

Texas After Violence Project

Interview with Roger Barnes

Date: November 7, 2008

Place: University of the Incarnate Word (UIW), San Antonio, Texas

Equipment: Sony mini HD-DV camera

Recorded on: Sony DVD cassette tape

Interviewer: Virginia Raymond

Videographer: Gabriel Solis

Transcription: Jennifer Anker

Reviewed & edited: Gabriel Solis

RAYMOND: Good afternoon, Dr. Barnes, Professor Barnes.

ROGER BARNES: Hi.

RAYMOND: My name is Virginia Raymond. We've met— For the record, this is Gabriel Solis behind the camera.

ROGER BARNES: Hi.

RAYMOND: And it is December seventh, two-thousand—

ROGER BARNES: November seventh.

RAYMOND: Oh, oh, yes. November seventh.

ROGER BARNES: Seventh.

RAYMOND: Thank you. November seventh.

ROGER BARNES: Sure.

RAYMOND: November seventh, 2008. And we are here in your office in the Department of Sociology at Incarnate Word University. Or the University at—

BOTH: of the Incarnate Word.

RAYMOND: Here in San Antonio.

ROGER BARNES: Yeah.

RAYMOND: Thank you very much.

ROGER BARNES: Glad to be here.

RAYMOND: Before we get any further, you just have reviewed— you're looking at our brochure and you reviewed the consent form and you consented to be interviewed?

ROGER BARNES: Yes.

RAYMOND: That's right. Okay, good. And then thank you for that. And obviously, we're videotaping this as well. We will give you two options. We will in either option, we will immediately mail you a copy of the DVD as soon as we can— probably within a week.

ROGER BARNES: Sure.

RAYMOND: Then what we normally do, and this is our standard practice, is to transcribe the interview, send it to you, give you a chance to edit it, review it, and approve it. And then donate it to us for a bunch of purposes — mostly public education, everything noncommercial, and also for placing it in the Center for American History at University of Texas—

ROGER BARNES: Fine.

RAYMOND: —archive there. And also, only with your permission, sending videotapes to relevant libraries who might also want it.

ROGER BARNES: Sure.

RAYMOND: I'm thinking particularly there's one at State University of New York at Albany that is having— that has an abolitionist oral history archive. Yeah, talk to them... The other option is because we are quite behind in transcribing is if you're comfortable with the interview after you review the DVD to donate the interview materials to us, then.

ROGER BARNES: Of course.

RAYMOND: But we'll let you decide that.

ROGER BARNES: When I see it, sure, that's fine.

RAYMOND: Thank you. Okay, so, Dr. Barnes, tell us a little about yourself and bring us up to the point where you first became interested in prisons and the death penalty.

ROGER BARNES: I'm a sociologist. I graduated from the University of Kansas. Got my degree in sociology and I've taught for twenty years here at the University of the Incarnate Word. My wife's an academic. And we have a daughter who's in law school. We have one, one child and she's in her first year of law school at the University of Texas School of Law. My involvement in the death penalty goes back quite a ways and so to bring you up to date on that, I've got to go back almost forty years. When I was a senior in high school, which would have been in the spring of 1969. I met a man whose friendship with me in many ways changed my life, or at least it afforded me some experiences that were extraordinarily unique. His name was Bill Sands. Bill had been incarcerated earlier in his life at San Quentin Penitentiary in California for a string of crimes. It was there that he got to know Warden Clinton T. Duffy, a very famous American prison warden, who became Bill's kind of surrogate father. In the mid-1960's, about three years or so before I met Bill, he had written his autobiography, which was widely read, it was for many weeks on the New York Times Bestseller List in, I want to say, 1965. The title of it was My Shadow Ran Fast. He was a very, frankly, kind of

