

Also, there were two joint meetings held with the Board of Prison Directors, and one meeting held with Warden Clyde I. Plummer.

The accounting records have been examined and reports filed with the committee.

Your committee, during the course of its investigation, has inspected the physical properties of the prison and the prison ranch.

In accordance with your request, we are submitting to you at this time a preliminary report on Folsom Prison and its harvest camps only.

Respectfully submitted.

JULIAN H. ALCO, Chairman
(Member of the Board of Prison
Directors)

SENATOR CHARLES H. DEUEL,
Member

WALTER A. GORDON, Member
(Member of the Board of Prison
Terms and Paroles)

PIERCE H. FAZEL, Member
(Department of Finance)

J. H. McCLELLAND, Member
(Chief Special Agent for the
Attorney General)

BURDETTE J. DANIELS, Member
(Legislative Secretary to the
Governor)

I. INTRODUCTION

A. *Scope of the Investigation*

Governor Earl Warren's attention was called to certain practices that grew out of the employment of prisoners from Folsom Prison at the harvestry camps. Governor Warren obtained the assistance of Robert W. Kenny, Attorney General, to investigate the conduct of prison personnel and prisoners at the Straloch Ranch at Davis. The Attorney General's findings motivated Governor Warren on November 29, 1943, to call a group to consult and form a committee to survey and investigate the penal affairs of the State of California. The following committee was appointed:

Mr. Julian H. Alco	-----
-----	Chairman-Member of California State Board of Prison Directors
Senator Charles H. Deuel	-----
-----	California State Legislature
Mr. Burdette J. Daniels	-----
-----	Legislative Secretary to the Governor
Mr. Pierce H. Fazel	-----
-----	Department of Finance
Mr. Walter Gordon	-----
-----	Member of Board of Prison Terms and Paroles
Mr. Joseph H. McClelland	-----
-----	Chief Special Agent of the Attorney General's Office

The Governor desired an honest and unbiased appraisal of all of the penal institutions and affairs. The report was to contain factual data based not on hearsay, testimony, or rumor, but upon actual personal investigation. The urgency of the conditions at Folsom Prison required an immediate survey be made and this Preliminary Report is herewith handed to the Governor covering factual data, interviews held in the presence of the entire committee, inspection of departments, buildings and facilities under the jurisdiction of Folsom Prison authorities.

The classification of prisoners in California are divided into three groups for incarceration. A minimum offender is sent to the California Institution for Men at Chino; the medium offender is classified to the State Penitentiary at San Quentin; the maximum offender, or recidivist, is classified to the State Penitentiary at Folsom, which is likened to the Alcatraz in the federal penal system.

B. *Governing Authority of Folsom Prison*

The administration of the prison is under the jurisdiction of the State Board of Prison Directors appointed by the Governor, with the advice and consent of the Senate, for a term not to exceed ten years and without compensation. The duty and responsibility is the administration of the prisons, which include the hiring of the Wardens and the Clerks to the State Board of Prison Directors, conduct, health, employment of inmates, also their physical, spiritual and moral activities; the granting of credits for meritorious service;* the supervision of road, forestry and harvestry camps, and the supervision of the Detective License Bureau. All subordinate officers and employees of the prisons are appointed by the Wardens and removed at his pleasure. The Board of Prison Terms and Paroles, appointed by the Governor for a term not to exceed four years and receiving a compensation, fixes the time to be served under the indeterminate sentence law and grants paroles. The jurisdiction of the Folsom Prison also includes harvestry, forestry and road camps where Folsom prisoners were employed.

C. *Previous Reports and Investigations*

Previous surveys of the prisons have been made and many improvements have resulted therefrom. Much valuable material contained in these reports is available to this Committee. They are as follows:

(1) *Governor's Committee for Investigation of State Penal Institutions* (Governor Olson), dated March 19, 1941.

(2) *Survey of Food Purchase, Preparation and Serving at Folsom Prison*, by N. C. Leone, Inspector, Bureau of Food and Drug Inspection, Department of Public Health, dated September 30, 1941.

(3) *Handbook of American Prisons and Reformatories*, published by The Osborne Association, Inc., combining the *National Society of Penal Information*,

* Also the statutory credits

Inc., and *The Welfare League Association, Inc.*, New York City, New York, dated 1942.

(4) *Report of Senate Interim Committee on Penal and Correctional Institutions*, by Senator C. H. Deuel, Chairman, dated March 17, 1943.

(5) *Julian H. Alco's Report*, Member of the Board of Prison Directors, dated July 1, 1943.

(6) *Report of Examination of the Books and Records of Accounts of the California State Prison at Folsom*, dated August 30, 1943.

II. FOLSOM PRISON

Folsom Prison, situated in Sacramento County approximately 25 miles Northeast of Sacramento, is a maximum security penitentiary consisting of 1900 acres, some of which is devoted to farming. The prison represents a capital investment of \$2,908,-739.00 as of June 30, 1943. Within the prison walls are located three maximum security buildings containing cell blocks, an administration building, hospital, tailor and shoe shop, chapel, trades building, laundry, barber shops, dental office, educational department, library, printing department, commissary, and other structures that go to make up the prison institution. While there is considerable new construction, there are several portions of the prison that are somewhat of an antiquated nature.

At the present time there are 165 guard positions authorized. These guards have the responsibility of policing and maintaining order within the prison walls and the ranch adjacent to the prison proper. There are 50 free personnel not included in the Guard line consisting of heads of the different departments operating within the prison, such as the commissary, the tailor and shoe shop, the hospital, and including a Clerk, representing the Board of Prison Directors and three chaplains representing the Catholic, Protestant and Jewish faiths.

At the present time the inmate population of Folsom Prison is approximately 1675, as compared with an inmate population in 1940 of 2963, at which time there were 158 guards employed.

A. Administration

1. Organization and Management

Folsom Prison is under the supervision and responsibility of the Board of Prison Directors, as is set forth in Section 2 of Article X of the Constitution of the State of California. This is also true of San Quentin Prison and the Chino Institution for Men located in San Bernardino County. The policies under which the prisons operate emanate from this board. The Board of Prison Directors appoints the wardens of these respective institutions for a period of four years, subject to be removed by the board for misconduct or malfeasance in office. The warden of Folsom Prison is responsible for the operation of that institution and is accountable only to the Board of Prison Directors. He is charged with the performance of duties as prescribed in Sections 1578 and 1587 of the Penal Code, and to perform such other duties as may be prescribed by the Board of Prison Directors.

Warden Clyde I. Plummer was reappointed by the board on November 11, 1942, and submitted his resignation to the board on December 10, 1943, as warden of Folsom Prison. The warden appoints all guard personnel, which consists of a captain, a lieutenant and sergeant for each of the watches, and other free personnel that are used in the various functional operations of the prison.

The committee, as a result of its investigation, has found the lack of proper instruction and supervision over the free personnel causing friction and lack of cooperation among the employees, as follows:

(a) The lines of administrative authority are not adequately or clearly defined. As a result of this the warden upon assignment of an employee to a specific duty gives instructions to such employee without first consulting with the employee's immediate superior or with a subordinate officer.

(b) Employees are assigned to posts of duty without receiving written instructions defining the administrative policy to be followed in connection with the duties to be performed.

(c) Apparent conflict of administrative authority exists between the warden and the captain of the guard. This has materially deterred the proper operation of the prison by creating divided loyalty. This is exemplified by the facts submitted to the committee whereby the captain of the guard, having made a decision, would be

reversed or countermanded by the warden without consultation with the captain of the guard.

(d) Evidence has been adduced concerning manipulations of meritorious time credit awards to inmates. The warden has the power of recommending an inmate for such credits to the Board of Prison Directors. The board may, upon such recommendation, award time credits to deserving inmates for special work of a meritorious character. The evidence shows that the inmate secretary to the warden occupied a position in which he could influence the obtaining of such credits for inmates.

(e) Certain guards who appeared before the committee stated that there was lack of understanding as to their respective duties in connection with the administrative operation of the prison. This lack of understanding is due to neglect on the part of the administrative heads to hold conferences so that there might be an exchange of ideas to the mutual problems which confronted them. This aloofness or lack of cooperation has brought about a serious personnel problem existing among the employees of the prison.

(f) The captain of the guard states that due to the creation of many additional assignments by the administrative head of the prison, there has been a dissipation of the employee manpower to such an extent that at the present time 165 guards are required to take care of an inmate population approximating 1,675, as compared with 158 guards caring for an inmate population of 2,850 in 1938 and 1939. Presently there is one guard for approximately each 10 inmates, whereas in 1938 and 1939 there was one guard for each 18 inmates.

(g) Reports filed with the committee show that contracts have been entered into by executive officers without furnishing the accounting office with required information or obtaining the approval of the Director of Finance as required by law.

(h) The committee finds that a gas station located on the prison property was built by inmate labor, using prison materials, for the use of the members of the Officers and Guards Association. The committee was unable to locate any contract covering this construction and no record of any charge is made for the rental or for the water and electricity supplied to the gas station by the prison. Also, convict labor is being used at the present time in the operation of this filling station.

2. Fiscal Operations

(a) The capital investment of Folsom penitentiary is segregated as follows:

Land	\$61,401 50
Improvements	2,377,323 05
Equipment	471,014 93

(b) The records disclose that the net operating expenses for the last fiscal year amounted to the sum of \$1,191,187.00.

(c) The per capita cost computed on the basis of all of the expenses for the operation of Folsom penitentiary, including overhead of general State departments, was \$1.70 per day for the last fiscal year.

(d) Reports filed with the committee disclose that the account books and records are in a satisfactory condition.

(e) Supplies have been purchased by department heads and officials before obtaining authorized purchase orders.

(f) Employees Maintenance Receivable account from December 1, 1939, to November 30, 1943, included \$4,992.70, covering meals served to guests without charge, which is contrary to regulations. The report filed with the committee states that this amount of money is now due the State.

(g) A comparison of inventory and accounting records discloses many differences. The accounting office has not maintained store records for supplies held at the cannery for the San Quentin Prison canning account. A shortage of approximately 45 tons of coal used for heating purposes valued at \$495.00 was disclosed. Accounting control has not been maintained over purchases of clothing which is issued to inmates when released on parole or discharged. There is an apparent shortage of 446 shirts. Also approximately 4000 No. 10 cans of carrots were spoiled during the 1943 summer operations of the cannery. The reason for this spoilage has not as yet been ascertained by the committee.

(h) The prison quarry located in what is commonly known as "the lower yard" has operated at a loss since the 1941-1942 fiscal year. The loss for this fiscal year was \$3,866 01, and for the first 10 months of the 1942-1943 fiscal year the loss was \$4,636.33.

(i) The reports filed with the committee disclose that during the 1941-1942 fiscal year certain Folsom Prison ranch activities were operated at a loss as follows :

Field crops -----	\$2,772 48
Hog ranch -----	1,675 33
Poultry ranch -----	1,785 30

(j) Records disclose that the canteen operations are unsatisfactory in that control records are incomplete and not properly maintained.

(k) An examination of the records maintained by the warden of receipts and disbursements of moneys received from the use of Larkin Hall for entertainment purposes by outside organizations revealed that \$4,198.05 was received during the period from March 29, 1941, to December 6, 1943. Of this amount \$152.00 was deposited with the accounting office on November 2, 1943, for transmission to the State Treasury. The expenses totaling \$1,837.36 were incurred for dinners and entertainment. In addition, disbursements totaling \$1,894.85 were made from these funds for various unauthorized expenditures, the majority of which were not supported by vouchers. As no funds were on hand as of December 6, 1943, the disposition of the balance of the receipts is not accounted for in the records. The disbursements made from the moneys received for the use of Larkin Hall do not constitute proper disbursements and can not be accepted as a discharge of accountability. Hence the sum of \$4,046.05, representing receipts for the use of Larkin Hall, is due the State Treasury.

The establishment of this fund and the use of Larkin Hall as above indicated appears to be contrary to an Attorney General's opinion dated August 19, 1942, No. NS4361, and is in violation of Section 2709 of the Penal Code.

Attached to this Preliminary Report and marked Exhibit "A" is a letter of transmittal dated December 8, 1943, to the committee from the Department of Finance, including a copy of the Attorney General's opinion above referred to, and a statement of cash receipts and disbursements for the use of Larkin Hall from March 29, 1941, to December 6, 1943.

