

P A S S O V E R

by

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ARIZONA PRISON REPORTS DISTURBANCE

(Pavo Springs, Arizona UPI) Reports from the state prison here today indicate there has been a major riot. At least four people including the warden and at least one guard are dead.

On orders from the Governor's office the maximum security facility has been sealed off by the State Director of Prisons, Thomas J. Walt. Neither the Department of Prisons or the State House offered any comment on the situation, but a Governor's aide said there would be a press conference in Phoenix later today.

As of 10 AM there were no visible signs of disturbance from the air and earlier reports of smoke coming from the twenty-year-old structure were proven false.

As of dawn this morning the Arizona National Guard was placed in a cordon around the entire complex. No one other than prison officials is being allowed inside.

The facility, which was designed to house five hundred inmates has recently experienced a dramatic population increase to over six hundred according to prison guards who were turned away by the National Guard when they attempted to report for duty this morning. The guards stated there had not been any recent problems other than those normally encountered at a facility of this type.

For four years I was the assistant warden at Pavo Springs. Everyday I drove out from town, down the tarmac road that runs straight as a taut wire through the cafe au lait sand and the pocked scrub of seguaros and prickly pears, through the chain link fence, past the outer guard tower and on to the whitewashed parody of a castle, which is the prison itself.

Usually I walked through the barred gate, said a word or two to

the door guard going off the night shift, then passed the intake area and went up one flight to the administration section on the second floor.

My office was next to the last on the south side of a hall which is painted dull, institutional green half way up and light, institutional green to the ceiling. The floor tiles are dark maroon with a veneer of underlying black showing through from years of traffic.

It was always my practice to arrive early; partly because I enjoyed early morning in the desert, but I also liked to have a cup of coffee and collect my thoughts before the secretarial staff arrived and turned the front office into a hen house.

Actually, I tried to keep an ear open to the office to keep up with the latest gossip. Some of it was useful. It was mostly just about husbands or boyfriends or kids (sometimes it got really hot and was about boy friends and kids, or husbands and boy friends), but on occasion it was about who was filing for appeal or transferring out and it helped me keep up with the normal tides and seasons of the place.

Sometimes the ladies talked about Warden MacCarthy (or Warden Mac, as they usually called him). I'd seen them shake with fear when he was angry about something, but in all my time there, I never heard them, or anyone else for that matter, say a word against him.

Last year, one spring morning when I arrived at the front gate, it was not manned. I used the phone inside the guard house and called several of the stations inside the main building. At first there was no response, then someone finally answered and laconically asked who I was. It was Sergeant Peters, one of the most senior of the staff. In answer to my question about the guard post being empty, he just told me to wait and said he'd let me in in a minute.

As Peters approached the gate, he moved very slowly and deliberately, like someone concentrating on one particular task at a time. He paid no attention to my questions, ushered me through the gate, then turned and walked back toward the main building without acknowledging my presence at all. I noticed again, as I had over the past few weeks, that he seemed thin, wasted. His skin had the unhealthy color of the grey cement around the construction sight in front of the archway gate.

I soon gave up my attempt to get him to speak and continued up the walk alone. Even though it was still quite early, there should have been the usual bustle of inmates heading to the shops and laundry facilities in the outlying buildings. The night shift guards should have been at the doors and their absence filled me with fear and confusion.

I stopped for a moment to think. I didn't want to walk into a trap and become a hostage if there had been a takeover, but I couldn't link Peters' lethargic behavior with a takeover no matter how hard I tried.

I took a deep breath and stepped inside. I saw no one. Behind me I heard the fence gate clatter. Turning I saw two of the day shift guards coming up the walk. They moved slowly, looking around, obviously aware all was not as it should be. I stepped back out, called to them and told them about Peters.

Rackle, the older of the two, said he would try to find Peters while Thomas and I tried to determine what was going on. I told Rackle not to come into the main building, but to go back to the front gate after he'd found Peters, to stay by the phone and, if he didn't hear from us within ten minutes, to call the State Patrol station in town.

Thomas and I started down the deserted hall. By the time we got to the windowed gallery on the second floor, over the main entrance, I could see that Rackle had found Peters and was headed toward the gate house.

The administrative offices were empty, but it was still early and that wasn't unusual. However, there should have been at least a few of the night shift guards standing around the coffee machine or looking over the bulletin board. I listened carefully, but there was no sound, except the intermittent rumble of the compressors and air blowers.

For a moment I thought I'd heard something in the distance. I stood still, my jaw surely hanging open, listening intently, but it had passed. There was nothing.

I continued down the hall and opened the door to my office. Everything seemed in order so I went back out into the hall and stood listening and thinking. I turned to the door of Warden MacCarthy's office and was just opening it when I heard someone running.

Two things happened simultaneously; first, I saw the old man sitting in his chair and second, Thomas came tearing around the corner and screamed, "Oh, God, sir! You gotta come! You gotta come see!"

MACCARTHY

John C. MacCarthy, long time Warden of the Correctional Facility at Pavo Springs and a native of Phoenix passed away late Friday night. He is survived by a son, Captain James MacCarthy who is currently stationed in West Germany with the U.S. Air Force. No funeral services are planned. It is requested that memorials be sent to the American Cancer Society.

Only intermittently did I get back to my own office to make some phone calls. The first was to Rackle to tell him to call the watch officer at the State Patrol station in town. I wanted some troopers to block the place off. The second was to my wife. I told her I wouldn't be home for a while, but not to worry, no matter what she might hear in the next few hours. Then I placed a series of calls and was eventually connected with the Governor.

"This is Seldin," he said. "What's the situation there? Has any of this gotten out yet?" The staff people I'd spoken to had obviously filled him in.

"No, sir, not as far as I know, but the day shift people are getting real antsy out at the gate. I didn't know whether to let them in or not."