charismatic individual. He's a very gifted orator. He's a very bright man. He had founded an organization called the Seventh Step, which was a kind of a twelve-step program for ex-convicts. And Bill went on the lecture circuit. And he came to my town. I was growing up in Dodge City, Kansas, which is a small town then of about twenty-three thousand people, I would guess, in southwest Kansas, about a hundred-and-fifty miles straight west of Wichita, kind of on the plains, the high plains. Lots of wheat, lots of corn, lots of pheasants. And my dad was president of Dodge City Community College. And the community college had a lecture series, and as a consequence of that, many people who came and lectured at the college— and these were public lectures— would come over to our house afterwards for a reception and party. And so I got to meet a whole lot of very interesting people, but I remember meeting Bill Sands. He and I immediately struck up a friendship. And the circumstances of that went like this— and it's a capital punishment deal— the Wichita Eagle had published a pro-death penalty editorial some days or a couple weeks before that evening that I got to meet Sands after his lecture. And here I am, this just-turned-eighteen-year old, kinda— high school senior, and I was heavily involved in all kinds of anti-war activity. And I was interested in criminal issues, criminal law, really, I thought at the time I might go into law. And so when Sands comes over to our house, I grabbed a copy of this letter that I had written, chastising the Eagle, appropriately enough, for publishing this pro-death penalty editorial and I pointed out how wrong they were and why they were wrong in taking that position. And so, I grabbed it and I came up to Bill and I said, "Mr. Sands, do you want to read this letter that I wrote?" And we talked to one another for an hour and a half at that party. Then he said to me, "I'm writing a book about the people I meet as I travel around the country and I'd like to interview you in the morning. Can you get out of high school?" Well, I was in the routine habit of skipping high school classes here and there anyway, so getting out of school was no problem. And I went to his hotel room and we sat down and we taped an interview. And we talked about how you organize people on the plains of southwest Kansas to be involved in anti-death penalty stuff, but primarily we talked about the war, and all of that, and student activism in general. This was not too long after the rise of SDS and the Port Huron document and all that. So needless to say, Bill and I liked one another. He had just gotten married not too long before then to a really beautiful woman who had been an airline stewardess, German girl, really very attractive, younger. This was Bill's, I want to say second, perhaps even— I think he might have been married early as a youngster— so this might even have been marriage number three. Anyways, we stayed in contact. We wrote back and forth and I even exchanged some letters with Warden Duffy, who was retired at that time. And in the mid-summer, couple months later, after having first met Bill, he called me up and he said, "I'm going to take a documentary team on a trip, and we're gonna spend five or six days at Tucker Prison Farm in Arkansas. And we're gonna spend our time on Death Row there. And we're gonna interview the men on the row. And then from there we're gonna go to Washington D.C. and then New York City and do some interviews with some United States senators and with Norman Vincent Peale." And he said, "You wanna come along?" He said, "I'd like to have you come along." And I said, "You betcha." And so I flew from Wichita to Little Rock and met Bill and this documentary crew. It was— there were nineteen people as I remember on this documentary crew. The idea was that— Bill had in mind, this was to be a pilot for a program much like today we would see, 60 Minutes. And we spent five days at Tucker

