

00:00 – Your state senator Fred Farr reports to Monterey County. This is a weekly noon-hour broadcast brought to you by Fred Farr, your state senator for Monterey County. Senator Farr will be glad to receive your comments and answer your questions addressed to Senator

00:30 – Fred Farr, Box 3305 Carmel, or phone 624-5321. Senator Farr's in New York City this week, attending the annual convention of the National Conference of Commissioners on Uniform State Laws. The conference is composed of outstanding lawyers, law professors and legislators from the 50 states. The conference designs model and uniform laws intended to produce uniformity in state laws, especially where such uniformity

01:00 –will expedite business and commerce. Before leaving for New York City, Senator Farr went on a campout in Big Sur country. Among his companions on that campout were Cletus Fitzharris, Superintendent of the Soledad Correctional Facility, and Lawrence Wilson, Warden of San Quentin. What follows is a discussion of the penal institutions of this state and the inmates in those institutions. The first voices you will hear

01:30 – will be those of Senator Fred Farr, and Cletus Fitzharris. Mr. Fitzharris discusses the adult authority, on which he served for a number of years, and the indeterminate sentence law.

Senator: [inaudible] that this indeterminate sentence law, people are sentenced in California with a minimum and a maximum, and you determine the amount of time they will spend between the minimum period prescribed by law and the maximum period that's prescribed

Cletus Fitzharris: That's right.

Senator: And that's done by the adult authority.

Fitzharris: That's right.

02:00 – Senator: And they interview each one, each inmate has a chance to appear before the adult authority, is that correct?

Fitzharris: Each, each one appears on a regular basis. Their first appearance is scheduled according to the type of offense, and the amount of penalty carried there's set by the legislature. The second appearance or whatever subsequent appearances are determined by the board panel that sees them and how the board views his particular case, some are heard yearly, some are heard less often than that.

02:30 – But this is a determination of the board, but no man is ever paroled or released from prison unless pardoned without being interviewed by the adult authority.

Senator: Larry, you were warden at Soledad and now you're a warden at San Quentin, what do you find the difference in the institutions, San Quentin from Soledad? Well what is it first of all from the classification standpoint, of the type of men, the same type of men that you had at Soledad or different type of men?

Lawrence Wilson: Well we have,

03:00 – of course we have the condemned men up there, which is different from Soledad—

Senator: You say condemned, you mean death row?

Wilson: Yes. And then we have a greater number of management cases, cases that our friends like Mr. Fitzharris here transfers to us for housing and better keeping and um—

Senator: When you talk in the Department of Corrections lingo, and I want to know what you really mean

Wilson: Well I mean that the management cases are disturbed

03:30 – individuals, either pre-psychotic or paranoid or for one reason or another their characteristics are such—

Fitzharris: Or just plain ordinary.

Wilson: Or just plain ordinary that they can't get along with the main population, they can't get along with employees, they could be protection cases, cases where they're in debt, cases where they're maybe—

Senator: You say 'in debt,' what do you mean by that?

Wilson: Could be in debt to other inmates or they could be cases where they have weaknesses, that,

04:00 – they are homosexually misfits, you might say. And also problem [undecipherable], as far as trouble is concerned. So we have a greater share of those in San Quentin because San Quentin for many, many years is the only accordion-type prison in the system and I mean by that we can always wedge in 500 more people up there. At this time we are practically double-cell throughout the plant

04:30 – with a capacity of around, I'd say 2600, we're running around 5000, so we are trying to get the figure down this next budget year but the probability of staying down is very remote because of the expanding population and also the succession of problem cases coming to the surface in the other institutions like San Luis

05:00 – Obispo and Tracy Deuel Vocational Institution and Chino so far.

Senator: What, does death row present any particular problems for you as the warden at San Quentin Prison?

Wilson: No, no particular problem, we have some temperamental individuals up there, and they are limited in what they can enjoy, you might say, as far as privileges are concerned and their time out of the cell is limited by a schedule,

05:30 – but their concern up there is primarily being able to write their writs of habeas corpus or other types of legal documents, and having access through the library, access to the courts, and also expeditious handling of mail.

Senator: How many men do you have on death row now?

Wilson: Forty-six at this time.

Senator: Forty-six awaiting execution?

Wilson: No, we only have one waiting execution. Just one date fixed.

Senator: One person with a fixed date and the rest of

06:00 – them haven't got a date fixed?

Wilson: No date fixed.

Senator: What percentage of those people do you think will be executed?

Wilson: I have no way of knowing this, this is all—

Senator: How many did you execute this last year?

Wilson: Well we haven't executed anybody since January 1963.

Senator: That's the last execution.

Wilson: Yes.

Senator: As, our, in our whole penal correctional system, with probation becoming more effective, in the sense that the courts

06:30 – assign people a probation, they have good probation officers who check up on them, county jail sentences and whatnot, as the situation improves, will not be accused of forgetting the, more or less the hopeless people or the people that can't be improved through a county jail or through a probation system.