"May as well, we're going to need to talk to them anyway and they can help out inside. I assume it's quite a mess."

"I've never seen anything like it."

"What about MacCarthy? Where is he?"

"Dead. Looks like he shot himself with a service revolver. He left a note. Actually, more of a letter, several pages. I haven't finished it yet, but it's clear he was responsible. He stated in the opening paragraph that he wanted all the blame for this."

"But why? Did he say why?"

"Well, there's a lot in the letter, but basically he just said this seemed so much more logical." There was a pregnant pause on the other end of the line.

"We'll have hell to pay when this gets out. I'm going to send the National Guard to seal off the place. For now, if you're backed into a corner and have to make a statement, just say there was a riot and we're still trying to sort things out. I'll let the command-

ing officer of the Guard know what's going on. He'll send some supplies to help clean up. Only let a few of your men inside, ones you can trust." He paused again. "Are we really talking about five hundred men?"

"If everyone was in their cells, and it looks like they were, it's closer to six."

When Officer Thomas had yelled, I already had one foot in the Warden's office and could see him slumped over the desk. There was a strange spot on the wall behind and to the left of his chair and the top of the desk was covered with a considerable amount of thick, dark red blood. Taking another step, I could see his eyes were open, sightlessly dull, and that a considerable portion of the right side of his head was missing.

There was nothing I could do for him, so I turned and went with Thomas. It hadn't been until I returned later that I had found the envelope which proved to contain MacCarthy's last testament.

I still have dim memories of the year I spent in Viet Nam in the late Sixties. I was a Lieutenant in the M.P.s and stayed mostly in and around Saigon guarding the Embassy and later the radio station downtown. I'd seen a few instances of the backstreet brutality one human can perpetrate on another, mostly involving black marketers and prostitutes.

Once or twice I was pulled over to Tansonhut airport when there were threats of raids. The threats were usually groundless and led to a nothing night watching the darkness. A couple of times, however, they were real and we took and returned fire, usually into the darkness. Time and the coming of daylight, more than our accuracy, al-

ways seemed to be the deciding factor in those engagements.

One night, however, the attacking force had the bad luck, or stupidity, to get hemmed in between us and a company of Marines on perimeter duty. In the morning, as the first dim light appeared, we secured the area and went out to see what the score was.

Fortunately for us (and unfortunately for Charlie), we had worked well with the Marines and had not only not shot each other, but had managed to set up a total of four M60 machine gun positions in such a way that there was nowhere for the enemy to go. It had been a night long target shoot.

We were all exuberant in the morning. It was a piece of soldiering well done. I have never felt any particular remorse, indeed it was a source of some pride to me for years, thought it wasn't fashionable to say so out loud. We thought that was why we were supposed to be there.

Over time it has faded to a fairly dim memory which evokes little emotion from me one way or the other. I still remember, however, the troopers cleaning up afterwards, seeing forty or more dead men piled in one place, laid out in row like cord wood. That is a particularly vivid image for me.

I'd pulled that image into my conscious mind many times since, quietly using it as a comparison when I heard about a bus wreck on some Andean road or a plane crash where the deaths were in the dozens. None of these thoughts, however, prepared me for what awaited us in the cell tiers.

There was a deafening silence where there had always been a constant cacophany of sound. Then I noticed that in front of each cell, with frightening regularity, were pools of now darkening

blood. Some reached only a little beyond the bars onto the apron, while others streaked all the way to the edge and dripped off like rivulets of dark water over a stream bed in hell. Thomas and I just stood looking, neither of us said a word.

I saw footprints that went from one puddle to another, then noticed the side of Thomas' uniform was smeared with blood from the knees down. He saw me looking at his legs and said, "I fell in it getting out. God, sir, I ain't never seen anything like this." He had begun to turn pale. Then I noticed the smell.

My brother, who is a doctor, once told me, while he was training at the big county hospital in L.A., that when they got a really big crunch, when there were three or four victims of a shooting or car crash in a small E.R. cubicle at the same time, there was sometimes so much blood on the floor that you could actually smell it.

The smell was both pungent and musty; like vinegar, like mold. In the cavernous building, with its rows of cages, the smell was overpowering. Thomas turned to the wall and vomited.

PAVO SPRINGS UNIT TO BE CLOSED

(Phoenix, Arizona UPI) T.J. Walt director of Arizona's prison system today announced that following last Friday's disturbance at Pavo Springs the maximum security facility would be closed until further notice. Assistant Warden Michael R. Sims has been named interim Warden and will be in charge of the transfer of an undisclosed number of inmates to other facilities. The facility is a mainstay of the local economy and its closing will mean the loss of over 100 jobs.

I sent Thomas out to the gate with orders to send the admini-

strative staff home, to tell the senior day shift guards to come in and report to me and to hold the rest in the outer yard. He asked me what to tell them and, if I remember correctly, I just stood there, staring at the wall. The look on my face must have been one of total stupification. He held his hands halfway up in a gesture of futility and neither of us spoke.

As he turned to go, I just stood there for what seemed like an hour. Then I began to walk toward the end of the tier to the section door lock for the closest part of the cell block. I knew there was no way to avoid it, so I went ahead and walked through the blood, being careful not to slip in it. If I had fallen, I think I would have rolled around and screamed, as if I'd fallen into boiling oil, so tenuous was my control.

As I passed each cell, I looked for some movement, some sign that the carnage had passed over at least one of them, but in cell after cell all I saw were stiffening bodies. Some were plainly exposed, while those at the other end of the tier must have been aware of what was coming and had crouched down in pitiful attempts to shield themselves.

The wounds, even at a glance, were horrendous; almost surely they had all been hit with large shot from the riot guns. I didn't stop to examine any of them through the bars though, and finally reached the locking switch.