Prison Farm on Death Row and that's where I got to know Lonnie B. Mitchell Jr. and just a whole bunch of guys, guy named Jerry— Jerry Johnson. Let's see who else was in there— Lonnie Brown, Willie Maxwell – he had a very famous case, Maxwell vs. Bishop. And the guy I got to know best was a senior man on the row who was Lonnie B. Mitchell. His prison number was SK8-13. Lonnie had not murdered anybody. He was a Black man who had been convicted of raping an elderly white woman and had been given a death sentence. This was before the Coker decision, okay? And I think there were five men at all on Death Row there in 1969 out of the seventeen on the row who had been convicted of rape and given death sentences, and appropriately enough, I think all five of them were black men and their victims had been white women. This was pretty Jim Crow south. So, the men on Death Row had some considerable freedom by comparison to how life is like on Death Row today. They were not locked down, they weren't in twenty-three and-a-half hour a day solitary. In fact, they ate in the prison mess hall and they were housed on the Death Row, which was the only part of Tucker that really resembled the traditional penitentiary. The rest of the prison was a kind of dormitory-style, a kind of Cool Hand Luke setup, so to speak. And inmates worked the fields, and they raised—they had their own cattle and they had their own crops, except for the guys on Death Row. And, well, we interviewed men on Death Row. We interviewed, probably, I guess, all of them. And I recall us even doing one thing that, by today's standards, this is absolutely ridiculous. We took two guys out of Death Row, out of the prison and took them to downtown Little Rock. We had them dressed up in street clothes and filmed them walking down the sidewalk. And as they're walking down the sidewalk, kind of window-shopping, Sands steps out and sticks a mike and says, "Hi, I'm—you know, "who are you guys?" and "what's your names?" and "where do you live?" And then they break it, "well, actually we don't live in Little Rock, we live on Death Row." It was all done for some sort of television drama, but it's unimaginable today that you'd take two guys out of Death Row and take them to downtown Huntsville or Houston. Lonnie Mitchell and I got to be pretty good buddies. And he had come within some hours of his own execution. He had been on Death Row for eleven and-a-half years at that point. He had had cellmates executed. And he was fairly well convinced that his day would eventually arrive and he would die in Arkansas's electric chair. The thing that all the men on Death Row had going for them at the time was a governor by the name of Winthrop [A.] Rockefeller. Rockefeller had stayed all the executions that had come to his desk. He was a Republican and he was morally and religiously quite strongly opposed to the death penalty. And he stayed all those executions, but Lonnie was convinced that when the day came that Rockefeller left office, whoever the governor was, the probably executions would resume in Arkansas. He would take me around the prison. I remember one time we went into the mess hall to eat and the guys all ate—they drank not out of glasses or cups, they drank out of like Coca-Cola or Pepsi-Cola cans that had had the lid on the top screwed off. And so it was a drinking instrument and they were sometimes kind of dirty and grungy. And I remember going through the line and following behind Lonnie and he said, "I'll get you a clean can to drink out of." And he just took his time looking at each one of those until he—and the line backed up and it was sort of like the guys who were serving the food were just like kind of waiting and they just waited because this man he's dead man walking. And they were a different status, they were a different kind of rank, and so finally we found a good can. And I had had lunch and many, many little tiny

things like that. I remember they showed me the electric chair. The electric chair had been dismantled but it was kept in a little storage room just off of the end of Death Row, kind of ironically like the traditional thirteen steps from the Death Row to the electric chair. And it was a high backed electric chair made out of some real heavy hard wood with the leather straps and all of that. And I sat in it, kind of eerie feeling. This was quite an experience. And we spent a lot of time, fifteen-hour days, there. That wasn't all that we did. The Director of Corrections at Arkansas was a man named Robert Sarver, S-A-R-V-E-R. And I recall going to his house, I think shortly after the crew had assembled there. Like maybe even the first night. And Bob Sarver had the famous whipping belt. The whip that they used, which was very long. I mean it was very long, like maybe three or four feet long and very thick and heavy leather and about four inches or so wide. And that's what they had whipped inmates at Tucker with. There were two prisons in Arkansas at the time, Tucker and Cummins. Tucker was the more notorious of the two because in the year and-a-half just before we had gotten there, they had been the subject of a nationwide prison scandal when the former prison director there, man named Murton, [Tom] Murton, had led a camp— not a campaign, but had led the effort to follow through on rumors about inmates over the years who had been murdered and whose bodies had simply been taken out and buried in the fields. And they discovered a number of bodies and it was probably the case that some of these inmates had just over the years been disappeared and had been dragged out and buried in the fields. Murton eventually got crossways with Governor Rockefeller and the prison board. On Rockefeller's recommendation, fired Murton. He was a cantankerous fellow and hard to get along with but probably as the annals of prison reform are written for the twentieth century, Robert Murton will go down as one of the most important famous prison— you know, I keep calling him Robert Murton because there's a famous sociologist named Robert Murton. His name is Thomas Murton. I'm sorry about that. So I remember looking at the whip and Tucker was also famous for what they called the Tucker Telephone. And the Tucker Telephone was one of these old crank telephones. And they had devised this thing to where they would hook it up and they would attach the wires to an inmate's genitals. And they grind electricity through them; it was a torture device, but they called it the Tucker Telephone, and it was kind of famous. I mean this is definitely a medieval prison. It was a bad place. One day, Bill Sands and I took the afternoon and went over to Cummins and I remember driving over there with Bill and I think one other fellow from the film crew, although there was no filming going on. Bill just wanted to go over to Cummins to meet two men, two prisoners that he had met before on a trip there. And I remember we got to Cummins and the officials let us in and they— I don't think they frisked us or anything like that. If they did, I don't remember. And, but what I do remember was that we were left alone with these two inmates. And as soon as the guards were gone, one of them said, "Would you guys like a drink?" And Bill and I said, "Sounds good." He says, "Come here." So we went into this room and it was kind of like a secretarial space, had some old file cabinets and an old metal desk and the like. And guy reached down back and behind one of the metal file cabinets and reached back in there and pulled a bottle of whiskey. And we got a couple little cups and poured some drinks and had drinks right there in Cummins.