Fitzharris: Well, yes, this is definitely happening, over the last 20 years we've seen this happen progressively. As probation gets better and the handling of crimes

07:00 – locally gets, takes the better people out of the, or prevents the better people from coming to the prison, the prison, those who are coming to the prison are, again, pretty much the dregs of

the criminal element, so we find ourselves with oh, fewer tractable inmates, fewer people interested in their own future and welfare that is motivated to a point of doing something about it, and fewer people who have accomplished anything in their lives, the most of them are just riffing along.

07:30 – Wilson: Now this brings up an interesting point because across the United States the parole success has been around 50/50 percent, and it used to be that way in California, and it has increased, the efficiency has increased, so now we're using this figure that Fitz mentioned of 60/40. 60 percent of the people go out and remain out, and the 40 percent are returned,

08:00 – half of those of course are technical and the other half are from new commitments, but the point is that now we're dealing with a more difficult group of people than we have here before, and it bears out that our department, [undecipherable] has done a real good job in planning, and selection of employees but in training and in supervision, because, here we are, we're increasing our efficiency, with a very noticeable and deteriorated group of people

08:30 – on the intake. We're barely holding our own.

Senator: What do you think, Larry and Fitz, all of your years in correctional work, what can the average citizen do, or maybe I should ask first, do you find the average citizen is interested in your problems and trying to help you with them?

Wilson: Well the average citizen doesn't know what our problems are. And then those who do know something about the problem and are

09:00 – aware of the objectives of our work, I would say by and large are all in good supporters of our program, and we have a number of citizens and lay-groups that are assisting materially and constructively and in what we're doing in prison to have our techniques and shops, trades and so forth up-to-date, our

09:30 – equipment, on a par you might say with that in the industry on the outside, and likewise this same group of people, while we're not asking for it, are all the time assisting in finding jobs for parolees because they've become aware of the prisoner and his capabilities, and they feel as though here's a man who needs to have some help on the outside getting a job, and after all these folks are all coming back home, Fred.

10:00 – Now, begin as you may say—

Senator: For better or for worse?

Wilson: For better or worse, and ninety-five percent of these folks are going to be released from prison, and also I'd say another ninety-five percent are going back to the local community from whence they came, so we're nothing more than a service agency for the local community, and

the new responsibility is the community and placement as well as our responsibility in preparation for release.

Senator: One thing that's always disturbed me is the abruptness, a man

10:30 – commits a crime and he, he spends some time in the, perhaps a police station or a county jail awaiting trial and eventually if he's convicted he finally goes to a state prison so he's sort of eased into the prison, but if he's there for ten, fifteen, twenty years, the day he comes out, he's not eased out, he's there in the prison then next day the gate opens and he's out in society. Is there anything that could be done or should be done to get him back into society

11:00 – gradually rather than that abrupt cut-off? The reason I ask this, because I hear that some of these men get out in the street and the first thing they do is seek their friends, the ex-inmates and therefore they get back into prison again.

Wilson: Well, something is being done in this line, this last session of the legislature we are, receive the preparations, set up a halfway house, and it'll be in the Berkeley area, on that side of the Bay, and this

11:30 – could work two ways, it could work from halfway house for men going from prison into the community or a man in the community is on the ragged edge but rather they go back to the prison, bring them back to the halfway house for examination and re-evaluation and possibly re-orientation for community [undecipherable] the outside.

Senator: Think I might close this with asking this, Fitz and Larry you, your many years in the

12:00 – criminology and prison work, you've undoubtedly come across some very interesting characters who've gone through there. Who would you say your most interesting person you've ever run across as an inmate might've been?

Fitzharris: Well, there are many, it's hard to choose. There's one fellow by the name of Harry who had served something over twenty years on a murder charge and was there in the days before the central facility was built, and the men had lived in the barracks

12:30 – and was, had been trusted at San Quentin for many years and one day he was assigned a camp and then was there just a short time and left the camp, escaped. He was apprehended three or four months later in a small town in the Midwest, where he...people in the community wanted to have him stay there. And when he came back we, we couldn't permit this of course, when he came back

13:00 – he said the reason for his escape was to prove to the [undecipherable] that he could make good if he were no longer in prison.

Senator: I think the public probably views, the average person sees San Quentin as being a [undecipherable] or any of our state prisons as being a pretty low, person of pretty low mentality,

but from time to time you must meet some people that come through there with some pretty interesting backgrounds, and very high IQs,

13:30 – not educational experience, am I right?

Fitzharris: Trust me, this is a good example, he's, had a genius IQ and had succeeded in educating themselves—

Senator: Did you ever find out what his IQ was?

Fitzharris: Oh yeah but I'm, I'm, yes the records indicate this but I'm hesitant to say, to guess, but it seems to me it was 150 or something like that.

Wilson: It was 142, I figure I saw one time

Fitzharris: This is, this is in

14:00 – the genius level, there's no question about his intelligence, and no question about his abilities. He just had a warped characteristics.

Senator: Do you ever have any doctors or lawyers or professional people in prison?

Wilson: Oh yes, we have some famous doctors at San Quentin and there—

Fitzharris: I think you could name any profession that you'll choose and, or any social or fraternal or service organization and you will be able to name between us somebody

14:30 – who, a specific case that fits this pattern, so it's not something that is—a crime is always respective for the profession.

14:41-14:51 – [Silence]