3. Classification Board.

The first classification board was appointed by the Board of Prison Directors on or about April 21, 1942. The purpose of this board was to classify the entire inmate body as to custodial security. The personnel of the board at the present time consists of

Clerk of the Board of Prison Directors
Captain of the Guard
Head of the Educational Department
Head of the Medical Department
Record Clerk

The inmates were classified by this board in the following categories :

MAXIMUM	Constant personal supervision within the lower yard.
CLOSE	Can be assigned to any work within the walls, but can not be assigned to work or taken without the walls under any condition.
MEDIUM "A"	May work outside the walls under the observation of and entirely surrounded by armed guards. Example: Ranch Rock Gang.
MEDIUM "B"	May be assigned to work outside of prison walls under constant observation of one armed guard. Example: Ranch Rock Gang
MEDIUM "C"	Under guard line, but not necessarily under constant observation of guard. Example: Valley house gardeners and Valley employees generally.
MINIMUM RESTRICTED	Can be assigned to any task within or without the walls with exception of Valley.
MINIMUM	Can be assigned to any task within or without the walls requiring no supervision whatever at any time.

Members of the classification board appeared before the committee and admitted that the method of classifying prisoners was inadequate and impracticable for the following reasons:

(a) Prior to July 1, 1943, prisoners were not personally interviewed. After July 1, 1943, the board was instructed to conduct interviews, but this practice was later discontinued.

(b) One member admitted he did not have sufficient experience to appraise the prisoners for the purpose of classification.

(c) Lack of attendance at classification board meetings by certain members.

(d) The warden overruled the decisions as to classifications made by the board in a number of instances.

It is readily observed by the committee that the functions of the classification board are of great importance and are almost equivalent to the work performed by the Board of Prison Terms and Paroles. A direct result of the failure of this board to properly classify prisoners and to have its classifications recognized and upheld is exemplified by the trouble and the deplorable conditions existing in some of the prison camps. For an example, at the Straloch Farms Camp at Davis several prisoners were released for work at that camp whose term of sentence had not been fixed by the Board of Prison Terms and Paroles, and others whose minimum terms had not been served, which is the most flagrant form of classification. This situation also existed at the Bear River Camp, Wheatland, California, and the Stockton Camp. Also, the record reveals that some of the prisoners had life sentences to serve and many had at least five years of their sentence remaining. Many of these prisoners released for this type of outside work were serving sentences for aggravated crimes, and practically all of these prisoners were recidivists.

We are submitting this criticism of the way the classification board functions in a constructive light and in no way do we infer that these prisoners as described are beyond rehabilitation. However, we feel that it is unfair to the prisoners themselves to be placed in the position of temptation without proper supervision. The scandalous conditions that existed in connection with the operation of at least one of the prison camps clearly shows that the general public was not properly safeguarded or protected.

Furthermore, your committee is of the opinion that:

No prisoner should be sent to any camp unless he personally expresses a willingness to serve there;

No prisoner should be sent to a camp who has previously escaped from a camp;

No prisoner should be released to a camp who has been returned for previous violations of rules and regulations;

No prisoner should be sent to a camp who has a deportation warrant or a "hold" against him; and

No prisoner should be released to a camp whose sentence has not yet been fixed by the Board of Prison Terms and Paroles.

The committee is of the belief that classification of prisoners for work in outside camps should be considered in the light that such camp experience is to prepare him for his return to society, and hence his release for this work must be in anticipation of his discharge or his release upon parole.

B. Guard-Line

It is apparent to the committee, from the statements made by numerous guards, that one of the principal causes of inefficiency and indifference among the guard-line was the disrespect of the guards by the prisoners and disobedience of their orders. Frequently prisoners would curse-out guards, and disobey their instructions. As one guard stated to the committee, "Prisoners on many occasions had told him to go to hell in defiance of his orders".

Lack of regulations is evident everywhere within the prison, as well as in the harvest camps. Guards are assigned to positions of importance and are then left to use their own initiative as to the manner in which the duties were to be performed.

It was related by the Captain of the Guards and others that on numerous occasions the warden would countermand his instructions without consulting him, relative to the duties necessary to properly guard the prison, and encourage the guards to disregard such orders. This caused friction and discontent among the guards and other personnel of the organization.

Much testimony was received by the committee concerning the activities of "con-Bosses", wherein these so-called bosses were permitted to do many things which gave

them too much control of certain activities within the prison. One of the prisoners afforded these privileges stole a piece of fire equipment—overturned it—resulting in approximately \$200.00 damage. Furthermore, many prisoners holding “key” positions permitted trafficking in food, clothing, shoes and general commissary goods. These services were always accompanied by some kind of “pay-off”. The granting of unusual privileges to prisoners contributed greatly to the low morale of the guard-line.

C. Discipline

Discipline is vital to the reformation of prisoners, whereas a lack of it in the prison is a detriment to any rehabilitation program.

1. As previously mentioned, the prison practice permits the warden to recommend to the State Board of Prison Directors on his monthly report that certain prisoners be allowed extra credits for meritorious service. These credits are in addition to the credits a prisoner receives as prescribed by law and earned for good conduct. In this connection guards should be thoroughly instructed in their duties and responsibilities, and they should have a full realization of the importance of strict discipline among prisoners. An in-service training program of necessity should exist, the committee however finds that there is no training program for guards at Folsom.

The committee finds that due to activities and privileges afforded certain prisoners, extra meritorious credits were in some instances obtained for a given consideration. Such a practice tends to break down the morale of the prisoners and hampers the parole system.

2. The State Board of Prison Directors placed a \$10.00 limit on the prisoners for purchases at the canteen. Withdrawals by prisoners from trust accounts have frequently exceeded this amount, creating dissatisfaction among the other prisoners.

3. Gambling in many forms is participated in by some of the prisoners, which has resulted in non-payment of gambling debts, highjacking of commissary supplies, and fighting.

4. Under the present classification program, prisoners who practice sex perversion are sent to Folsom Prison and it is conceded that more of this type exists at Folsom than any of the other prisons in California. Therefore, extra diligence and alertness should have been exercised by the warden and the guards in handling this problem. Several locations in the prison existed where illicit practices were indulged, and while the Prison Board recommended prisoners in single cells, this order was not carried out in its entirety. The warden's attitude in the handling of this serious situation is reflected on the guard-line and there was testimony from many guards that when a guard detected two inmates in this illicit practice, the guard's testimony should be accompanied by proof on a handkerchief or piece of paper before the prisoner would be found guilty. Some guards felt that they would rather overlook the offense then subject themselves to the carrying out of the warden's instructions.

Sex perversion has been the cause of many fights and stabbings within the prison. The committee is of the opinion that all means should be exercised by prison officials to control this evil. Also, every precaution against irregular manipulation of cell changes for immoral practices should be exercised.

5. Several prison officials, guards and prisoners testified against the power and influence exerted by certain prisoners. The warden's practice of depending on inmate secretaries is evidenced by the fact that the following prisoners were employed by him on different occasions successively:

Burroughs M. McGraw, 22230
Charles B. Jones, 19944
Frank Howard, 20213
Burroughs M. McGraw, 22230
Oliver J. Peterson, 22848
Frank Howard, 23602
John F. Kurtin, 22784
Benjamin F. Crandall, 24369

6. As heretofore commented upon, the schism in the guard-line made it difficult to maintain proper discipline. This situation developed by virtue of a breach between the warden and the Captain of the Guard. Many guards complained that in some of the best positions, such as the double pay at the camps, favoritism was shown.

D. Employment

Folsom Prison is not an industrial prison and has always been looked upon as a policing problem. The idleness in the past has been costly to the morale of the prisoners. The average employment was considerably less than four hours per day. A comprehensive work program should be established taking into consideration the physical condition and character of the prisoner. The absence of a definite, initial work program for every prisoner who comes to Folsom is a serious handicap to the prisoner's future development. It is the opinion of the committee that a work and a vocational program should be established immediately.

1. The working conditions at the tailor and shoe shops located in the basement of the old administration building is a symbol of the old sweatshop conditions. The ventilation and light are very poor, and supervision by the officers of the prisoners and the materials is most inadequate. Guards admitted their inability to properly supervise contraband materials being removed from the shop.

2. The practice of permitting prisoners who work in the laundry to make extra money for hand work should be stopped.

3. The print shop should be carefully watched to prevent printing of betting forms. Attached to this report as Exhibit "B" is a copy of a betting sheet which was printed and formerly used within the prison.

E. Racial Discrimination

The moral and spiritual development of the prisoner must be encouraged to prepare him for citizenship. Hatred, resentment and intolerance are contributing factors to crime and the prison authorities must be wise in the example they set and the policies they establish in this regard. Great bitterness and problems of violence have developed out of this situation in civilian communities and it is wise for prison management to heed the warning and develop policies that lead towards the curing of any form of racial discrimination. This committee advises careful study, planning and analysis of the subject and that definite steps should be taken with wisdom and judgment in the handling of this problem.

The committee finds that there exists at Folsom Prison a segregation of negroes as to their celling and mess hall seating. Segregation inevitably leads to discrimination.

The fact that racial discrimination has existed since the inception of Folsom Prison is no excuse for the continuance of this practice, and the opportunity of curing this situation in the prison is bound to be a forward step in the prisoner's character development. The close confinement of the prisoner in the penitentiary limits his outlook and he is in a more formative stage to develop stronger prejudices, hatreds and wrong ideas. It is the most opportune time for the State to break down the bad habits of intolerance and hatred, which otherwise would forecast the prisoner's failure when he is released.

The committee, therefore, recommends that the State Board of Prison Directors take steps for an immediate survey of this situation for the purpose of healing racial discrimination and demonstrating a forward, progressive program.

III. HARVEST CAMPS

The 1941 session of the Legislature enacted a statute providing for the temporary removal of prisoners to harvest crops and fight fires. The system has operated and a large number of prisoners have profited both financially and from a rehabilitation standpoint in their participation in the program. Likewise, many ranchers have been aided materially and the war effort has been enhanced by the application of manpower to many divergent enterprises.

The Board of Prison Directors established adequate rules and regulations covering the operations of harvest camps, which in certain instances were disregarded.

The following conditions existed:

A. Straloch Farms, Davis, California

1. No definite instructions were given the supervising guards in charge, by the warden

2. Definite camp limits were not properly posted.

3. Some prisoners frequently roamed in the vicinity of the camp, imposing upon neighbors in the community, frequenting beer parlors and restaurants, and trading and selling prisoners' commissary supplies.

4. Drinking and gambling in the camp was reported.

5. In violation of the rules and regulations, prisoners associated with women, both inside and outside the camp.

6. Several prisoners left the camp, without guard. In particular one prisoner stayed away from the camp for as long as 16 hours on three different occasions, visiting San Francisco. Another prisoner testified that during a period of 2½ months he absented himself from camp about 45 times.

7. Some prisoners received and sent uncensored mail at a neighboring ranch, contrary to rules.

8. Some prisoners used a telephone at a neighboring ranch. Another prisoner used any one of the three phones at the camp, for personal calls, contrary to the rules.

9. The guards at the camp were inefficient and incompetent.

From the evidence supporting the above mentioned infractions, it is evident that the camp was grossly mismanaged.

B. Bear River Camp at Wheatland.

This camp was better operated than the Straloch Camp

1. The practice of prisoners driving trucks on public highways to and from work on adjacent farms was contrary to rules.

2. There were instances of prisoners leaving the camp and purchasing beer at a nearby tavern, but upon discovery by the guard they were immediately returned to Folsom Prison.

In view of attitudes and testimony expressed by law enforcement officers of different communities regarding the establishment of camps, the following suggestions are offered:

1. Names of prisoners, with description and pictures, and type of work, should be furnished local law enforcement agencies.

2. When any permanent change of camp location is made, the officials in the new locality should be immediately notified.

3. No prisoners should be assigned to a harvest camp in the county where his crime was committed.

4. That the Board of Prison Directors devise a plan by which the rate of pay to all prisoners in camps might be equalized. The inequality of pay between the harvestry camps and the forestry camps varying from \$15.00 per month to \$400.00 per month, is unwise.

5. The committee is of the opinion that it would be better practice to have two guards at the camp than one guard with dual pay. The guards are being paid \$205.00 per month by the State, and \$250—and keep per month by the ranch owners, making a total of \$455.00 and keep per month. The presence of the two guards would be helpful in the event of an escape or in the event one of the guards had to absent himself from the camp for any good reason.