RAYMOND:

What kind of whiskey?

ROGER BARNES: Oh, it was Jack Daniels or something like that. It wasn't moonshine. But I mean that was how that was and— but we spent most of our time over the course of those five days at Tucker on Death Row. And, as a consequence, I got to know those guys pretty well, or so I thought. And Lonnie Mitchell was semi-literate. He was pretty simple fellow. He was a Black man in his early thirties, but he had been on Death Row since he was about twenty or so. And Lonnie and I over the course of the following year exchanged letters back and forth. Just one minor point about this particular documentary team, we went from there to Washington D.C. and there we interviewed Senator Chuck Percy and Senator Daniel Inouye. Now Percy was from Illinois and Inouye, of course, is still Senator from Hawaii. If we went back and if I remember this correctly, I think Percy had a daughter who'd been kidnapped and murdered. I'm pretty sure of that. From there we went to New York and we interviewed Norman Vincent Peale, the famous iconic religious fellow. And then from there, we went up to Rushford, New York. It was a little tiny rural village in New York. And we interviewed Philip Wylie, the American writer, who had been most famous for a book called *Generation of Vipers* that he had written back in the early forties. And then at this point, I had been gone for two weeks. This was in September, so I had missed two weeks of school. I was going to my dad's community college. And there was some sort of, "Are you ever gonna come home?" And so finally it was time for me to come home and the film crew then flew all the way back to California and I flew back to Dodge City. And I got back into a school routine. And then the saddest of things happened, about six or seven weeks later, Bill Sands had a heart attack and fell over dead. And to this very day, I have no idea where any of that incredible film footage is. I have no idea where it is. It's never surfaced. When I was younger I made some feeble and very inept attempts to find out where it was and what the disposition of it had been. But, to my knowledge, it's never aired anywhere and I have no idea who has it. To compound the loss of Bill, his wife committed suicide two days after he was buried, leaving a note that she was going to go join him. So it was all very, very sad. One other thing, cause I get focused on what we filmed at the prison 'cause it was so remarkable. And if ever that film footage could be gotten, it would be incredible kind of archival material. 'Cause there's literally hours of filmed interviews with these inmates and life there on Death Row in the late sixties at this prison. They also did an interview with me. We went to the capital in Little Rock and there was a pond behind the capital building. And it kind of looked like maybe a pond on a college campus. And Bill and I strolled slowly on the sidewalk next to the pond and they filmed— they had the cameras all set up and filmed this interview. We talked about anti-war activism and radicalism on the plains of Kansas, organizing students and that kind of thing. So it would be interesting to see that material, too. But to tell you the truth, I'd just as soon see the film stuff. So, that's how I got interested in— well, I was opposed to the death penalty before that.

RAYMOND: Actually, may I interrupt you for a—

ROGER BARNES: Sure.

RAYMOND: — tiny bit before we leave Tucker?

ROGER BARNES: Absolutely.

RAYMOND: Earlier when you were talking about Lonnie and the lunch line with the Coke can, you said, “many little things like that.” What were you referring to then?