I fumbled with my keys. I wasn't used to using the ones for that part of the building. Just as I found the one which would open the lock on the switch, I saw two guards coming in much as Thomas and I had earlier. He was not with them. I didn't blame him.

I pulled the locking switch and the doors on a section of twenty cells slid back, grinding monumentally on their tracks in the heavy

silence. Before I went into the first cell, I turned and looked at the entire cell block. We were in a huge, cavernous, single room with three separate levels formed by terraces running around the pentagonal walls. Each wall of the pentagon had twenty cells opened by a common switch. That made a hundred cells on each level, two men in most of them, nearly six hundred men. There was not the faintest stirring, not a breath or a groan or a movement of any kind and the whole room was designed to make every cell visible from any of the switch positions.

I went into the first cell and found both men down, beside the bunks. It looked like they had tried to use the mattresses as a shield. One man was missing most of one hand and, from the way he lay, I realized he had been shot in the hand first to make him drop the mattress. The second shot had caught him in the middle of the right side and I could imagine him futilely turning to avoid the blow. Finally, the top of his head was torn completely off. The other man had only one wound, to his neck, almost decapitating him. I hoped for a moment that this man's wounds had been inflicted first, that he had not had to watch as the executioner dealt with his cellmate, including the coup de grace to the head, before turning on him. The sense of helplessness and panic that must have permeated that small, cement square only a few hours before was so palpably transmitted to me that the adrenalin rush of fear overwhelmed me for a moment and I rushed to get out of the cell.

The enormity of the terror here! It would have increased as the killer went from cell to cell, nearing any particular man's cubicle. What panic, what cries for mercy, what invective, what frantic searching for any kind of shielding there must have been. How long were those men steeped in that nightmare before death did them the favor

of calming their terror?

How long did it take? How many killers were there? But, above all, why?

Cell by cell, body by body, we went through the entire unit looking for survivors. There weren't any. Then, after almost four hours, we came to the last tier of cells. There, huddled on the floor in a pool of blood, his shoulder torn and in profound shock we found a man, an indio I didn't recognize, who was still alive. Four of the guards put him on a blanket and hustled him outside. A few minutes later I heard a siren wailing off into the distance. The State Troopers had apparently brought an ambulance with them. Then the awful silence returned, broken only by the clack of our shoes as we continued our grisly census.

We were not counting, not concerned with statistics. We simply moved as quickly as we could from cell to cell, trying to locate any others who might still be alive.

One. One out of hundreds.

Again, in the distance, I thought I heard something that wasn't part of the regular hum of the machinery. I almost believed it was a ghost story I was telling myself when I saw the guards react to a slight rise in its volume. We all listened. One of them moved to the nearest window, listened, head down with a look of rapt concentration on his face, then suddenly pulled his nightstick out of his belt and, in one quick motion, rammed it through the glass.

A breeze blew through the window and carried on it the much clearer, yet still distant, shouting. It sounded like it came from the back of the fenced, main yard, from one of the old, small detention units that were used only for storage.

"Go!" I shouted needlessly to the backs of the running guards.

AG ADDRESSES CORRECTIONS OFFICIALS

(Denver, Colo. AP) The American Association of Correctional Officers' annual convention convened today in the Mile High City. The keynote address was given by the Attorney General of the United States who called for greater efforts in the field of rehabilitation and stated that inspite of recent cutbacks the administration is "wholeheartedly committed" to the ideals of the concensus panel of the Association.

During the evening address, Arizona Governor Lyman Seldin charged the delegates to address the problem of unrest in prison populations an oblique reference to the disturbances in the last three years at Santa Fe, Pavo Springs and Carson City which took a toll of over thirty lives.

We found the night shift guards all well, locked in the old cell block common room. They told us everything was as usual when they reported for duty the night before. The inmates were a little louder than normal, probably due to the movie in the mess hall that had ended about ten o'clock, and they were still calling out across the building from tier to tier, milking the last bits of crude humor they could get out of the female star's physical attributes, and singing bits of the background songs in a hundred different off-key and off-color variations. But the guards all agreed that everything was as it always is.

One of them said the Warden came into the main hall just after the shift change. They rarely saw the old man in the building so late, but he'd said he was finishing up some paper work and just wanted to talk to Sergeant Peters, the shift foreman, so no one thought anything of it.

It had been mildly out of the ordinary when, around midnight, the intercom had come on and Peters had called everyone, except the oldest man, Castilliani, and the two rookies he was supervising, to the break room. There were 15 men on the night shift.

It had shocked the bejesus out of them, though, when they'd settled in for the usual chewing out about uniforms or shoes or whatever it was going to be this time and Peters very calmly picked up a riot gun, jacked a shell into the chamber and leveled it at the face of the man nearest the door.

A moment later Castilliani drove the last two guards through the door like a shepherd pushing lambs into a pen. There was a gun on either side of them now.

Peters told them to keep their mouths shut, not ask any questions and that they wouldn't be hurt as long as everyone did exactly as he was told.

"But," he added, "I really don't care a rat's rosey ass about you punks. If any of you jack with me just a little bit, I'd rather blow you up than take the time to fuck with you, so don't even breathe funny."

"The two of them moved us out the back door and around to the old cell block." said one of the two rookies Castilliani had surprised by pulling his service revolver. "They put all of us in those two cells. They must've planned it all, because the juice isn't even on out there, but they had some candles, a couple jugs of water, even a piss pot. And they had made sure there was no way in hell we were going to get out."

Shortly after Peters and Castilliani left, the guards heard what they thought was a shot coming from the main building. At first they couldn't be sure of it, the same way we'd had trouble getting a

fix on where they were. There were three differences, however. They knew that, whatever was happening, it was happening across the way in Main. Secondly, they had the advantage of listening for what turned out to be the short booms of at least one, probably more, twelve gauge shotguns. And third, if they hadn't heard the first blast, which they had, there were almost four hours of those explosions to sit through.