Before concluding this report, the committee feels that it would be derelict in its duty if certain investigation reports were not called to your attention. We recommend your consideration of the following reports covering investigations of the California penal system. They are:

1. JULIAN H. ALCO report on Folsom Prison submitted to the Board of Prison Directors on July 1, 1943, which is attached to this report and marked Exhibit "C."
2. THE SENATE INTERIM COMMITTEE report on penal and correctional institutions, Senator Charles H. Deuel, Chairman, dated March 16, 1943, is attached to this report as Exhibit "D."
3. Excerpts from the HANDBOOK OF AMERICAN PRISONS AND REFORMATORIES published by the Osborne Association, Inc., which excerpts deal principally in the need of centralizing existing correctional activities in California, and is attached to this report as Exhibit "E."

CONCLUSIONS.

The committee in submitting this Preliminary Report on Folsom Prison operation to you, is of the opinion that the conditions hereinabove set forth as existing at Folsom demand immediate correction. Many of the problems found are peculiar to Folsom and can be remedied by the authorities upon whom rest the responsibility for the proper conduct of our prisons, namely, The Board of Prison Directors, State Department of

Finance, and the Attorney General. There are other conditions manifest at Folsom that involve fundamental changes in our entire penal system, and the committee is reserving its judgment and final recommendation until a more complete survey and investigation of the remaining prison bureaus or boards is made.

Respectfully submitted,

JULIAN H. ALCO, Chairman
(Member of the Board of Prison
Directors)

SENATOR CHARLES H. DEUEL
Member

WALTER A. GORDON, Member
(Member of the Board of Prison
Terms and Paroles)

PIERCE H. FAZEL, Member
(Dept. of Finance)

J. H. McCLELLAND, Member
(Chief Special Agent for the
Attorney General)

BURDETTE J. DANIELS, Member
(Legislative Secretary to the
Governor)

EXHIBIT "A"

December 8, 1943

Mr. Julian H. Alco

*Chairman, Governor's Committee on Penal Affairs
Sacramento, California*

DEAR SIR: Herewith is a report on the examination of records maintained by Warden C. I. Plummer of the receipts and disbursements of moneys received from the use of Larkin Hall by outside organizations during the period March 29, 1941, to December 6, 1943.

Larkin Hall was constructed by the State as a recreation hall for the employees of the prison at Folsom. Previous audit reports have indicated that the hall was used to give dinners and entertainment to outside organizations and that no record of the receipts and disbursements of moneys received from this source was reflected on the books of the prison. No authorization from the Department of Finance, as provided by Section 675, Political Code, was secured by the warden for the use of the hall by outside organizations. The food served at the dinners was prepared in the prison kitchen and served by inmates.

The Attorney General in opinion NS4361, dated August 19, 1942, held that the leasing of this hall to outside organizations must be approved by the Department of Finance and that any revenue received would inure to the benefit of the General Fund. The opinion also states that the serving of meals prepared in the prison mess and served by inmates was contrary to the provisions of Section 2709, Penal Code.

On June 10, 1943, during the course of an audit of the prison books, a copy of the above opinion was presented to Warden Plummer, and request made for any records which he had maintained of the receipts from the use of Larkin Hall in order to determine the amount due the General Fund. Warden Plummer stated that, while he had maintained records of the receipts and disbursements of the moneys received from this source, he would not permit an examination of these records unless ordered to do so by the Board of Prison Directors. He further stated that these activities were known to the Board of Prison Directors and had not been objected to by the board. This refusal to present records for audit was reported to Lawrence Rouble, Chief, Division of Audits, on June 14, 1943.

On December 6, 1942, Warden Plummer was contacted and informed us that the records maintained by him of the receipts and disbursements of moneys received from the use of Larkin Hall were in the safe in the warden's office. These records were subsequently obtained from Acting Warden James Adam.

The examination disclosed that the records were in memorandum form only; that disbursements were made by cash, and that the invoices and vouchers supporting

disbursements were incomplete. The data presented on the accompanying schedules are based on the records examined and are subject to the qualifications noted above concerning these records. No information relative to the Kiwanis' dinner on August 28, 1943, and the Sciots' dinner on October 31, 1943, was recorded in the memorandum book. Data on the receipts from these two dinners was obtained from Warden Plummer. Records of the expenditures for these dinners are incomplete.

Based on the records examined, total receipts from the use of Larkin Hall by outside organizations were \$4,198.05 during the period March 29, 1941, to December 6, 1943. Of this amount, \$152 was deposited on November 2, 1943, in the prison cash state account from the proceeds of the Sciots' dinner on October 30, 1943. The supplies for this dinner were furnished by the prison and the amount deposited represents 380 meals at 40 cents each, which is the price charged for meals in the officers' and guards' mess. As the amount received represented a recovery of cost of prison supplies, the payment was remitted to the State Treasurer as an abatement to the support appropriation.

The memoranda examined shows that expenses totaling \$1,837.36 were incurred for the dinners and entertainment at the events, which expenses were paid from the receipts. Invoices and vouchers supporting these disbursements are not complete. In addition, disbursements totaling \$1,894.85 were made from these funds for various expenses. A detail of these expenditures is presented in Account III. The majority of these disbursements are not supported by vouchers. As no funds were on hand on December 6, 1943, the disposition of the balance of the receipts in the amount of \$390.79 are not accounted for on the records. It was stated by Warden Plummer that this amount included in the receipts from the Kiwanis' and Sciots' dinners was disbursed for supplies and expenses incurred for these dinners.

The disbursements made from the moneys received for the use of Larkin Hall do not constitute proper disbursements and can not be accepted as discharge of accountability. Therefore, it is recommended that the amount of \$4,046.05, representing receipts from the use of Larkin Hall which were not remitted to the State Treasurer as revenue, be charged to Warden Plummer.

The records examined disclose that donations totaling \$76.95 were received by Warden Plummer and comprise a portion of the total of the disbursements presented in Account III. As a cash trust account for funds used for the benefit of inmates is maintained, the donations should properly have been deposited in this account.

Statements presented with this report are as follows:

Account I—Statement of Cash Receipts and Disbursements from Use of Larkin Hall for the Period March 29, 1941, to December 8, 1943, and Accountability.

Account II—Statement of Cash Receipts and Disbursements from Use of Larkin Hall for the Period March 29, 1941, to December 6, 1943.

Account III—Statement of Disbursements from Cash Received from Use of Larkin Hall for the Period March 29, 1941, to December 6, 1943.

Respectfully submitted,

F. G. SCHOON
Accountant, Department of Finance

12/10/43

Attorney General's opinion No. 1-NS4361 relative to use of Larkin Hall attached to original report on file in office of Governor Earl Warren.

Account I

FOLSOM STATE PRISON

Statement of Cash Receipts and Disbursements From Use of Larkin Hall for the
Period March 29, 1941, to December 6, 1943, and Accountability
as of December 6, 1943

Recorded receipts per Warden's memos -----	\$3,518 05
Unrecorded receipts -----	
Kiwanis dinner, 8-28-43 -----	300.00
Sciots dinner, 10-30-43 -----	380.00
Total receipts -----	\$4,198 05
Less: Amount remitted as abatement from Sciots dinner 10-30-43, 380 dinners @ 40¢, Invoice 139, 11-2-43 -----	152.00
Accountability 12-6-43, due to General Fund -----	\$4,046.05
Resources 12-6-43 -----	

NOTE: Expenditures totaling \$1,837 36 for supplies and entertainment for shows and dinners are reflected on records in Warden's office; some of the expenditures are not supported by voucher.

Disbursements totaling \$1,894 85 for various activities and purchases are also recorded on the records, which in general, are not supported by voucher.

The above disbursements were made by or at the order of the Warden. As they were not authorized by the Bureau of Purchases, or submitted to the State Controller for audit and payment, they can not be accounted as proper disbursements or as discharge from accountability.

The Warden also received \$76.95 in donations, which properly should have been deposited in cash trust and disbursed therefrom

FOLSOM STATE PRISON

Account II

Statement of Cash Receipts and Disbursements From Use of Larkin Hall Per Memorandum in Warden Plummer's Office

<i>Event</i>	<i>Date</i>	<i>Expenses</i>		<i>Total Receipts</i>
		<i>Paid per Invoices and Memos.</i>	<i>Profit per Warden's Records</i>	
Kiwanis dinner-----	3-29-41			\$175.00
Cost of dinners, per invoices-----		\$117.04		
Entertainment of waitresses-----		14 00		
Entertainment of committee in charge		10 00	\$33 96	
Dinner—Knights of Columbus, Ladies' Auxiliary -----	5-19-41			91.50
Cost of dinner (invoices are incomplete) -----		43.57	47.93	
Laons dinner -----	5-24-41			375.00
Cost of dinner (incomplete invoices)		92 16		
Cigarettes -----		1.31	281.53	
Sacramento Luncheon Club-----	7-15-41			112.00
Dinner costs—per invoices-----		52 05		
Expenses for paper and pens, per invoice -----		307		
Cigarettes for entertainers—no invoice -----		21.60		
Cash to O. C. Johnson—no invoice-----		5 00		
Cigars for Lamb—no invoice-----		1.00	29 28	
Marine Corps League, dinner and dance	8-13-41			162 00
Dinner costs—per invoices-----		65.52		
Paid Johnson for Lumber—no invoice		2.00	94.48	
Peace Officers Association, Northern California, lunch-----	8-28-41			68.00
Cost of dinner—per invoices-----		57 56		
Cigarettes—no invoice-----		16.00	—5.56	
Marine Corps League—dance-----				25.00
No expenses-----			25.00	
Principal's Association dinner-----	10-28-41			187 00
Costs per invoices-----		81 37		
Paid for turkeys, no invoice-----		25.00		
Cigarettes -----		21.50	59.13	
Sacramento Scouts—dinner-----	10-31-41			357.00
Cigarettes—no invoice-----		34.76		
Dinner costs—per invoices-----		151 97		
Telephone and miscellaneous expense—no invoice-----		1 65	168.62	
Sacramento 50-50 Club—dinner-----	11-11-41			180.00
Donations -----				11.52
Costs—per invoices-----		67 05		
Cigarettes -----		34.42	90.05	

FOLSOM STATE PRISON

Account II—Continued

Statement of Cash Receipts and Disbursements From Use of Larkin Hall
Per Memorandum in Warden Plummer's Office

<i>Event</i>	<i>Date</i>	<i>Expenses Paid per Invoices and Memos.</i>	<i>Profit per Warden's Records</i>	<i>Total Receipts</i>
Lions Club—dinner in general mess----	12- 6-41			\$90.00
Cost—per invoices -----		\$40.15	\$49.85	
(See notes a/c as \$60, cost \$20 net)				
Democratic luncheon (no charge) -----	1-26-42			
Donations (recorded in memo.) -----				38.10
Costs—per invoices (recorded as dis-				
bursements) -----		55.72		
Costs—no invoices (recorded as dis-				
bursements) -----		2.80	—20 42	
Kiwanis dinner-----	2-25-42			116.00
Costs per invoices-----		43 56		
Turkey—paid by SBN—no invoices-----		25 75	46.69	
Horsemen's Association of Sacramento,				
dinner and dance-----	3-15-42			145.00
Costs—per invoices-----		53 24	91.76	
California Western States Life Insur-				
ance Co —dinner and dance-----	4-17-42			290.00
Dinner cost—per invoice (incomplete)		73 44		
Entertainment expense—included in				
disbursements -----		5 51		
Glasses and crepe—included in dis-				
bursements -----		8 60	200.74	
Added expense—4-21-42—per invoice		1 71		
(Net \$216 56 in memo. book and				
—\$1.71)				
Consumer's Ice Co —dinner and dance	4-25-42			220.00
Dinner cost—invoices incomplete----		61.75	158 25	
Scots dinner—in mess hall-----				90.00
Cost of food—invoices incomplete----		48.93		
Miscellaneous incidentals-----		3.94	37.13	
Nevada-Sierra Peace Officers—dinner				
and dance-----	5-29-42			113.93
Food costs—per invoices-----		48.44		
Miscellaneous expense — suits and				
crepe, per invoice-----		8 64	56.85	
(Net noted as \$56 75 in memo. book)				
Armenian American Citizens League—				
dinner and dance-----	6-27-42			100.00
Dinner costs—invoices incomplete----		48 97	51.03	
Marine Corps League—dinner and dance	7-25-42			100.00
Expenses -----		57 65	42 35	
Kiwanis dinner-----	9- 1-42			36.00
Cost of dinner—no inv. of del. inv.---		12.60	23.40	
Sacramento Exchange Club-----	10-17-42			116.00
Cost of food—invoices incomplete----		34 29		
Supplies—invoices incomplete-----		14.79		
Prizes—invoices incomplete-----		3 00	63.92	
Scots dinner-----	10-31-42			319.00
Costs—food -----		108.44	210 56	
Sub-total of items recorded in				
memo. book -----		\$1,681 52	\$1,836.53	\$3,518.05