ROGER BARNES: It was just he would take me around the prison and introduce me to other inmates or showed me just different aspects of the prison, simple little things like, “Oh, I need to take you and show you like the storage place where we store the linens and the blankets” and that kind of stuff. It’s almost— it was like having a personal prison tour guide who took some measure— oddly enough— almost of like pride. “Let me show you around where I live.”

RAYMOND: That’s interesting. Thank you, I just wanted to—

ROGER BARNES: Yeah, yeah. And what happened, okay, was that in the following months, Lonnie and I corresponded with one another. And then in the fall of 1970, about fourteen months or so after that initial visit, I came up with this idea that it was time to go back to Tucker, and to see Lonnie and Willie Maxwell and Lonnie Brown and those guys. So I recruited a very good friend of mine and I said, “Jay, do you wanna go with me.” I said, “I betcha Mr. Sarver will let us back onto Death Row.” And my friend, Jay, said, “Sure, I’d love to come on the trip.” And so I called— I think I wrote Robert Sarver and said, “If I came back, do you remember me?” And he said, “Yeah, I do.” I said, “Could we get back on Death Row and see Mitchell and the guys?” “Yes, you can.” And he said, “I would ask just one thing and that is that we don’t have any real nice civilian clothes to give to the guys that we do release from prison. Of course, not the Death Row guys, but the guys we release.” He said, “If maybe you could gather up from some of your friends or your dad’s friends some suits that they don’t wear and maybe you could bring those and maybe you guys could scrounge up some cartons of cigarettes and some paperback books, ‘cause we don’t have any of that stuff.” And so my buddy Jay and I went around and hit our dads’ friends up for suits and we had a bunch of clothes in the back of my sixty-six Mustang. And we had clothes in there, we threw cartons of cigarettes in there, and some paperback books and we hauled off to Little Rock. And then after getting into Little Rock, the next morning we went out to the prison. And got right back in onto Death Row. And I remember that one of the very first things— I mean I hadn’t been there thirty seconds before Mitchell says to me, “Well, did you know that the governor was considering commuting sentences?” Now, here’s the story: Nelson Rockefeller had been defeated in his reelection bid in November. And it was his effort at a third term. And—

RAYMOND: You said Nelson. Do you mean—

ROGER BARNES: —meant Winthrop, excuse me, thank you. Winthrop Rockefeller had been defeated in the November election and so he was due to leave office in January. And well, I told Lonnie, “No, I didn’t know that the governor was

considering commuting any sentences.” After all, we were coming from southwest Kansas and not paying a lot of attention to Arkansas politics. And we spent that day sitting around in the prison, in the cells, or in the breezeway outside the cells, ‘cause Death Row had a series of cells that marched down here, a breezeway and then a big wall with windows up on the top of the wall, very traditional looking death row. And pretty stark, pretty steely. So, we sat around that day, we drank coffee, we smoked cigarettes and we talked about the things that we talk about— we talked about politics and girls and sports and who was gonna get a sentence commuted and who wasn’t. And Lonnie was convinced that he was not going to get his sentence commuted so we kind of placed sort of symbolic bets on who might get a sentence commuted and there was some consensus that a couple of guys stood a chance and then there was sort of the resigned feeling by Lonnie and some others that there wasn’t any chance. Lonnie had been on Death Row at this point for now twelve and-a-half years, which was in those days, a pretty dog-gone long time on Death Row. It’s about the national average almost now. But back then, that was a pretty lengthy stay. And well, that day passed and the next day, we were back in the prison, and picked up the conversation and I can’t remember whether it was the second or the third day, but one of those days shortly after noontime, somewhere around one o’clock-ish, one-thirty-ish, the-the doors— there was a single door that allowed entry into Death Row— and that door opened and the superintendent, that is to say, the warden of the penitentiary, came in and he had some other prison officials with him and he had some what looked like journalists and photographers. And the warden simply said, “Gather around, guys. I’ve got news for you.” He said, “The governor’s held a press conference in his office in Little Rock and he has commuted all of your prison sentences.” And there was the most incredible celebration I’ve ever been a party to in my whole life. I mean, men crying and hugging each other and falling to the ground and these shouts of “Praise Jesus” and “God bless Governor Rockefeller” and the photographer got these guys— got the Death Row guys— to gather up the ones who were there. ‘Cause, you see, some of these guys could come and go from Death Row. They weren’t always confined there. So the guys who were there, he got ‘em all gathered up and this is a copy of the front page of the Arkansas Gazette on December thirtieth, 1970. And you can see the headline that says, “Fifteen Death Sentences Commuted by WR”, that’s for Winthrop Rockefeller. And here’s my buddy, Lonnie Mitchell, right there. And Willie Maxwell’s in here, and there’s Willie Maxwell, right there. And I was standing, honest, this is true, I was standing just over here, but I’m not a Death Row guy, so I got cropped out of the picture. And then my friend, Jay, and I went back the next day before we returned to Kansas and we visited with the guys one more time. There had been a funny thing that had happened that morning before the superintendent came in and gave this incredible announcement and that was that I had kind of longish hair, unlike today where I don’t have hardly much of anything, and the guys were kidding me, the guys on the row were like, “You know, you kinda lookin’ like a hippie.” So they convinced me that I needed a haircut. I guess this is one of the funny little things. And so they got me up in the-what was kind of the barber’s chair on Death Row and the official Death Row barber came out and kinda, he had a pair of scissors, another thing that’s unbelievable, you don’t do that today on Death Row, and kind of trimmed my locks a little bit. It’s almost surreal, I think back about all of this stuff. And it was- it was big. I mean- I was, then, I was nineteen years old. That was the last time I saw Lonnie Mitchell. Over the