The possibility of what was really happening quickly crossed their minds, but they couldn't make themselves believe it was the correct explanation. Their speculations included everything from the old men having gone harmlessly daffy and shooting beer can skeet off the tier balcony to one prisoner having been singled out for some reason and literally shot to pieces.

After a few minutes of the slow, remorseless pattern of two, three or four shots, closely spaced, there would be a lull in one or both of the guns for a few seconds and then it would start again, and again, and again. Soon enough shots had been fired to reduce a single body to its constituent atoms and that theory lost credence.

After a full hour of listening and guessing, the wind, which had been blowing steadily, died down for a few minutes. The guards nearest the door thought they could hear the far away boil of many voices, but it was so faint and the lull in the wind was so short, they couldn't tell whether they'd heard cries or cheers.

They speculated again on the beer can skeet hypothesis, but it didn't fit. They were the ones who were always fucking up and fucking off, doing that sort of thing, to a much lesser degree, of course, not the two old men of iron and grey granite, Castilliani and Peters.

They tried more than once to break out, of course, but their total hardware, after their jailers had made them empty their pockets

in the yard outside, was a couple pieces of wire out of boot tops and the metal from an old bed frame attached to the wall. Even with the bed frame broken into pieces, they were helpless against the stone and bars. For some of them it was a deep, inner lesson about the nature of their profession.

It took hours for us to go from cell to cell, checking all the bodies. None of the victims looked as though they had been savaged gratuitously, if a body can look less than that after taking a load of number four shot in the craw. Those men had been shot only until they were dead and no more.

If they had only one wound, it was in a clearly fatal spot, such as the neck or the center of the chest. There were some who had obviously managed to make the first shot go wide, ripping a leg or an arm. We saw many of those and they were the ones who had also been shot cleanly in the head. Almost no one had more than two wounds.

We found them in all sorts of positions, most at the farthest end of the cubicles (if the back of a nine foot cell can be called far), most turned to the side or to the back. We found a number with a hand out through the bars, but we will never know how many were pleading for mercy or how many were defiant.

The few bodies with more than two wounds looked, by their relative positions, as though they had been used by their living cellmates in a primal attempt at shielding, but to no avail.

As surely as age and time itself, as though a methodical, old gardener was weeding out his plants, paying special attention to a job thoroughly done, plant by plant, row by row, they were all cut down.

The faces showed no emotion, no frozen trances of horror or pain,

all having been mercifully smoothed and softened by death into expressions as quiet as the grave itself.

Spent shotgun shells were everywhere. There is a slight pitch down from the cells to the edge of the tiers so water overflow and other material tended to fall to the middle of the main floor below. Most of the red shell casings had rolled off and were in the same general area, so I had some idea of how many shots had been fired.

While searching the rest of the building, one of the guards found old Castilliani in one of the watch shacks. His service revolver was next to him and there was a hole where a bullet had blown out the back of his neck, so we figured he'd stuck the barrel in his mouth and lit one off. When I went up to see him, I remembered the Warden was still in his office.

Thus far only the night shift guards and a few of the senior day shift guys were searching the cells and, even though they were entirely superfluous, a handful of medics from the National Guard unit, which had taken up station around the compound.

As they began to bag the bodies, marking the cell number of each on cardboard toe tags, I started back to the administrative wing.

No matter what I thought needed to be done, though, the futility of it all came crashing back at me. Call the Governor with a report? The inmates were all dead, end of report. Attend to graves' registration details? They were still dead. Pull files to notify the next of kin? I didn't have to pull anything, just start at file one and keep going. But that wasn't entirely true. There was one file I did need to pull. I needed to find out about the one survivor. For now, however, he was out of my hands.

I was astounded at the amount of blood on my clothes, my shoes,

my face. I stopped in the washroom on the way to the administration wing to clean the worst of the gore off my hands. I washed as well as I could, but much of the blood was old now and dry and tenacious and a lot of it just wouldn't come off.

The latrine smelled like fresh vomit and I couldn't blame the men who'd found the sight, let alone the work, more than their stomachs could handle.

I made my way down the corridor that led to the Warden's office. Moments after I got there, however, one of the medics came in, apparently directed by Officer Thomas. Shortly after that, two more came in carrying a folded plastic bag, which they laid out on the floor and unzipped. They glanced at MacCarthy; that was all it took to know he was undeniably dead, then they lifted him one at each arm and one at the feet, and settled him into the thin, dark green bag. One of them cleared a space on the edge of the desk, away from the sticky, congealed mess of blood, and wrote something on a small, light brown piece of cardboard. The tag had two strings and with these he tied it onto the Warden's left wrist. Then they covered the body with the top flaps of the bag and zipped it up.

Taking hold of the handles, they hefted the load, which was considerable (the Warden was a big man, more than two hundred pounds), and carried him out the door and down the hall, leaving me alone again in the silence.

I looked down at the desk and saw the letter again. On the first page he'd made it clear, in straightforward language, that it had all been done on his orders. He acknowledged that the two older guards, being grown men, certainly had to be responsible for whether they carried those orders out or not, but they had asked him to note in the letter that they had done so of their own volition, because they

agreed with him.

He wrote of the difference between their responsibility and the responsibility of command and he accepted his responsibility.

That was as far as I'd gotten the last time I'd picked the letter up so, in the bright silence of midday, in the empty office, I sat down to read the rest.

"....I regret a number of things regarding this action. I regret the loss of love or support or whatever some of these men would have provided for their families when, or if, they were released.

"However, balanced against the moments of mothers becoming tearfully happy at the return of their errant sons, must be weighed the tearful episodes of wives beaten or abandoned, children abused and families upset and torn apart by the actions of the much higher proportion of alcoholics and drug addicts that would be foisted back on their families in the persons of these men.