FOLSOM STATE PRISON

Account II—Continued

Statement of Cash Receipts and Disbursements From Use of Larkin Hall
Per Memorandum in Warden Plummer's Office

<i>Event</i>	<i>Date</i>	<i>Expenses Paid per Invoices and Memos.</i>	<i>Profit per Warden's Records</i>	<i>Total Receipts</i>
Kiwanis dinner (items not in memo. book) -----				\$300 00
No data or detail in memo. book of expenses or disbursements				
Sciots dinner—approximate date-----	10-30-43			380 00
Payments F.S.P.—380 meals@ 40¢— cash state -----		\$152.00		
Paid to 22 guards for overtime—\$5 each -----		110.00		
Paid to C. H. Daseking for services (Steward) -----		20 00		
Paid to Mr. Daseking for dishes-----		20.84		
Cigars, etc—no invoices-----		5.00		
Remainder presumably spent for food, no data in envelope				
Totals -----		\$1,989.36 —152 00	*\$1,836.53	\$4,198.05
		\$1,837.36		
*Incomplete				

FOLSOM STATE PRISON

Account III

Page 1

Disbursements From Cash Received From Use of Larkin Hall
Data Per Memorandum Book in Warden's Office

<i>Paid to:</i>	<i>Date</i>	<i>Amount</i>
Folsom State Prison Revolving Fund—to reimburse for amount paid J. W. Brundage, for travel to Bakersfield re funeral of Director Spears (Note: Claim was disallowed by Controller—R.F. Ck. 7227 -----	6- 3-41	\$17.30
S. B. Nowakowaski—paper for K. C. dinner-----	6- 3-41	.85
Sterling Lumber Co.—paint for swimming pool-----	6- 7-41	93 61
Golden State Soda Works—22 cases Pepsi-Cola for emanci- pation celebration. Invoices net is for 12.10 recorded as 11.00 in memo. book-----	6-14-41	12 10
Guard Barvers trip south with "Sally" (no invoice located)	6-18-41	34 00
Punch for Woman's Club—per invoice-----	6-15-41	1.50
Oranges, Lemons, etc., for July 4th—per invoice-----	7- 1-41	72 25
Best bout for day, July 4th-----	7- 5-41	10.00
Piano for Chapel-----	7-14-41	104.50
Creme paper for hall decorations-----	7-19-41	3.05
Drinks for entertainers-----	7-23-41	2.00
Cigarettes for help, entertainers, Marine dance-----	8-15-41	16 80
Dinner and show for entertainment committee-----	8-15-41	10.50
Paint and air brush parts to Pecor-----	8-22-41	18.25

FOLSOM STATE PRISON

Account III—Continued

Page 2

Disbursements From Cash Received From Use of Larkin Hall
Data per Memorandum Book in Warden's Office

<i>Paid to:</i>	<i>Date</i>	<i>Amount</i>
Trophies and trip for Warden Johnson of Illinois.....	8-26-41	\$7.00
Cigarettes for tug of war team.....	9- 2-41	3 00
Pepsi-Cola for Mexican party.....	9-19-41	7.20
Cigarettes for cement gang, hospital walls and roof.....	9-20-41	11 50
Paint supplies for Pecor.....	9-21-41	13 08
Wood carvers	10-13-41	10 00
Artist supplies for Pecor.....	10-22-41	3 20
Cigarettes for entertainers, Marine dance.....	10-23-41	15.00
Paper for St. Dismas Catholic Club—Father O'Toole.....	11- 5-41	20 00
100 plates, cups and saucers.....	11- 7-41	25 75
To pistol club committee to assist in deficit as result of American Legion pistol and rifle shoot.....	11-17-41	100.00
Contributions toward testimonial gift for John Gee Clark..	11-20-41	25.00
Cigarettes for inmates taking part in church banquet.....	11-27-41	19 60
Felt cloth for plaque for Judge Clark.....	11-27-41	1.24
Motion picture projection machine for education department	12- 1-41	75 00
Decorations for prisoners Christmas tree in dining room....	12-17-41	10.00
Plaque for Judge John Gee Clark.....	1- 8-42	5 00
Drawing instruments for school.....	1- 8-42	3.50
Motor for laboratory class in school.....	1-20-42	4.00
*Democratic club luncheon.....	1-26-42	58.52
Cigarettes for waiters, cooks and entertainers at Democratic show	1-26-42	25.00
Trunks for dancing taps at entertainment.....	1-27-42	6 37
Cigarettes for waiters, entertainers, Kiwanis party.....	2-27-42	35.00
Expenses of N. Cook—trip to San Francisco radio broadcast 2-25-42	2-27-42	15.00
Paper plates—Democratic luncheon.....	3- 5-42	1 75
Cigarettes for waiters, etc., horsemen's show.....	3-21-42	24.86
Miscellaneous supplies—paints for education department...	4- 3-42	4 32
O. and G. dinner for Red Cross and newspaper—Mr. Good- man	4-10-42	10 90
Cigarettes for waiters, entertainers, etc.....	4-12-42	94.91
*Grease paint, taps, etc., for entertainers.....	4-17-42	5.51
*Glasses and crepe paper for Larkin Hall.....	4-17-42	8.60
Dinner at O. and G. for Rev. Duncan singers.....	4-24-42	3.60
Bearings for Billy Burke toothpick carnival.....	4-25-42	12 98
2,000 napkins, paper.....	4-25-42	2.08
To Gomez for carvings.....	4-27-42	10 00
Repairs to accordion.....	4-27-42	12.00
Breeding Sally	4-27-42	20.00
Hat for McGraw No. 22,917, paroled.....	4-30-42	5.00
Drum heads and snare for band.....	5- 9-42	6.58
Express charges on bloodhound from New Mexico.....	5-13-42	8.05
Decorations for prison horses.....	5-23-42	2.58
Paints for swimming pool.....	5-26-42	29.07
Joe Gomez—2 small carvings.....	5-30-42	2.00
To Father O'Toole for paper for "Megaphone".....	6- 1-42	20.00
Beaverboard for decorations—Nevada Peace Officers dinner	6- 2-42	2.47
Miscellaneous supplies for emancipation day program.....	6- 5-42	9.84
Streamer for Folsom Pioneer day.....	6- 5-42	.62
Charges for making radio receive short wave.....	6-16-42	6.36
Cards for Sutter's Fort (Pilson).....	6-20-42	10.00

* Included in expenses for dinners on schedule of receipts and expenses for dinners, etc

FOLSOM STATE PRISON

Account III—Continued
Page 3

Disbursements From Cash Received From Use of Larkin Hall
Data per Memorandum Book in Warden's Office

<i>Paid to:</i>	<i>Date</i>	<i>Amount</i>
Wood carving for public relations prize.....	6-20-42	\$2.50
Cigarettes for Red Cervos Party.....	6-20-42	20.00
15 cases Pepsi-Cola for emancipation day program.....	6-22-42	12.81
Repairs to bass horn.....	6-26-42	10.50
Cut for prison paper—4th of July program.....	6-26-42	4.57
Balance due on cigarettes purchased 6-20-42.....	6-29-42	27.46
Best bout of day—4th of July.....	7- 5-42	10.00
Reward for except. mer. service at O. & G. gas station to Campbell, No 23422.....	7- 6-42	10.00
Cigarettes for waiters, entertainers, etc.....	8- 5-42	29.66
Cleaning drapes—Larkin Hall.....	8-12-42	1.50
Dyes to make flags for chapel.....	9- 1-42	2.72
Public address system for chapel.....	9- 1-42	111.69
Purchase Jo Jo strawberry roan riding horse.....	9- 4-42	125.00
Cigarettes for entertainers, waiters.....	9-21-42	53.40
Prizes to wood carvers.....	9-21-42	5.00
Pepsi-Cola for Mexicans.....	9-29-42	10.58
Hymn books for Protestant choir.....	10- 2-42	12.00
Cigarettes for waiters, etc.....	11-26-42	55.68
Books for school—Mr. Bond.....	12-14-42	20.00
Christmas decorations bought by Nowakowski.....	12-22-42	6.39
Paint for Christmas decorations.....	12-22-42	.90
Photos and records donated by inmates to U. S. O. Mather Field.....	1- 7-43	.80
Cigars for inmates.....	1-27-43	3.00
Records, U. S. O. Mather.....	2-10-43	.66
Records to Sacramento orphanage.....	2-17-43	1.04
Records to U. S. O. Mather.....	2-22-43	2.44
Medical services to No. 22422 Simmons, at Elk Grove.....	3- 2-43	2.38
Saddle expenses—Van Voorhies—Phinney Co.....	3- 2-43	10.97
Harold Chinn—repair glasses—Richard Lee.....	3- 3-43	6.18
Henry Adams for purchase one incubator (amount changed from \$40.00).....	3-17-43	15.00
Sherman Clay—bull fiddle strings.....	3-31-43	11.69
Paint and decorations for inmate decorations—Bramble.....	4- 6-43	5.52
To Mr. Bond for school motion picture repair.....	5-18-43	20.00
Moncepaton, Dyes (Sp.?).....	5-25-43	3.00
Auto expense in Los Angeles.....	5-24-43	2.00
Mr. Bond, Alcohol Anon.....	5-29-43	40.00
Cigars for inmates.....	5-29-43	5.00
Expense taking F. W. O'Neil No. 23157 to Federal Court San Francisco on a writ.....	5-31-43	8.00
Bridge tolls, San Francisco conference with J. Alco.....	6- 3-43	1.00
Bathing suit for Sherman No. 19528 who works at pool.....	6- 9-43	2.00
To Sergeant Macklin's forest crew, No. 22651, No. 22966, No. 23290, No. 24316, No. 23182, No. 23567, No. 15916, No. 22603.....	6-10-43	80.00
Swimming trunks for Neily No. 22866—works at pool.....	9- 2-43	3.23
Express on phonograph to Mather Field.....	1-27-43	1.37
		<hr/>
		\$1,967.48
Less: Items *		<hr/>
		72.63
		<hr/>
		\$1,894.85

EXHIBIT "B"

Date_____

Your teams are_____

1 sack, pay by Tues., or no play

Weekly High 32 sacks

Weekly Low 16 sacks

Daily Low 2 sacks

Daily High 2 sacks

c scores in

T. F. S. S.

New York _____

St. Louis _____

Chicago _____

Philadelphia _____

Detroit _____

Washington _____

and _____

On

Brooklyn _____

10. New York _____

11. Cincinnati _____

12. Chicago _____

13. Philadelphia _____

14. Boston _____

15. St. Louis _____

16. Pittsburgh _____

Teams MUST

EXHIBIT "C"

LETTER OF TRANSMITTAL

July 1, 1943

*State Board of Prison Directors
San Quentin, California*

GENTLEMEN: Pursuant to instructions at the meeting of the Board of Prison Directors, held at Folsom Prison, on May 29, 1943, there is submitted herewith a confidential report of an investigation of Folsom Prison, together with findings, observations and recommendations. The dates of the investigation were from June 6 to June 17, 1943, inclusive, and June 24, 1943.

A supplemental report of an investigation into a series of escapes on June 20, 1943, from Folsom Prison forestry camps in Plumas National Forest is attached hereto. This investigation was made June 23, 1943.

Likewise are attached a legal opinion in connection with the report on the prison, as prepared by Seibert L. Sefton, administrative advisor to the Board of Prison Directors; copies of memoranda submitted to Warden Clyde I. Plummer of Folsom Prison during the investigation and other pertinent data.

The investigation was made with the full knowledge and approval and cooperation of Warden Plummer.

Respectfully submitted.

/S/ JULIAN H. ALCO, Member
State Board of Prison Directors

JHA:DB

INTRODUCTION

On April 27, 1943, Mr. Julian H. Alco was appointed by Governor Earl Warren as a member of the State Board of Prison Directors and his appointment was confirmed by the State Senate on May 5, 1943. Subsequently, Mr. Alco made a brief inspection of the California State Prison at Folsom from May 16 to 21, 1943, during which period he stayed at the prison.

At an executive meeting of the State Board of Prison Directors at Folsom Prison on May 29, 1943, Mr. Alco presented a preliminary written report to Judge Isaac Pacht, President of the Prison Board, on his observations at the institution. As a result of this report, the board felt justified in asking that a detailed investigation of the prison be made and requested Mr. Alco to carry it out.