years that followed, our letters kind of began to slow down and he got-he got transferred to the Benton Work Release Center a few years later. Then I had fallen in love with a girl that I eventually married and so our lives kind of began to just separate a little bit- the letters slowed down and I kind of became part of Lonnie's Death Row past and I think it just kind of died a natural and very courteous kind of end, it just sort of drifted that way. And that was okay. I was busy going to K.U. by this time, the University of Kansas, and getting into graduate school. And I went on the— one of these things that you can do to check the births and deaths of people, about two years ago, and I think I found Lonnie B. Mitchell. I believe that I've got the right guy and he passed away some time in the 1980s. So that was— as a teenager, that's kind of how-that was the biggest of my Death Row experiences. And I'll tell-I'll tell you a little follow-up story to that. Back in the 1990s, the first time I met Helen Prejean was over at St. Mary's University at the School of Law over there. I went over there with a good friend of mine, Sister Martha Ann Kirk, who's on our faculty here at the University of the Incarnate Word in religious studies. My— funny thing is my mom and dad were down here for a visit and so all four of us trooped over there. I was-this was just a couple years after Dead Man Walking had come out. She was — she still is to this day, I mean, the real — the spiritual queen of the anti-death penalty movement- and I was much taken by the opportunity to get to meet her. So we had a chance to visit and I sat down with her and I said, "I wanna tell you a story if you don't mind." And I told her a kind of condensed compressed version of the time I was on Death Row and these guys had gotten their sentences commuted. She listened real intently. She's such a wonderful woman. And she looked at me and she said with that great Cajun accent, she said, "Roger, that's just a wonderful story. That's a beautiful story. Did you realize what a gift you were given?" She said, "That was because you got to be with guys who had their lives given back to 'em." She said, "I don't get to do that. I take them into the death chamber and they don't come out alive." And I thought, Wow. You know that's — there — our two stories are really at the opposite ends, aren't they? This thing that we do — this state execution. So to go back then to the-to the late sixties – early seventies — I have just always been involved in anti-death penalty stuff. I've-I teach a class here at the university called "the Sociology of the Death Penalty" and bring in guest speakers show documentaries and have them read all kinds of different books. But I-I just-a lot of my writing has been on the death penalty- a lot of my research— the book of my scholarly publications have been on the death penalty. So I guess I'm just kind of the death penalty sociologist.

RAYMOND: This— there's so much—

ROGER BARNES: Okay.

RAYMOND: —to this story.

ROGER BARNES: Go wherever you want to go, Virginia.