"I also regret that this was a non-selective process. I am certain that at least a few of these men, though probably no more than a few, would have left here and built stable lives. I am equally certain, however, that of those few, there would have been only a miniscule number whose lives would have actually been of positive benefit to society and most of that 'benefit' would simply be society not having to deal with them judicially again.

"This facility, however, is not generally populated by the type of person who, in youthful impetuosity transgressed the law only once. Most of the inmates

are recidivists, convicted time after time of returning to behavior that society simply will not tolerate."

I thought about the times MacCarthy and I had sat talking at that desk. Many times we reviewed prisoners' affairs, requests for parole, transfers, security. Thinking back over the previous few months, I realized he often made cynical comments, correcting himself a moment later, as if there was a struggle going on within him.

Sometimes we talked about less official things. He frequently asked about my family, wanting to hear the smallest details about how my children were doing and he often talked about his own son, who was in the Air Force. He had pictures on his desk of his wife, dead for many years, and his boy, taken when he was just a teenager.

"I have always believed in a social contract. Implied to everyone simply by birth is the right to live in peace and the responsibility of society, as a whole, is to band together to protect each one from violation of that right.

"If, however, one chooses, of his own free will, to violate that contract by violence toward others, he has, by that same choice of free will, abrogated his right to protection by society.

"When the men in this prison repeatedly broke the law, they elected to run the risk of being caught and their greatest underlying punishment was the loss of their rights under the social contract. Any 'rights' they were given were a combination of misguided charity and expediency practiced by those who thought it would make prisons easier to run, less volatile.

"Give prisoners movies, TV, some degree of choice

of foods, air conditioning and recreation and they will behave themselves. This may be true, but there is something wrong when many of these men come from neighborhoods in which others labor under comparable stresses, go on living without any of those niceties and continue to leave their neighbors in peace.

"Time alone may have changed some of our inmates, but I never saw any evidence that anything we did made any difference at all.

"To call this a Department of Corrections is a false euphemism perpetrated on the public that pays for it. At its best, this system is a method of effectively sequestering those who would almost certainly prey on the public again if released.

"If we killed a truly innocent man here, I am very sorry, but I am also very surprised.

"Society should not have to bear the burden of keeping these people comfortable and happy; only the burden of keeping them. In our attempt to finance 'humane' prisons, we have added so much to the daily cost of taking care of each prisoner that we have increased the pressure on ourselves to release them as quickly as possible, which defeats the only positive effect these prisons have.

"For a first offender, perhaps we should spend time and money in an attempt to avoid offending his dignity beyond the point at which he would identify himself as a permanent outcast.

"With the repeat offender, however, it shouldn't

matter how many people we put in a cell. The food we give them should be the cheapest bulk obtainable, prepared at the lowest cost. This is not to say we should intentionally make it unpalatable, only that the person who has given up his right to society's nurturance should not expect society to go out of its way for his comfort.

"If you think all this would lead to prison unrest, remember that is only true in our present context.

"If prisons were constructed as prisons, if prisoners' opportunities to acquire weapons materials were strictly controlled (by reducing all their activities, if necessary), if the guards never had to be on the same side of the bars as the inmates (except in formations that left absolutely no allowance for the prisoners to take control), if the slightest degree of uncooperativeness led immediately and inexorable to solitary confinement, if the threat of violence, including shooting to kill, lay totally with the staff and not the prisoners, it would take fewer people to staff our prisons and less money to build and run them. We would then have enough prison space for all those who now evade incarceration because of the jammed system, which leaves no place for them, except the streets.

"Let me stress that I am not advocating punishment for the sake of punishment. I am only advocating efficient sequestration with as little inhumanity and unpleasantness as possible for everyone, the prisoners included. We should not be here to beat or hurt, but

to simply make certain that the repeat offender has no chance to harm victim number two or three or ten or twenty.

"That leads to my last regret, and please believe it is sincere. I regret the human agony I have seen while this killing is going on. I killed many of the inmates tonight myself. If there had been a way to end all their lives simply, in one instant, painlessly and without fear, that would have been ideal, but we don't live in an ideal world. We tried to shoot straight and move quickly, but I know many of the men suffered as they watched us work down the line toward them. I will have to face them on the other side of life, but that is my problem.

"I know my name will be held in calumny. I only hope that somewhere, someone stops to think and reason overcomes superficial emotion regarding these acts. I do not care in what approbation my name is held if at some point someone comes to their senses and sees what they simply must see.

"There is only one person I leave behind, my son. We have not been close, but neither have we been enemies. He is an officer in the service of his country and I have always been proud of that. Please let him read this letter. I think I know him well enough to know that he will be able to understand my motives and, possibly, to support these actions, at least in private."

The letter now covered five, double-spaced pages. He had ob-

viously typed it himself and there were many strike-overs as though the thoughts and words had gushed out.

"Have we fully considered the illogic of money spent on prisons that should be spent on schools; the stupidity of carrying a millstone, of our own fashioning, that weighs us down with fear and causes us to spend even part of our attention on the useless problems of the creatures of the muck instead of going on about our natural goals of making life better for those who are willing to simply leave their fellow men in peace?

"Someone is bound to say it would be as noble an advance to discover the roots of the madness that lead prisoners to behave the way they do as it would be to get to the planets and on to the stars. I agree; that is a valid goal for mankind.

"If one day we can somehow apply a simple method imposed on criminals either externally or through internal change, that leads to the end of criminality, it will be a wonderful day. But as one of the few people in the world who has actually tried that path, who has studied the issue, has gone beyond mere kaffeeklatsch talk about it and worked toward it, I feel I have the responsibility to tell you that we haven't even begun to find the right path, let alone to walk it.