Because of events that unfolded during the preliminary inquiry, Mr. Alco requested that Mr. James Adam, administrative advisor, be assigned to assist him and this was approved by Judge Pacht. The board at its meeting on May 29, had recommended to Warden Clyde I. Plummer that he consider Mr. Adam for appointment as his secretary and deputy warden.

Before undertaking the investigation, Mr. Alco invited Warden Plummer to come to San Francisco to attend a conference at his office with Mr. Adam and himself. The conference was held on June 3, 1943. Warden Plummer expressed his willingness to cooperate in every way in the investigation, which he felt would be very beneficial to his administration. He graciously placed his office and all facilities at the disposal of Mr. Alco and Mr. Adam, and offered to provide accommodations for lodgings and meals at his residence.

It was agreed at this conference that the warden would be kept apprised of any developments during the investigation, and that the purposes of the inquiry were to help him in the solution of any institutional problems and to be constructive throughout. The arrangements with Warden Plummer were confirmed in telephonic communication between Mr. Alco and Judge Pacht, and the inquiry then proceeded. Mr. Alco and Mr. Adam were at Folsom from Sunday, June 6, to Thursday, June 17, inclusive. They returned on Thursday, June 24, accompanied by Mr. John F. Hassler, State Director of Finance, and Mr. Fred Links, Chief of the State Division of Budgets and Accounts, who made an inspection of the prison at their own request.

INVESTIGATION OF FOLSOM PRISON

SUBMITTED BY—JULIAN H. ALCO, Member, State Board of Prison Directors
and JAMES ADAM, Administrative Advisor for the Board

We, (Mr. Alco and Mr. Adam) arrived at Folsom Prison Sunday, June 6, 1943, at 7 p.m. and immediately made arrangements to interview several inmates, who had written letters to Mr. Alco as the result of his previous visit, requesting such interviews.

Comments on these and subsequent interviews are noted on a printed "Interview Sheet," which was prepared for the convenience and information of the Board of Prison Directors. These interview sheets are on file with Mr. Lyle Egan, clerk of the board at Folsom.

In order not to interfere with the warden's duties and disrupt his office routine, arrangements were made for us to use the private office of Mr. Egan for interviews and other work, inasmuch as the board room was occupied by auditors of the State Department of Finance, making their annual audit of the institution's records and accounts.

During the period covered by our investigation, we personally visited every department of the institution and talked to department heads; interviewed approximately 250 inmates, representing more than 15 per cent of the inmate population; and inspected cell blocks, the solitary confinement cells in the "Back Alley" of the old cell block; Lower Yard, Upper Yard, Hospital, Cannery, Prison Ranch, Armory, Administration Building, Laundry, Tailor and Shoe Shop; Commissary, Officer and Guards' Mess, General Mess and Kitchen; Chapel, Trades Building, Power Plant, Print Shop, Dental Laboratory and Office; Identification and Record Bureau, Accounting Office, Clerk's Office, Warden's Office, Captain's Office, Sewerage Disposal Plant, etc., and worked from 8 a. m. to 11 p. m. daily.

The inmates interviewed discussed many problems of direct concern to safe and sound prison management, and their suggestions and remarks were very helpful. Likewise, the warden, captain and prison personnel cooperated in many ways.

BROADCASTS TO INMATES

Beginning Monday evening, June 7, 1943, nightly broadcasts over the institution radio were carried on to the inmates, listening with head-sets in their cells, to acquaint them with the purposes of our visit and to solicit their assistance.

In our initial broadcast, we asked the inmates to write and tell us what they really thought of Folsom; what their complaints were, and what suggestions they had for improvements. We asked them to write us letters and repeated this request nightly for the first few broadcasts.

The result was a flood of letters, requesting interviews and many contained splendid ideas and helpful suggestions, as well as complaints, some of which were found upon investigation to be justified and requiring immediate attention for correction. Every inmate, who requested an interview, was granted one.

The approach to the investigation was along orderly, constructive and well conceived lines. As the inquiry developed, a series of 40 memoranda, covering departments and situations and with definite suggestions and recommendations, were submitted to the warden for his information and consideration.

Our endeavor was to provide an honest and unbiased appraisal of the institution and to make helpful suggestions for improvement. This report contains factual data, based not on hearsay testimony or rumor, but upon actual personal investigation.

The investigation was conducted jointly; nothing was done by Mr. Alco without Mr. Adam being present or without his knowledge or vice versa. Interviews of prisoners for the most part and with department heads were held with both present; inspections of departments, buildings and other facilities were made together; all memoranda and contact with the warden and all radio broadcasts to prisoners in their cells were made with each other's knowledge and approval.

In this manner, Mr. Alco and Mr. Adam maintained the closest relationship with each other during the course of the investigation.

ADDITIONAL GUARDS NEEDED

One of the immediate needs of the prison was disclosed to be strengthening of the guard line to furnish adequate protection to this maximum security institution. The guard line had been weakened by transfer of guards to new prison projects and vacancies with the result that a shortage of policing protection was acute in various parts of the institution.

Additional guards were found to be necessary not only (1) for the public safety to prevent escapes but (2) for the protection of prisoners and officers from assaultive inmates; (3) to prevent what is apparently wide-spread sex perversion; (4) to stop food waste and theft of meat, coffee, sugar and other commodities from the general mess and commissary, and of clothing, shoes and other articles within the institution; (5) to "shake down" cells for contraband regularly; (6) to supervise cleaning up of cells; (7) to stop gambling and trafficking in various supplies and commissaries; (8)

to provide adequate and better policing of the entire prison, and (9) for vacation and relief duty.

So serious was the guard-line need that it was deemed expedient to contact the State Department of Finance and pave the way for the approval of additional positions and necessary appropriations to supplement the new budget.

A conference was held with State Director of Finance John F. Hassler and the Chief of the Division of Budgets and Accounts, Fred Links, at the Department of Finance office in Sacramento, on Tuesday, June 15th. They requested to know why the request for the additional guards was not made when the new budget was presented last winter and before the Legislature, and why, if they were so urgently needed, that proper presentation had not been made previously. They were told that the Board of Prison Directors was not aware of the conditions existing.

Mr. Hassler declared that he would like to make a personal inspection of the institution with Mr. Links to view the situation for himself so as to be prepared better to pass upon any request for financial assistance, which might be formally made by the Prison Board.

Accordingly, an appointment was made for such a visit on Thursday, June 24th. We set that day in Sacramento, and brought them to the prison, in company with Mr. E. Frank of the State Division of Audits. We toured the prison with them, pointing out conditions that existed at the prison ranch, commissary, general mess, laundry, tailor and shoe shops, upper yard, lower yard, mess quarters, back alley in old cell block, trades building, etc. Mr. Hassler's remarks were far from complimentary.

Our investigation has convinced us that immediate corrective steps are necessary at Folsom Prison for public safety and to maintain this institution in keeping with a progressive penology program, such as inaugurated by the Board of Prison Directors.

OBSERVATIONS

(1) *Folsom today is a costly idle institution where a great many of the inmates have no work to do whatsoever.*

It is plainly evident that a large percentage of the inmates are undergoing a process of mental, spiritual and physical disintegration, with no constructive thought being given to their rehabilitation. Morale is understandably at a low ebb.

(2) *Immediate strengthening of the guard-line is necessary for reasons given above.* At least 15 more guards are needed within the institution to meet requirements.

(3) *The institution needs a general overhauling.* Cleanliness is not maintained in shops, buildings, cell blocks, upper or lower yards or general mess and there is a need of cleaning up junk and debris everywhere.

(4) *A comprehensive survey of the hospital disclosed conditions that require immediate corrective treatment.* The present resident physician spends only four or five hours a day at the hospital, resides at Roseville, 15 miles away where he has an extensive private practice, and no doctor is available at the prison in the evening or all day Sunday. Head inmate nurse, who has key to drug dispensary, is a sixth-terminer with a record of three narcotic convictions. Five of the 25 inmates assigned to work in hospital have narcotic convictions against them. Narcotics are possessed and administered to patients by inmates by hypodermic injection in absence of doctor, which is illegal. Arrangements should be made for 24-hour medical service at the hospital under competent physicians.

(5) *Sex perversion is practiced in many parts of the institution.* Known degenerates are allowed by guards to associate openly in the upper yard and elsewhere. We were supplied with a list of places where these sex perverts gathered to carry on their homosexual activities. All shacks made from scrap materials, in the lower yard as well as elsewhere on the prison reservation should be torn down without delay as they are breeding places of vice. Homosexuals should be segregated as a practical remedy for the situation.

(6) *The commissary as conducted, leads to thefts of supplies, and causes huge loss to State.* A trained merchandising manager for this important department should be appointed immediately. The commissary is habited by rats and mice and is dirty and not maintained in order. More space is needed but present quarters should be altered and cleaned up.

(7) *Conditions in the laundry and clothing distributing office, located in the same building, are not conducive to efficiency, good morale or discipline.* The building, in its present shape, is a fire hazard, and, while some alterations were suggested during our investigation, they will not solve the problem. The laundry and clothing distributing office should be separated.

(8) *The general mess is the source of constant thefts of food supplies due to inadequate guarding and laxity in supervision of inmates.* Mess halls need painting, and tables should be varnished. Additional guards will prevent thefts and insure full rations for inmates. It would appear that too many inmates are assigned to general mess. Cafeteria system should be substituted for present method of serving as soon as possible.

(9) *The educational department needs reorganization and a competent educator placed in charge.* Present quarters should be altered and cleaned up. Vocational training should be encouraged and the State Department of Education contacted for assistance.

(10) *The armory located at gates of institution is inadequately equipped to meet emergency.* Ammunition, tear gas and hand grenades equipment had not been tested for a long time, and much of it was obsolete. Armory is poorly fortified.

(11) *At the time of our investigation, there was no deputy warden to assume charge when warden was absent from institution.* However, the warden, upon our recommendation, designated the captain of the yard as deputy warden with full power to act in his absence.

(12) *Classification committee at institution should be reorganized.* This committee consists of clerk of board, as chairman; captain of yard; educational director; record clerk, and until position was vacated recently, the warden's secretary. Until Mr. Alco made the recommendation, which was adopted, the committee classified prisoners from the record without personal interview.

(13) *Solitary confinement is for too long periods.* We found one man in "back alley" cell in old cell block for more than 13 months; others for 60 days; still others for "investigation" without any charges being placed against them. Some confinement cells should be abandoned, and a new location selected for offenders requiring such segregation.

(14) *Inmate participation will be of benefit to morale and discipline.* During our investigation, we recommended a program of inmate participation with the establishment of an inmate advisory council. Preliminary steps towards this end have since been taken to promote constructive participation of inmates in those activities which affect the welfare of the general inmate population, and do not interfere with administrative problems or with proper control by administrative officers.

(15) *Prison ranch requires better supervision and check on production.* Present "mess shack" at ranch is also combination shower and locker room, located across from stable. Place should be torn down. It is infested with flies. Inmates assigned to ranch have many complaints, some of which were found upon personal investigation to be justified and were corrected with cooperation of the warden.

(16) *The tailor and shoe shops, located in the basement of the old Administration building, should be enlarged and combined with the clothing distribution office under adequate supervision.* More than 25 per cent of the inmate population have been able to purchase special-made or "D.O." (doctor's-order) shoes, either by cash, tobacco or commissaries. There is insufficient policing to prevent shoes and clothing to be taken from the tailor and shoe shops by inmates.

LACK OF COOPERATION

Admittedly many of the existing conditions at the prison are due to lack of suitable building space and resultant overcrowding, and inability to obtain supplies and materials because of the war.

However, *it would appear that the warden had not been given the proper cooperation by his subordinates*, who have permitted many of the conditions to develop without his knowledge and have made no attempt to prevent or correct them.

The fact that the inmate population of Folsom is at its lowest point in 16 years offers an unusual opportunity to "clean house" and put the institution in order to prepare for the post-war period when all prison authorities predict the number of prisoners will increase tremendously.

WAR CONTRACTS

At our request, Charles Bauer, general manager of prison industries at San Quentin Prison, visited Folsom Prison on June 8th and 9th, to survey the shops and other facilities of the institution with a view of obtaining contracts for work to assist the war effort. A report of his findings is attached to this report.

William B. Parker, State Food Administrator under the State Department of Agriculture, and his assistant, Mr. Tevis Paine, also visited Folsom at Mr. Alco's invitation on June 8th, at the time Mr. Bauer was there.

As a result, Mr. Parker arranged to send an initial allotment of approximately 200 iron beds to the prison for reconditioning and painting with thousands more available if the work was satisfactory. A price of \$1.25 per bed was suggested by Mr. Bauer but the price was held in abeyance pending the completion of the first allotment.