RAYMOND: Thank you, thank you very much. One little thing is I am assuming from— because of the tone— that the barber that cut your hair was a man, person on Death Row?

ROGER BARNES: Yeah, he was a guy on Death Row.

RAYMOND: Yes. So a prisoner, so not-not, you said, official. Okay. Thanks. And using a pair of scissors that were just there on Death Row?

ROGER BARNES: Yeah, they had them. I mean he cut guys' hair and he couldn't cut 'em with his fingers. He had to have some scissors.

RAYMOND: Yeah, okay, good.

ROGER BARNES: Yeah, yeah.

VIRGINIA RAYMOND: Tell me— took you back even before you met Bill Sanders — and you said you had already been against the death penalty. In fact, you had written a letter to an editor.

ROGER BARNES: Yeah.

RAYMOND: What was going on in Kansas at that time that—

ROGER BARNES: Oh—

RAYMOND: —that made this article come about in the first place? And the other question is, how had you already come to these beliefs about the death penalty, or convictions?

ROGER BARNES: There was never ever a point when I was a kid when I had one of these “aha” moments or, unlike some people, have— who started out as pro-death penalty and then learned and read some stuff and said, Ah! Let it go. I just— and I think the explanation here is probably my parents. I'm an only child. My dad was a historian who served as a community college president for twenty-four years, but he wasn't a Kansan, and neither was my mom. They both grew up in Chicago as youngsters in the— they were both born in 1917. My dad dropped out of high school in the 1930s, in the middle of the Depression to go to work and help support his five siblings and his parents. And then he and my mom got married in 1940. And they— then in forty-three— about, my dad went into the army and eventually ended up being shipped over to France and worked in the fifth army, general hospital there in Nice. And then he came back and decided, Well, you know what? If I'm gonna do anything, I need to go to school. And so my mom worked, my dad did the G.I. bill. They— my dad got a master's degree from Pittsburgh State Teachers' College in Pittsburgh, Kansas, and then got into Kansas Community College work. And went from Fort Scott, Kansas where he taught and was assistant dean of the community college then to Pratt, Kansas, which is another small town that had- has a community college. Kansas has a pretty— pretty nicely developed community college system. And then in 1959, we moved to Dodge City and my dad became president of Dodge City Community College. Well, that all sounds kind of like

that's a nice little story, except one important thing about it is that my dad was a Socialist. And never made any bones about it, which I've always appreciated, that he was somehow able to pull off a very successful career as a community college president and never hide the fact that, well, if you sat him down and talked to him, he'd be glad to tell you about joining the-the Young Socialists League in Chicago and leading rent strikes and standing on soap boxes in Grant Park and orating the policies of Norman Thomas. And so, as a kid, I grow up in this house where, one, it's a kind of middle-class, upper middle class by Kansas' standards, family and I'm surrounded by lots of books and magazines and newspapers. My dad was a voracious reader. And then by virtue of like this lecture series I started telling you about, there's a stream of very interesting politicians and lawyers and artists and journalists who came through our house that I got to spend time with. So it was a— it was a pretty engaging time for a kid in junior high school, high school. But, you see, I grew up with these stories about Norman Thomas and Grandma Parsons, the widow of Albert Parsons. Albert Parsons was one of the Haymarket guys that got hanged. And my dad always loved telling me all about the time he met Grandma Parsons at this secret clandestine meeting in this lofted warehouse in Chicago. So I've got this-this very liberal set of parents.

RAYMOND: May I just ask you, I know who Albert Parsons is, but I don't know who Grandma Parsons is.

ROGER BARNES: Oh, it was his widow.

RAYMOND: Oh, okay.

ROGER BARNES: Yeah, that, Grandma Parsons, as she was known to the Socialists. Yeah, Lucy Parsons.

RAYMOND: Oh, oh, that's who that is.

ROGER BARNES: Yeah, I'm sorry. Yeah, Lucy Parsons.

RAYMOND: Okay. I didn't know [inaudible] and she's from Texas.