"By this act tonight, I am trying to convey to you how strongly I believe that such a path will not be found in the foreseeable future. Perhaps centuries

from now it will. I am too cognizant of history to believe that a thing will never be accomplished once it is imagined by the mind of man. But it will not be found in our lifetimes nor those of our children's children.

"The public must know that we are totally in the dark as to the reason certain individuals break the social contract. They are totally wrong if they believe the purpose of our prisons is, or should be, to find the answer to that problem. From whom or where the answer will come, I do not know, but surely not from our prison system.

"I go to my own death to simplify matters for you and for myself. Call it cowardice, if you must, but I know how I feel--like a soldier who knows he must die for the good of his fellows. That is all that matters in the end.

(signed)

John MacCarthy"

It took me several months to finally catch up with Joe Prieto, the young inmate I had last seen being carried out of the cell where we'd found him in a pool of his own blood.

He was in the hospital unit of a prison in Utah. That an Arizona State prisoner was in another State's prison was highly unusual and, even though I was "the official responsible for the transfer of remaining inmates from Pavo Springs", at least according to the official statement made by the Governor's office, I had a great deal of trouble even obtaining permission to see him.

The second remarkable fact was that, even though his wounds were healed by the time I saw him, he was still on a hospital ward. He told me, showed me, that he had regained almost full use of his arm, although they'd had to take a few pieces of the shoulder bone and there were certain positions he couldn't comfortably accomplish. He dramatized this by trying to throw his arm up across his face as though to ward off a blow. He couldn't quite accomplish the whole maneuver. As he brought his arm down, his eyes fixed on a blank space on the shiny tile floor.

"It don't matter, you can't get your arm high enough fast enough. Take you and shake you just like a little doll or something. No place to hide. Can't run. Here it comes! Oh, man!!

"I was in because I killed a guy. He tried to beat me in a deal. I been in before, in New Mexico, so I been around."

He eventually proved to be fairly articulate. He was outwardly calm, but at one point, for a brief second, his voice choked.

"We were sitting on our bunks waiting for lights out. Chuy, that's the other guy in the cell, Chuy was writing something, a letter or something, I think. This was after the doors were all rolled over for the night.

"All of a sudden I heard a shot--BIAM! and we was all at the bars, man. We thought somebody gave somebody some trouble or something. I never heard no shots fired inside before, even at the place in New Mexico, and they were a lot tougher.

"So anyway, we're looking around and right there, in front of everybody, one of the guards just shot a guy in his cell. The place went crazy, people yelling and stuff. You could see that the guy got shot was in his cell and the door was closed. Nobody thought about that for a few seconds, though, I guess. They were all just yelling

and saying how the guard shot him.

"Then....then the guard, this is the old one, his name was Pete, I think, something like that, then he jams another shell into the tube and I guess everybody thought he was going to wave it in their faces to get them to calm down while the rest of the guards straightened everything out.

"That's when I noticed that there weren't any other guards. That was strange, 'cause usually, if there's even a little fight goes on, there are three or four of them on you like that. Here was this guy gone and shot somebody, shot him good, you could see he was dead, shot him and nobody else there.

"Anyway, the place is yelling and stomping and the guy, real calm like, points the thing at the other guy in the cell and squeezes one off. Knocked the guy in the cell back against the wall and you could see he was still moving a little. BLAM! he shot him again.

"When that happened, everything got real quiet. I mean, with the first one nobody was paying attention, so nobody really knew what happened, but the second one....man, that was cold.

"Then a few guys start yelling at him, calling him murderer. Just as that's starting to pick up, BOOOM! from the other side of the floor and I look over and it's the other one, with the Italian name, and he's wasted a guy who's in one of the cells by himself. Then, just like that, he walks to the next cell and blows them two guys away. Just like that. Doesn't say anything to them or nothing, just two quick shots and they're meat.

"By now everybody is yelling for somebody to stop them, but it's really not 'cause anyone is thinking they're gonna be next. Just, you know, stop them. Still, no other guards.

"Then the first one, Old Pete, steps to the next cell and shoots

those guys and, without even stopping, moves down one and shoots the next two. At the same time he's doing these two, the Italian is moving down to his next cell. They just keep moving down the line. They stop every seven or eight shots to reload and Old Pete stopped for a couple of minutes after the first six or seven cells. When he stopped and the other one ran out of rounds, it got real quiet, 'cause I guess everybody thought it was over. Maybe twenty, thirty guys bought it by now. I mean there was blood everywhere.

"People in the upper level are yelling at each other and yelling for the other guards. This ain't the usual bullshit yelling, these guys, and me, too, we were really scared. Everybody is up to the bars trying to see. I could hear the guys down below trying to talk to the Italian, but he just turned his back and stood there for a minute and lit a cigar. He didn't yell back at them or anything, just ignored them.

"Here we are, all standing there, not knowing what to think, and in a minute Pete leaves and comes back in and he's got one of these dolly things, you know, like you carry freight on, and there is this crate on it. He stopped by his buddy and they talk for a second or two. The guys in the cells are yelling at them, telling them they're crazy. Then Pete leans down and opens the crate and pulls out more boxes of shotgun shells. The place really went crazy then.

"He and the Italian spent a minute or two pulling out shells and stuffing them in their pockets and then Pete goes back to where he left off and opens up on the next guys. I can't believe it. Me, I almost shit myself, 'cause it comes to me he's gonna waste us all.

"After about twenty or thirty minutes, they got most of one side on the first level and no other guards have come and they are still at it. Then I saw Warden Mac come in. He goes over to Pete

and all the guys in the cells are screaming at him to stop them, but it's like he's not listening.

"He goes over to Pete and they talk for a second and Pete walks off the floor. Everybody, and I mean every fucking body, is watching him, 'cause now the other one has stopped, too, and come over to the Warden.