Mr. Parker also was interested in the reconditioning at the prison of thousands of mattresses, and Mr. Bauer and Mr. Glen Henry, in charge of the trades building at Folsom, delivery facilities could be provided for this work.

The beds and mattresses which have been stored in State warehouses are to be used for itinerant free workers employed in harvestry camps throughout the State.

Mr. Parker also offered to provide two portable buildings, 100 feet in length, to assist in the project. Later it was decided to use one of these buildings as a mess hall at the prison ranch because of the pressing need for such a structure.

Another project obtained by Mr. Bauer for Folsom was a contract for processing 1,000 steel trapeze bars for the Army at a cost of 75 cents each, which would net the prison \$750. The Army contracted to furnish all steel and pay all freight charges. Warden Plummer arranged to have the work done in the blacksmith shop at the prison, which has been virtually idle for some time.

Captain J. Conning, salvage officer for the Army Transport Corps, accompanied Mr. Bauer, on another trip to Folsom June 16th, when we inspected facilities for possible Army contracts, which, it is expected will be forthcoming.

It is anticipated that anti-submarine nets, such as are now being manufactured at San Quentin Prison for the Navy, can likewise be made at Folsom, and Mr. Bauer is negotiating now for such a contract.

Mr. Alco, during his preliminary investigation, learned that blankets of the prisoners are actually washed only about once a year, and shaken once a month. Inasmuch as the inmates have no sheets and sleep between blankets, this created an insanitary condition. Some 25 per cent of the prisoners have sheets made from stolen pillow cases, or patched up by themselves, from shirting and other material.

On Monday, June 7th, the day after our arrival at Folsom, we interviewed the turnkey, Mr. L. K. Buchanan, and laundryman, William H. West. It was learned that there was approximately 5,800 blankets then in use for the prisoners, and about 1,500 new blankets in storage.

West said the laundry could wash 1,000 blankets a day and could handle this work without interference with the daily laundry routine. Arrangements were made then and there to start washing blankets the following day, Tuesday, June 8th, and by the end of the week, by actual check, every blanket in the institution had been washed.

The warden was asked to estimate sheeting needs and requisition the Bureau of Purchases to obtain same.

LAUNDRY MEZZANINE

Mr. Bauer, after an inspection with us of the laundry, suggested a mezzanine or balcony to relieve crowdedness. Plans were immediately prepared and the cost of the project estimated at approximately \$500. Requisitions were forwarded to Sacramento for the necessary approval, and it was figured that the job could be completed in about three weeks.

CELL CLEANING

There appeared to be laxity in the cleaning of cells, including the toilets and bowls and sweeping of the cell floors. Buchanan said he did not have the guards to supervise such work properly, nor to make a "shake-down" of cells frequently enough. He also complained prisoners, sent out on daily harvestry crews, did not clean their cells and he did not have the necessary guards to enforce the cleaning. It was suggested that prisoners be held in their cells Sunday morning until inspection of the cells showed satisfactory conditions, and no prisoner be allowed to go to harvestry or other camp, who was derelict in cleaning his cell.

It was found that, with the exception of some 15 cells used by workers in the general mess, every man in Folsom now has a single cell. The turnkey was asked to have the mess workers given single cells as well, and it is understood that this has since been done.

HOSPITAL DEPARTMENT

A comprehensive survey of the prison hospital was made on Sunday, June 13th, and Monday, June 14th. The following conditions were disclosed

(1) *There is no resident physician living on the prison reservation.* The so-called "resident physician" resides 15 miles away, and has an extensive private practice.

(2) *There is no doctor available at the prison except between the hours of 8 30 a.m. and 3 p.m. daily, and none whatsoever on Sundays, except in an emergency.*

(3) *Inmates have full charge of the hospital while the doctors are absent.* If a prisoner becomes ill at night or while no doctor is on the reservation, an inmate nurse "diagnoses" the trouble and prescribes the treatment.

(4) *Only the "resident" physician, and not the assistant physician, takes care of patients in the hospital wards.* When he is away, the patients, including the serious surgical cases, are left in the hands of inmate "nurses," many of whom have no training for this work.

(5) *The head inmate nurse (Baker No. 23328) in charge of the hospital during the absence of the doctor is a sixth-terminer with a record of three prior narcotic convictions.* He has a key to the dispensary where drugs are dispensed although he denied it, but the resident physician confirmed the fact. He is also allowed by the doctor, to possess narcotics for administering to patients "in an emergency," as well as other medicine and drugs.

(6) *Inmates are permitted to administer narcotics by hypodermic injection to patients in surgical ward for whom narcotics are prescribed beforehand by physician.* The inmate nurse (McGowan No. 23566) in charge of the surgery ward and who states he administers the narcotic treatment, is a three-terminer with a Federal record of violating the Harrison Narcotic Act.

(7) *Patients claim medical treatment has been neglected, and they have not been able to receive proper attention in hospital, even for relief of pain.* (Some of the complaints might be discounted but because of other existing conditions in hospital serious consideration must be given to their accuracy.)

(8) *Tubercular patients are allowed to wander about hospital corridors and wards, outside tubercular ward*

(9) *Inmates prepare the hospital menus*

(10) *A Negro prisoner (Willhaught No. 23340) victim of a knife at the institution, and a patient in the surgical ward on the first day of our inspection, later died.* Other patients in the ward reported that resident physician had been negligent in rendering proper medical service. Physician denied any such neglect. Patient, under circumstances, should have been under constant observation.

(11) *There is no free man as nurse in hospital.*

The hospital, a three-story building, adjoins the administration building, the second and third floors of which are used also in connection with it.

At the time of our visit, there were 108 patients in the hospital whereas its normal bed capacity is 75 to 90 but it did not appear overcrowded.

The "resident" physician is Dr. James F. McNally, who was an assistant physician at Folsom from July 1, 1930, to June 1, 1942, when he replaced Dr. P. W. Day, who was commissioned on active duty in the U. S. Navy. Dr. J. C. Barnes of Loomis, a town of 600, and which is 20 miles distant from the prison, is assistant physician; and Dr. Ray Simons of Sacramento, 25 miles away, also holds the title of assistant physician but performs only psychiatric work one afternoon a week.

Dr. McNally resides in Roseville, an important railroad division point, 15 miles from the prison, where we learned he has an extensive private practice; is connected with a private emergency hospital there; is one of four physicians for the Southern Pacific Company; and does surgery work at the Sutter Hospital in Sacramento when necessary in connection with his private patients.

Dr. McNally's customary routine at the prison, by his own statement, is to arrive daily between 10 30 and 11 a.m., sees patients and does prison routine medical work until afternoon when he performs any necessary surgery, and leaves the reservation around 3 o'clock in the afternoon. He does not visit the prison on Sunday, except when an emergency arises. His State compensation at present is \$365 a month, including \$20 waittime emergency increase. The basic salary range for the position is \$325 to \$405 with a \$20 annual increase.

Dr. Barnes, who has his own private practice at Loomis, is 58 years of age and a retired Army doctor. He arrives at the prison daily except Sundays at 8.30 a.m.,

handles the poll line and clinic for routine health examinations, until 10.30 a.m., when his services are completed for the day and departs from the reservation. He does not take care of hospital patients, except as he stated, "in an emergency." Dr. Barnes was appointed assistant physician March 27, 1943. The basic salary range for the position is. A guard's pay—\$140 to \$180 with a \$10 annual increase. He is receiving the minimum of \$140 plus a \$25 wartime emergency increase, making a total of \$165.

Dr. Simons, who has an office and private practice in Sacramento, although employed as an assistant physician, performs no duties as such. He visits the institution only one afternoon a week for psychiatric work but is not called for any regular duty in the hospital, or for other medical assignment. He was appointed November 1, 1941, and receives at present \$150 per month plus a \$25 wartime emergency increase, making a total of \$175.

On Sunday, June 13th, when we first inspected the hospital there was not a single free man in evidence. No doctor was on the prison reservation and the inmates had complete charge of the hospital. Certain inmates had keys to various rooms and detention cells but these prisoners were not available upon arrival and had to be located by others.

All prisoners confined to detention cells were interviewed and some were plainly in need of medical examination and attention. Complaints were made that requests for interviews to warden and for treatment by doctor were ignored.

Five of 25 inmates assigned to work in hospital, outside of hospital kitchen, were found to have prior records of narcotic convictions. They were Buker 23323, head inmate nurse; McGowan 23566, nurse-in-charge of surgery ward; McVickers 21559; Carter 22718, and Huston 23851.

We visited all wards and talked to patients, received many complaints and suggestions for improvement.

Dr. McAnally, when interviewed about conditions in the hospital, and his management of it, said he was not satisfied with the present set-up, and admitted that he was not able to give the medical attention to the institution that was necessary. He said that a competent resident physician should receive compensation of at least \$6,000 a year.

He also said that he felt the following help was necessary to assist in proper management of the prison hospital:

Convict surgical nurse.

Clerk for hospital with dependable record to do shorthand and typing.

Laboratory supervisor, who should be a free man.

A doctor, who was an eye specialist, to handle eye treatments. (Dr. McAnally stating that he did not feel that he should handle such cases.)

We suggested that Dr. McAnally submit a written report on the hospital, its routine, his recommendations for improvements, etc.

The warden was advised of our inspection and observations, and for further details see memoranda No. 24 and 35, to him.

COMMISSARY

The commissary, which is located on the first floor of the officers' and guards' quarters, was improvised from the old dungeon of the prison. It is inadequate in size, and while difficult to keep clean and sanitary, it could be maintained in much better order and condition.

Waste and theft are inevitable under the manner in which the commissary is operated, and the head of the commissary, Mr. L. W. Krueger, is handicapped in many ways, and not only by lack of proper physical facilities but by lack of trained help and insufficient policing.

There has been complaints previously made by Department of Finance auditors about the way in which stores are received and issued, but Mr. Krueger states that he has not the proper help to correct the situation. Orders are taken over the telephone and deliveries made without proper written requisition. No attempt is made to verify the need of, or verify the actual delivery of, merchandise.

The food rationing program for civilians, likewise affects the wards in State institutions, and this is an added reason why meats, foodstuffs and other supplies received and delivered by the commissary should be carefully safeguarded.

Mr. Krueger, at our request, submitted a written report of commissary needs and suggestions to improve conditions. He asked appointment of an assistant commissary

manager, who should be a trained merchandising expert, and also a full-time guard, neither of which he has at the present time. He also requested additional storage space, pointing out that at present entire quarterly requirements are delivered to various departments because there is insufficient warehouse space. Cold storage space is likewise inadequate.

The establishment of forestry camps has placed an added burden on the commissary, which supplies food and other articles to the camps. The situation is beyond the ability of even the most capable commissary man to handle satisfactory, and additional help should be provided promptly.

The State Department of Finance should be requested to make a survey of the commissary along with the division of architecture and recommendations made for improvement.

Meanwhile, the place should be cleaned up, painted and broken plaster in ceiling repaired. Rat and mice refuse was apparent in many places during our visit. Mouse-trap was lying on flour sack. Krueger said that rat poison was used to control the rats and rodents but evidently it was ineffective.

Reports by Krueger are attached.

GENERAL MESS

The general mess is under the supervision of Charles H. Daseking, chief steward, who has been in the prison service 19 years.

Theft and waste of food are admitted by the steward who claims that it is impossible to avoid without proper policing and additional guards, which he said he had requested.

Approximately 800 pounds of food waste a day were reported taken from the mess hall. This waste was much higher before food control was adopted.

Inmates interviewed complained of manner in which food was prepared and served although it was agreed that it was much better now than in the past.

Harvest and prison ranch hands drift in at scattered hours during the evening and it is not always possible, the steward said, to keep food warm. He asked assignment of guard for first watch (4.00 p.m.-12.00 midnight) to maintain discipline over these men.

Schedule of free men in general mess follows :

Daseking, chief steward-----	6.45 a.m. to 6.00 p.m.
These, assistant steward-----	7.00 a.m. to 4.30 p.m.
La Hane, guard-----	7.00 a.m. to 4.30 p.m.
Smith, guard -----	11.00 a.m. to 8.00 p.m.

A total of 201 prisoners out of an inmate population of approximately 1,600 is assigned to the general mess and steward's department. This is far more than is absolutely necessary or desirable, and creates problems of crowdedness and sanitation, and encourages loafing, thefts and conniving.

There are two mess halls, one on the north side of the central kitchen, and the other on the south side. The former opens into No. 1 cell block and is the main dining room, accommodating about 1,000 men at a sitting. Negro and Mexican inmates eat in the south side dining room with a capacity of 1,200, thus maintaining wise segregation.

The south side mess hall is also used for entertainments, orchestra rehearsals, etc., and because of the physical lay-out inmates connected with these activities are constantly passing through the kitchen and north side mess hall, interfering with efficient operation of the general mess. Scavengers also use the kitchen as a passage way.

One solution suggested is to cut a door in the south side mess and make minor alterations to the entrance to the kitchen, hall, thus permitting this mess hall to be isolated except when its use for meals is required.

We are advised that there are now 30 cooks assigned to the general mess, and that 3,000 T-bone and New York cut steaks per month go to these cooks. In days of rationing, such a situation demands immediate correction.

The number of extra meals served in the general mess after lock-up to harvesty crews, and inmates supposedly doing special work has shown a steady increase and is fast becoming a rationing and economical problem according to the steward. It is suggested that an accounting be made of these extra meals with a view of curtailing them drastically.

Because of the theft, food and meats for the general mess, standard and nourishing rations are not maintained for the "main line" inmates. Often when "jute balls" or meat balls are served the main line, complaint was made that there is more bread than meat in the mixture.

Much of the meat, which should be in the "jute balls," is diverted into some form of a "black market" among the employees of the general mess. The proof of this is that hamburger can be bought for a price in the upper and lower yards.

It was agreed by the chief steward that the only way to stop the enormous daily waste of food in the general mess is to inaugurate the cafeteria system. Such a system, while not yet perfected, has been recently started for feeding the "main line" at San Quentin and should be studied for adoption at Folsom.

A suggestion by an inmate, writing to Mr. Alco, resulted in arrangements being made to seat eight men at each table in the mess halls instead of nine men, thus giving more elbow space in which to eat in comfort. The change was favorably received.

A suggestion that similar seating arrangements be provided during motion picture shows in the south side mess hall was also adopted with the cooperation of the prison officials.

It was observed that the prisoners receive two meals on Sunday at 7 15 a.m. and at 2.00 p.m. They are locked in their cells at 3.00 p.m. on Sunday and receive no meal again until breakfast on Monday.

Because of the climate at Folsom when unusually high temperatures are recorded in the summer months and particularly during the present daylight savings schedule it is recommended that a later meal time and later lock-up time be put into effect on Sundays.

On the afternoon of June 10, 1943, during the time we were at the prison, a stabbing occurred in the general mess when Will Height No. 23340 was knifed by Denton No. 21382. Both inmates, colored, were assigned to the general mess.

We made a brief investigation into the stabbing and found that it undoubtedly could have been averted had there been sufficient policing of kitchen. At time stabbing occurred, chief steward was absent; assistant steward was on sick leave; and Guard Le Hane, on duty in general mess, was answering telephone, checking receipt of supplies.

Chief steward agreed that the assault and quarrel, which preceded it, could have been prevented had guard been present. Evidence indicated that Denton did not carry knife on his person but grabbed it from table and acted in self-defense after Will Height had sought to attack him with iron hook, which he had also picked up in kitchen.

We interviewed Denton in solitary confinement cell on evening of attack. He declared he had only acted in self-defense and that victim was a younger, more powerful man, who had attacked him. Will Height, the victim, later died and the Sacramento County grand jury indicted Denton on a charge of murder.

For additional details on general mess see memos. 8 and 26 and 38 to warden, and letter of Chief Steward Daseking to Mr. Alco.

PRISON RANCH

On Thursday, June 10, 1943, we investigated several complaints from inmates, relative to conditions at "mess shack" at prison ranch. Inspection was made between 11.30 a.m. and 12.30 p.m. (Noon feeding hour.)

"Mess shack" was formerly used to shelter calves, and is now used as combination dining room, and shower and locker room for more than 100 men. It is located near stable and is infested with flies. Soiled clothing of prisoners is kept in lockers and creates odor in warm weather. One cold water shower was available in the shack for men to use.

Stove to heat food was in one corner of shack. Inmates must hustle wood daily for stove as no supply is kept on hand.

At time of visit, food from general mess was received at ranch ten minutes before serving, which we were informed was customary procedure, and no time for heating. All food is served on one plate. Noon meal on day in question consisted of frankfurters, sauerkraut, boiled potatoes, beans, bread, milk and orange. Frankfurters were ice cold and had not been cooked. There were insufficient beans and milk to go the rounds. Many men complained of hunger.

Inmates said that they arise at 5.00 a.m., eat meal of only mush, milk and toast and then hike two miles to ranch, work till noon meal and then to supper served in prison. They said they were unable to obtain showers at institution when through work as bathhouse was closed.

Prisoners also complained of lack of barber for shaving, and that they were denied proper medical and dental attention.

Letter sent to warden re conditions and recommendation made that prisoners assigned to prison ranch get same breakfast as harvestry men on leaving institution for daily harvestry camps, such as eggs, etc. Warden made these arrangements with chief steward following day, and also instructed bathhouse to accommodate ranch hands at night.

For further details see Memo. No. 3 to warden and his reply thereto.

INMATE ADVISORY COUNCIL

With the cooperation of the warden, arrangements were made during our visit for the formation of an inmate advisory council to aid the general welfare of the inmate population. Such an idea has been successfully carried out at San Quentin and other penal institutions in the country.

Frank A. Guernsey, record clerk, and a free man, who has the confidence of most of the inmates, was chosen to represent the administration. We addressed a preliminary meeting of an organization committee of inmates at which Mr. Guernsey presided, and the inmate body of the prison was acquainted with the plans and purposes of the council in radio broadcasts to their cells in which inmate representatives participated.

The council, if properly handled, gives promise of being an effective aid to the administration at Folsom.

For further details see Memo No. 4 to warden, and preliminary report of Mr. Guernsey, broadcast to inmate body, and attached.

STRIPES ON PRISONERS

During our investigation, it came to our attention that seven prisoners in the Lower Yard had been placed in striped clothing without being advised as to the reason. We were told that they were suspected of being involved in a plot to escape and that the "stripes" were to make them easily identifiable in the Lower Yard. The seven men were: Borton 22871; Mead 23603; Ward 24291; Shaffer 22991; Gay 23343; Gardiner 23907, and Cannon 24368.

We talked to the men in question and then addressed a memo. to the warden (Memo. No. 2) calling his attention to a resolution adopted by the Board of Prison Directors February 7, 1941, recommending the abolition of the use of striped clothing on prisoners. The warden, upon receipt of this memorandum, immediately ordered the "stripes" removed from the seven men.

SOLITARY CONFINEMENT CELLS—"BACK ALLEY"

Solitary confinement cells in Folsom Prison for serious offenders against prison authority are located in a section of the old cell block in what is known as the "back alley" or "hole" or "behind the screen." (There is a fine mesh screen door in front of each cell to prevent contraband being passed through by any person.)

At the time of our investigation of the "back alley" there were a total of 24 prisoners in solitary confinement.

One of them, Coleman 20426, had been in solitary confinement since May 12, 1942—a period of 13 months—for threatening another convict Morecumb 22110 with a knife and grabbing the cell keys from him.

Others then locked up in solitary have been in the cells for periods of from a day to 60 days.

We had Coleman brought to the clerk's office for an interview. The man's physical condition appeared good, despite the long confinement, but he found difficulty in speaking and collecting his thoughts. He was visibly suspicious of our intentions. However, we counselled with him, interviewed him a second time in the clerk's office and found him more at ease. He was interviewed a third time in the "back alley," and was released from solitary on June 16, 1943, by the warden on his own initiative. After Coleman's release, we interviewed him again and he appeared to have taken a new lease on life.

We interviewed every man in the "back alley." They were confined for a variety of reasons, including fighting in the prison; escaping from the prison grounds; escaping from forestry camps; insolence and refusing to work; intoxication caused by taking barbitol pills; "observation," and "investigation."

Four prisoners had been held since April 22, 1943, for "investigation" without any charges being placed against them, or advising them why they were thus held. We

learned that they had been suspected of plotting an escape. It was suggested in a memo to the warden (Memo No. 10) that he either prefer charges or release the men. They were then released from solitary.

Practically all the prisoners interviewed in solitary complained that letters to the warden were ignored; that they had received little or no exercise or fresh air.

It is our firm conviction that the "back alley" cells are antiquated and should be abandoned. A new section of the prison should be chosen for solitary confinement cells, and a policy of regular medical examinations of offenders, thus punished, be adopted. Also that arrangements should be made for regular periods for exercise.

ARMORY

The arsenal of Folsom Prison is located in a cupola granite tower which is part of the inner wall overlooking a double gate trap at the entrance to the institution. Equipment consists of machine guns, shotguns, rifles, revolvers, tear gas, gas guns, etc.

We found that the armory was poorly fortified and protected, and much of the equipment and ammunition obsolete. Tear gas shells on hand carried the manufacturer's utility instructions "Use Before 1940." Hand grenades were of an obsolete type. Flares had not been tested.

Guards in the tower were not familiar with the use of all weapons. They did not understand the proper use of gas masks, and the effectiveness of the gas masks had not been tested under actual gas conditions. Only three gas masks were available in the armory tower.

An old-fashioned pulley arrangement allows one rifle to be lowered at a time from the top of the tower where guards are stationed.

There is no first aid equipment, fire extinguishers or water available in event of an emergency. Doors leading to wall post, and to wall over main gate and inside entrance of armory are made of wood and could easily be broken down.

The windows of the tower are made of ordinary window pane glass and offer no protection from bullets, hand grenades, rocks, etc.

Details of conditions and recommendations were outlined in Memo No. 21 to the warden on June 14, 1943.

On the event of June 16, 1943, the warden, accompanied by the captain of the yard, Armorer Gillespie, and ourselves went to the ranch reservoir where the warden personally tested a flare and tear gas shell. Both proved to be in working condition and very effective.

GAMBLING—POOL SHEETS

As part of the gambling, which we found going on in the prison, it was discovered that printed and mimeographed baseball pool sheets and horse race form sheets were being used. Samples of the baseball pool sheets were obtained and, through the officials, an improvised miniature proof press, together with type, ink pad, roller, etc., was located in the bakery and seized. We were also advised that similar pool sheets are printed daily in the print shop and elsewhere about the prison and that the prisoners gamble tobacco, etc., on the results.

MISCELLANEOUS

Many other matters came to our attention during the investigation, and they are specifically mentioned in memoranda to the warden or in the "Recommendations for Folsom Prison," made part of this report.

Also included in this report is a mimeographed list, prepared by the clerk of the board, Mr. Lyle Egan, at our request prior to the investigation, setting forth the various departments of Folsom Prison, the names of the department head and convict boss and prisoners employed therein; the functions of each department and the names of all personnel as of June 4, 1943.

RECOMMENDATIONS FOR FOLSOM PRISON

(1) *There should be an immediate cleaning-up of grounds and buildings on reservation. Junk and debris should be carted away; interiors of buildings should be painted and maintained neat and clean at all times.*

(2) *Fifteen additional guards should be appointed to furnish proper maintenance and supervision of the prison. These guards are needed (a) for the public safety*

to prevent escapes; (b) for the protection of prisoners and officers from assaultive inmates; (c) to prevent existing wide-spread sex perversion; (d) to stop food waste and theft of meat, coffee, sugar and other commodities from the general mess and commissary, as well as the theft of clothing, shoes and other articles within the institution; (e) to check trafficking in various supplies and gambling; (f) to "shake-down" cells for contraband regularly; (g) to supervise cleaning up of cells; (h) to provide adequate and better policing of the entire prison and (i) for vacation and relief duty. (See Memo No. 6 to warden.)

(3) *Hospital department should be immediately reorganized.* Present "resident" physician, who lives 15 miles distant from prison and is on only part-time duty, should be replaced by doctor living on reservation. Duties of assistant physicians should be revised so as to provide presence of doctor in hospital at all times. Closer supervision of hospital must be maintained. Narcotics or sedatives can not legally be administered by inmates, as is done at present. No narcotic addicts or inmates convicted of narcotic or sex perversion crimes should be allowed to work in the hospital. Hospital menus and hospital kitchen should be supervised by chief steward. (See Memos No. 24 and 35 to warden.)

(4) *Full-time psychiatrist should be appointed.* Present part-time psychiatrist spends only one afternoon a week at hospital.

(5) *Warden and captain of yard should be instructed by Board of Prison Directors to stop gambling, pay-off system and trafficking in food, clothing, shoes, commissaries, etc.* Offenders should be punished by loss of credits and privileges, and all money and other contraband confiscated. (See Memos No. 25 and 39 to warden.)