"Then, just when I was thinking the whole deal might be over, I'm beginning to loosen up a little bit, Pete comes back and he's got another shotgun. He hands it to the Warden and, like, he shows him how to load it or the safety or something. Then Mac nods, like he's got it down. He loads up six or seven rounds and we just cannot believe what's happening.

"I mean, it's not like what had been going on for the last hour was something normal, but when the Warden came in, we thought, well, you know, we thought here's somebody going to save us, and then he looks over at the Italian and they do some pointing. I can't hear if they're saying anything from up where I am, but they point like to pick his spot and then they all go back to it. The Warden, too.

"It didn't take them so long to finish up the bottom levels then, with three of them working. The Warden was slower at first. I saw him say something to the first guy just before he shot him. I don't know what he said to him, but I saw the Warden shake his head, like he was saying no to something. Then he let him have it.

"He stopped after each cell and looked in through the bars for a second. I think he was making sure they were really dead, 'cause after he looked at a couple of them, he stuck the barrel into the cell and shot them again.

"Pete saw him do that the second or third time and came over and, like, he yelled at the Warden or something. He still did it, stopped,

but he didn't get close to the bars anymore, no closer than maybe from here to the end of the bed, you know, out of reach through the bars.

"The guys in the cells above were trying to throw things at them, like cups and radios and lamps and stuff, anything to get them to stop. One of the lamps came down right next to old Pete and he just looked up and pulled off about three or four rounds up there. He didn't hit anybody, but it kept them to the back of the cells for awhile.

"Some of them were crying, trying to climb the walls, when it came their turn. You could see them crawling in the back of the cells. They were trying to get anything they could in front of them. But there is nothing in one of those cells will stop a load of buck. They would just shoot through whatever the guys put up. Shoot until they got to the guys and killed them.

"There were all kinds of different ways they got it. Some of them were praying and some of them were begging and pleading. I remember when it got near our turn, when they were on the last level, it was a lot quieter, 'cause there weren't so many guys left.

"I was just sitting on my bunk. I couldn't watch anymore and I just could not think of what to do. I mean, I couldn't even think of what to think of. I started to pray and I thought about all kinds of stuff. I even started laughing for a minute, because it came to me, real funny, that I ought to whip it out and beat off one last time. I mean, that's what most guys would want, right? a girl or something, right? But then I thought I didn't want them to find me like that, with my pants down around my knees. Man, I started to cry.

"Chuy was like a tigre. He was down off the bunk, standing at the bars with his fist through, yelling. You know Spanish, man? Yell-

ing 'chinga su madre' at the guy coming up to our cell. I started crying and Chuy looked around at me and told me to stop, but I couldn't.

"I didn't know what to do. My stomach was in knots and I could barely breathe. Chuy was down there in their face. He was trying to get at them. You couldn't see them from the back of the cell where I was, but you could hear them coming closer, the sound of the shotgun getting louder, the voices in the cells getting into that last real high pitched yelling just as they got shot and then I could hear them close enough that I could hear the shells hitting the floor coming out of the chamber and could hear their shoes as they walked.

"When they got the guys next to us, it really sounded loud. The the guy was standing in front of our cell and I curled up real quick, like a dog that somebody is gonna beat with a stick or something. Chuy was screaming at the guy and came away from the bars real quick to try to find something to throw at him.

"He just stood there, with his head kind of down, reloading that shotgun. He was moving real slow, like he seemed drunk maybe. I remember thinking he was probably tired. He's about to blow me away and I'm thinking about him being tired!"

At this point, Prieto stopped short and his face went blank for a few seconds. I didn't want to press him. I wanted to let him finish in his own time and his own way, if I could. Never has a tale been told to such a rapt audience as I was at that moment. He started to cry a little, but only to the point that tears welled up in his eyes, as if to cleanse his vision.

"Then he got it loaded and he raised it and, just like that, he shot Chuy right in the face. It knocked Chuy all the way across the cell and I could see he didn't have any face left. He was dead,

man!

"I looked up and the guy was swinging around on me. The end of that gun looked as big around as a beer can....and black like night. I think I was trying to say something, I don't remember, and all of a sudden there was a big bang and it felt like somebody kicked me in the chest and the next thing I knew I was in a hospital.

"When I first woke up, I felt real weak and everything was like it wasn't real or something. I couldn't figure out where I was or why I felt that way or what had happened. It was like I was in a different time, a long time ago maybe, and I remember I didn't feel like I do now. I mean, I'm sitting here with you and you're you and I'm me, right? But just after I woke up, I didn't have that feeling of being me. You know what I mean? I didn't have a feeling like I was anybody particular for a little while. Maybe it was the drugs they gave me or maybe that I lost a lot of blood. They said I lost a lot of blood."

"I know," I said.

"That went away pretty quick, though, the not knowing who I was. Just as soon as the nurses and everybody came in and saw I was awake, they started talking. I don't remember what they said, but everything fit together again. You know, I'm in the hospital and these are nurses and I'm here 'cause I got shot. It all came back.

"A couple of times since then, though, I think that strange feeling has come back, where I can't put everything together and I don't know where I am and I don't feel like me."

I LIVED THROUGH NIGHT OF PRISON
MASSACRE!

(Direct to The Scanner-Exclusive)
"Injun Joe" Prieto has seen many
things in his life but he says the

worst was the night the guards turned on him and all his fellow prisoners in a state prison killing them all with shotguns. All but Joe that is.

"It was a few years ago and I was just serving out my time. I was always pretty quiet, never got into no trouble. But I never saw anything like it, they just came around and opened up on us. Took them all night and why nobody stopped them I'll never know."

The Scanner's staff has done their homework and found out that each year in this country over a hundred inmates of State and Federal prisons are killed. It sounds like a report from behind the Iron Curtain but it's right here in the old U. S. of A.