(6) *Action should be pressed to obtain war or defense contracts* to alleviate idleness, and put present blacksmith shop, machine shop and other facilities in operation. (See Memo No. 5 to warden.)

(7) *Education department should be surveyed by State Department of Education* and report with recommendations made. Vocational training should be organized with cooperation of State and Federal educational authorities as at San Quentin and Chino. Trained educational director should be appointed.

(8) *Library should be overhauled* and circulation system to cells be revised. Appropriation should be made for purchase of new books. State Librarian should be asked to make survey of needs and make recommendations.

(9) *Organized program of recreation should be instituted.*

(10) *Electric "cyc" metal detectors should be installed* at main gate, count gate and at doors leading to general mess.

(11) *"Shake-down" of harvesty crews and forestry camp men* leaving prison and coming back into the prison from outside should be more thorough to prevent smuggling of contraband. (See Memo No. 13 to warden.)

(12) *Inmate advisory council*, now in process of organization, should be closely supervised and developed along constructive lines. (See Memo No. 4 to warden.)

(13) *Laundry building should be overhauled* and cleanliness stressed. Laundry yard should be kept neat and tidy and inmates prevented from loitering there. (See Memo No. 2 to warden.)

(14) *Clothing distribution office*, now located in one end of laundry building, should be combined with tailor and shoe shops in new enlarged location. This will give laundry more space

(15) *Fire inspection* should be annually made by State Fire Marshal. (See Memo No. 37 to warden.)

(16) *Inspection of safety appliances* and needs should be made regularly by State Department of Industrial Relations. (See Memo No. 36 to warden.)

(17) *Health and sanitary conditions* should be inspected periodically by State Department of Public Health. (See Memo No. 12 to warden.)

(18) *Civilian defense rehearsals* should be held under emergency "blackout" plans.

(19) *Armory should be strengthened* and better fortified; obsolete firearms, tear gas and hand grenades and ammunition should be immediately replaced; first aid kit, fire extinguishers; water and sand, revolving searchlight, bullet-proof windows, doors, etc., are needed. (See Memo No. 21 to warden.)

(20) *Regular target practice* should be undertaken by guards and competition arranged to stimulate interest. (See Memo No. 22 to warden.)

(21) *Tailor and shoe shops should be better supervised* to prevent thefts of shoes and clothing. Machinery is antiquated, and efforts should be made to obtain more modern machinery from other State agencies through State Department of Finance.

(22) *Later lock-up time* daily and Sunday, particularly in summer, should be considered for better morale.

(23) *Warden should make weekly radio broadcast to inmates*, answering any questions that might be submitted. Radio microphone connected with institution radio, should also be installed in his residence for any emergency use.

(24) *Institution radio broadcast should be carefully supervised* at all times. No material should be broadcast by officers or inmates without approval of warden or his representative. If inmate broadcasts, officers should be present and supplied with script to see that it is followed. Present all-day broadcasts through cell ear-phones from central control should be discontinued and programs, recommended by inmate advisory council and approved by warden or his representative, broadcast from 5.00 p.m. to 10.00 p.m. nightly. Present programs broadcast to inmates are selected by an inmate. Radio control room should be moved to new location, preferably outside gate. In its present location in administration building it might be seized by inmates at any time. (See memo No. 1 to Warden)

(25) *Close censorship* should be maintained at all times by warden or his representative over material appearing in Folsom Observer (Pink Sheet); Catholic Megaphone and any other prison publication. (See memo No. 34 to Warden)

(26) *All crime and detective magazines and sex magazines* should be banned from prison circulation. List of magazines receivable by inmates should be revised.

(27) *Print shop* should be watched more closely to prevent printing of betting forms, horse race pool forms, etc. (See memo No. 39 to Warden)

(28) *Special crew of guards should "shake-down" cells* for contraband regularly. At present cells are only "shaken-down" once every two or three months, which is not sufficient in maximum security prison.

(29) *Solitary confinement cells* in back alley should be abandoned, and new location selected. Inmates, subject to such punishment should be given regular exercise, interviewed by warden while in solitary, and visited twice a week by doctor. Any inmate thus confined should have formal charges placed against him, and not held indefinitely "for investigation" or "observation." (See memo No. 10 to Warden)

(30) *Yeast in kitchen* should be locked up to prevent its use in making liquor.

(31) *Prison board should reiterate its opposition to stripes* on inmates for any reason whatsoever. (See memo No. 2 to Warden)

(32) *Classification committee should be revised* to include doctor and chaplain. Each inmate should appear in person for classification or reclassification. Warden should sit in on classification committee meetings whenever possible.

(33) *Meeting of warden and department heads* should be held regularly to discuss problems of mutual concern.

(34) *New reception room* for visitors should be found. Present reception room with heavy double wire screen is relic of the past.

(35) *Iron door in phone booth should be closed at all times*, except when telephone operator is opening door to cell block. Inmates should not loiter at or near telephone booth at any time. Consideration should be given to removal of telephone booth to place outside of gates. (See memo No. 16 to Warden)

(36) *Inmates should not be allowed to answer telephones* in office unless call is made by prison official or guard from within the prison and his voice is known to telephone operator.

(37) *New rules and regulations* should be drafted for warden for guards and other employees and for inmates. Rules for inmates should be posted in cells. Warden should be required to inspect all prison departments in person at least once a month, and report to board. He should also be required to visit camps at least once every three or four months. (See memo No. 27 to Warden)

(38) *Officers and guards* of Folsom should arrange to pay exchange visits to San Quentin and Chino and this should be done in cooperation with warden and in connection with official business so employees would not have to make visit on day off.

(39) *Prison Ranch should be surveyed* by State Department of Agriculture for recommendations, and also buildings and grounds cleaned up. Feeding should be

watched. Accounting office should carefully check production costs and any live-stock, poultry or crops being produced at loss should be abandoned. (See memo No. 3 to Warden)

(40) *Cannery* should be painted before operations begin, and leak repaired. (See memo No. 2 to Warden)

(41) *Steam line* should be installed in new cell block for spraying beds to exterminate insects.

(42) *General mess* should be cleaned up, "tightened up" to prevent waste and thefts, and better policed all-around. Surplus help should be eliminated. There should be no loafing or smoking in kitchen. New kitchen utensils should be sought from other state agencies through Department of Finance. Mess halls and mess tables should be painted. Cafeteria system of serving should be inaugurated as soon as possible. (See memos. Nos. 8, 12 and 26 to Warden)

(43) *Commissary* should be cleaned up and painted. Procedure of ordering and delivering supplies should be revised. All withdrawals should be supported by a requisition at time goods are released, and check made to ascertain if supplies are actually needed and are delivered. Expert merchandising manager needed as well as full-time guard for commissary. (See memo No. 12 to Warden)

(44) *Chief steward*, instead of inmate, should make out and supervise menus in Officers' and Guards' mess. Tipping of inmates by guards and guests in Officers' and Guards' mess should be discontinued immediately. Consideration should be given to move O & G mess to another location.

(45) *Old Officers' and Guards' quarters*, above kitchen of general mess has been condemned and is a fire hazard. It should be cleaned up pending demolition. Inmates should not be allowed to work in these quarters.

(46) *Warden or representative* should give farewell "pep" talk to all prisoners leaving for forestry camp or permanent harvestry camp or road camp.

(47) *All free people visiting prison to view entertainments* should be carefully identified. Where crowds are going through gates, some means of identification such as a rubber stamp on back of hand, should be arranged. It was observed that small children were allowed to attend entertainment at night within prison walls. Children under age of 18 should not be allowed in prison to attend shows or entertainments at any time, and should be accompanied by adult when visiting inmates during visiting hours. Children visiting inmates should be carefully watched at all times. (See memo No. 7 to Warden)

(48) *Smoking by guards* and inmates on gate duty should be prohibited.

(49) *Survey of all towers* on prison reservation should be made to examine facilities. (See memo No. 21 to Warden)

(50) *No additional forestry or harvestry camps* should be established, which would weaken institution departments by transfer of trained inmates. Institution needs should be studied and considered first before inmates are assigned to camps. (See memo No. 28 to Warden)

(51) *Sheets for individual cells* should be obtained and supplied if possible. This would be stimulus to morale and would be economical move in helping to lengthen life of blankets. (See memo No. 40 to Warden)

(52) *Sanitary conditions* in all barber shops in institution should be checked; inventory taken, and recommendation made for improvements. (See memo No. 9 to Warden)

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EXHIBIT "D"

Preliminary Report
San Quentin Escapes

on December 26, 1943

December 31, 1943

Honorable Earl Warren
Governor, State of California
State Capitol, Sacramento, California

DEAR GOVERNOR WARREN: As you requested, the committee appointed to investigate penal affairs in California met at San Quentin to inquire into the circumstances surrounding the purported recent escape of four prisoners. The meeting took place on December 29, 1943, and the following members of the committee were present: Julian H. Alco, Chairman, Burdette Daniels, J. H. McClelland, Walter H. Gordon and Pierce H. Fazel. Senator Deuel and Karl Holton could not attend because of previous commitments.

Full cooperation was extended to the committee by the prison officials, guards and other persons, and it is our belief that this report contains a summary of all the pertinent facts which can be ascertained at this time. A survey was made of the physical properties involved in the escape and a careful verbatim record was made of all testimony.

* In this special report your attention is called to the conditions which made such an escape possible, the modus operandi of the escapees and the points at which the escape should have been stemmed. To the above has been added some comments and conclusions relating to the affair which might well be referred to the prison officials for study and action.

THE ESCAPE

Between 6:30 and 7:30 a.m. on Sunday, the 26th of December, at a time of day when it is still dark, four prisoners named Austin D. Redford, No. 69949, Ralph Francis Ward, No. 69711, Roy Drake, No. 69957, and Lawrence Motari, No. 70170, made their escape past eight free men and over the physical barriers out of the prison. One of the guards who was not on duty gave chase to the escapees while they were still on the prison grounds. Although he did not clearly identify them as prisoners, a full report of his activities was given to his superior immediately. However, no alarm was given nor was the warden notified. A rope and black hook hung on the outer wall all day but the prisoners were not missed until the 4:00 p.m. count. When the warden was notified at 4:10 p.m., all precautionary measures were taken expeditiously but the prisoners had been given a full eight hours to make good their escape. Only one of the convicts has been recaptured. His name is Austin D. Redford, No. 69949, who was apprehended by local officials at Fort Bragg, California, in possession of a stolen truck. † The other three convicts are still at large.

MODUS OPERANDI OF THE ESCAPEES

The four convicts had planned to escape from the time they had arrived at the prison. A favorable opportunity and the means of escape were discussed many times. The plan possible of accomplishment was only crystallized a few days prior to Christmas. A forty-foot length of rope was obtained from the cargo net supply and carried by one of the convicts around his waist to his cell. Another found a suitable piece of steel and fashioned a hook which could be attached to the rope and used to scale the outer wall. Still another obtained a knife and the last a club to be used as a weapon if need be. The hook was thoroughly insulated with tape to eliminate noise. Sunday, December 26, was selected as the day for the escape, for the reason that they could get released from their cells at 6:30 in the morning to attend church services. They accordingly hung outside their cells on Saturday night a printed card which read "Unlock for Christian Fellowship, 6:30 a.m., Sunday" or another card used for the same purpose which read "Mass Attendance Card." Upon release from their cells at the time indicated, the escapees mingled with the other prisoners who were going to church. However, instead of going to either of the services held at that hour, they sauntered in two past floor post No. 3, manned by Guard Nelsen, and floor post No. 4, manned by Sergeant Praetzel and Guard Lagier. They then made their way past wall post No. 6, manned by Guard Wiley, in the direction of the laundry. They then proceeded through

* Photos of prison premises, descriptions of escapees, statement of C. L. Dooze (Capt. of the Guard), and names of persons interviewed on file with original report submitted to Governor Earl Warren.

† Since recaptured at Memphis, Tenn., and in custody awaiting disposal of charges of robberies allegedly committed in other States.

Respectfully submitted,

JULIAN H. ALCO, Chairman
BURDETTE DANIELS
J. H. MCCLELLAND
WALTER H. GORDON
PIERCE H. FAZEL

the gate opening into the old ball park and along the north wall of the jute mill yard over an excavation trench. At this time they were observed by Guard Root in wall post No. 7 but he assumed them to be laundry workers. At this point they could have been observed also by guard in wall post No. 8. They then turned in a southerly direction to the gate opening into the laundry. Next they reversed their steps and