I sat in the richly appointed office, looking at the case filled with personal momentos of a long public life. There were scrolls and trophies and even an old, autographed football. Everyone has the equivalent in their own lives, though most don't have the Governor's glass and mahogany case to put them in.

His aide had been cordial and had seemed sincere as he ushered me in and we exchanged a few preliminaries on the subject I was here to see Governor Seldin about.

Then the Governor hustled his way into the room and, with a quick nod, dismissed the aide and asked that the door be closed.

"So, what are we going to do about this?" he started, sitting on the edge of his desk.

"There's nothing that can be done. Not for them anyway. How can we keep it from happening again?"

At that point he leaned forward and, focusing on my eyes, said slowly, "And just what happened this time?"

"Sir?" I asked a bit suspiciously.

"Don't get me wrong....a lot of people died and that's all against the book, but what happened? What did happen? I'm still not sure I know."

"You read Warden MacCarthy's letter?"

"About a dozen times. What do you think of it?" he asked, handing me a folder which contained the letter. I noticed it was the original, not a copy.

"You know I'm going to resign from the Corrections Department."

"No, I didn't. What are your plans?"

"I don't exactly know, at this point," I said, surprised at my own casualness.

"Let me know if you want to stay on with the State. I think you have done a good job in a tight spot for us so far."

"Have I?" I asked.

"What do you think of the letter?" He nodded at the folder. "You still haven't told me."

"Sir, why hasn't there been a full disclosure of this to the press? Full disclosure, hell, why doesn't anyone but you and me seem to know or care about it at all?" I was becoming annoyed at the dance we seemed to be doing around the facts.

"Michael, there are a lot of people who know about it. As for caring, why do you automatically assume that if, as the elected official responsible for making judgement calls, I think telling everybody out there who's just itching to have one little scrap of public scandal to sink their journalistic teeth into, might not be profitable for anyone it means I don't care? Son, I was one of those guys myself, one of the noble press. There are some good ones, but most of them don't stop to think before they write anymore than they stop to think before they screw. Let's say we tell them. Okay, who

wins, and what? Aside from the guy who gets his by-line, that is. You said it yourself. Those guys at Pavo are already on the train. Would it do them any good?"

"I also said we need to make sure it doesn't happen again."

"By publishing it all over the country? How many times has it happened? Once. Once in the whole damned history of the country! You think that by teaching lessons through the warped primer of the press we would make a dime's worth of difference to anyone who might do it again? It's lightning. It will only strike once every two hundred years, if we leave it alone. There was a Governor of this place two hundred years ago, Spanish. Do you remember his name? I don't and, for God's sake, he was one of my predecessors. If it happens again, after my official portrait and the official building it's in are officially returned to dust, I don't think anyone will remember that I was the one who was quiet this time. At any rate, I'll chance it."

"There's one thing, sir," I said.

"Which is?"

"You said it's only happened one time in two hundred years. That's assuming that someone else, or a lot of someone elses, haven't done it and covered up, too."

"Well, for chrisakes, I'm the Governor of a State. You don't get here by being naive about public history, even the skeleton-in-the-closet kind. Either it hasn't happened, or it has and even somebody like me doesn't know about it. Either way, it doesn't matter. And, unless I miss my guess, at a really deep, objective level, even you are at least wondering whether it matters. What's done is done. If it gets out, the only thing it will do is create an untenable situation for the guys who have to hold down the fort in every fa-

cility like Pavo. Mr. Sims, you are planning to cut out, to leave the fort. If you break this story, you'll be sinking the ship you just crawled off. Think about it. Every inmate in the country will be bitching his head off about mental anguish. You know how hard it is to deal with that kind of passive aggressive bullshit. If you're serious about leaving, at least don't put your foot through the bottom of the boat as you get out."

"We just let it go? Won't you have trouble explaining the budget surplus?" I asked sarcastically.

Without missing a beat, the Governor said, "Son, that's the problem the rich man has, laying awake all night trying to figure out how to spend all his money. It's a problem I can deal with. As it is now, your man, MacCarthy, died a martyred public servant. Why not leave him in peace?"

"That may actually be an argument for breaking it open. Sure, he'd catch hell from the public, or at least his memory would, but weren't you the one talking a minute ago about the crumbling sands of time and public opinion? I don't for a minute think he wasted all those people solely for the purpose of making a point. But I think he meant to do two separate things. He meant to actually put a stop to what he considered useless waste then and there, where he could personally affect it, in his own facility. And I think he also wanted that letter to get out. He wanted people to get the straight, non-politicized, death-bed truth...at least as he saw it. What you said about my crawling away is true, but that's something I'll have to deal with myself, so don't try to bring a sentimental argument into it. It wasn't MacCarthy's style and it's him we're talking about."

"You're right," he said softly. "It was stupid of me." He paus-

ed for a moment, then continued. "I understand the guard, the one that's still alive, Peters, isn't it? I understand he's a sick man. Cancer, isn't it?"

"Yes, sir, lung cancer, I think. Anyway, the folks I talked to at U. of A. said he didn't have long. None of them said a word about Pavo, so I guess he chose to clam up about it."

I think the Governor, from long experience, knew enough to take victory in silence, so we exchanged a few meaningless pleasantries, including a repeat of the job offer (which I'm sure he would have preferred be some place like Maine or Puerto Rico) and a quick hand shake to usher me out the door.

As I got into my car, I was not quite focused on any one thing, not the heat off the oil spotted pavement or the chafe of my tie or the people playing on the swings or taking their noon hour for picnic lunch breaks in the little park across the street.

I only had a dull sense of inertia, an incomplete, but hopeful, sense that things would proceed in the right direction if left alone. Where that inertia would eventually lead me I had no idea as I let it take me out of the parking lot and onto the boulevard.