ROGER BARNES: Oh, yeah, she's from Texas. And she's kind of like— she's like Tiger Woods, you know. She's a conglomeration of a whole bunch of different people. White people, Black people, Indian people, Hispanic, the whole works. Very interesting woman, lived a long time. And so, that— those are the— that was the kind of environment that I grew up in— very liberal, unapologetically so— and coming with that territory was the opposition to the death penalty. I mean, it was just a given— it was just a given. We would have conversations at dinnertime at my house while it was just the three of us when I was a kid, except that we had other really close family friends – I mean, extremely close friends, and lawyer friends and teacher friends, and it was an opportunity to be around pretty bright, pretty well-educated and informed people, most of whom didn't subscribe to this barbaric notion that the state ought to be about the business

of putting people on— in electric chairs or hanging them from ropes, which is what Kansas did in the 1960s. There's another angle here, you asked about how I got interested in this. You see, in 1965, Kansas executed five people there in Lansing where the state penitentiary is and of course all five of them were hanged. And probably the two most famous who were hanged were the subject of Truman Capote's *In Cold Blood*, Perry Edward Smith and Hickock, his friend, Hickock. And you see, the Clutter murders happened only about fifty-five miles away from Dodge City. It occurred in a little tiny town called Holcomb, Kansas, which is just a-just a stone's throw outside of Garden City. It's about fifty, fifty-five miles from Dodge. And that was— that was big; that, I mean, everybody was boo— I was eight-years old, I think. Those murders happened in 1959. And by the time they caught up with Hickock and Smith and got them tried there in Finney County, got them convicted and sentenced to death, and then they held them there at Lansing and carried out these executions. It was terrible; hanging these two guys; it was gruesome as-as all get out. But *In Cold Blood*, they made it into a movie when I was in high school. That's the original *In Cold Blood* with Robert Blake. So, the-the Clutter murders, the book, the movie: still kept a lot of focus on murder and crime and executions. And so if you were paying any attention, and I was trying to, you couldn't avoid knowing something about what we were doing by hanging people and I just thought that was— it was an abomination. I had the good fortune of just about everybody I talked to, or who I considered important enough and a valued friend, held the same point of view. So, needless to say, of course, we were outnumbered but it didn't matter. I had-probably my closest— he was kind of like an additional dad to me— was my father's best friend who was a lawyer. His name was Don Smith. Don was a lawyer, his father was a justice, actually became Chief Justice of the Kansas Supreme Court. And here's something that's kind of interesting: when Bill Smith— William Smith would come to Dodge City from Topeka, where he lived as Chief Justice. Well, then the Chief would come to Dodge and he and Don, his son, and my dad would sit down in the-on the living room of their house, there on west La Mesa Avenue in Dodge City. And they'd talk politics, drink and smoke and talk politics. And Donny, who's a couple years younger than me, Donny and I would sit up at the top of the stairs as little kids, I mean I'm talking when we're like in elementary school and junior high school, and we'd listen to these conversations, just enthralled about business of the court and matters of the legislature and the law and all of that. And so it was that kind of environment that I got early on exposed to. And so learning about the death penalty, learning what we do, and coming to think that it was just wrong was something that was just, you know, like a fish to water as far as I was concerned. I mean, I just never ever considered the-the prospect of the death penalty being something, which advances a civil society.

RAYMOND: Well, there's something in 1969 that provoked specific— that provoked that— and I know this was a long time ago, but just— that provoked an editorial in favor of the death penalty. Were people trying to—was there a bill pending to abolish it or for some reason — ?

ROGER BARNES: That's a great question and I don't know what prompted that editorial. I betcha if we went back in the archives of the *Wichita Eagle*, we could probably uncover both that letter and the editorial that it, that I was responding to,

and we probably — there might have been something like that— an effort to abolish. I can remember exchanging some letters back then with a couple of state legislators, guy named Bryan Moline— or Molina— and another state legislator, telling them that I thought — I guess they must have introduced an abolition bill— and said, "Way to go. You've got my support." So maybe it was something like that. But what's interesting now is the last time I saw the *Wichita Eagle* editorial position on the death penalty, they were taking an anti-death penalty stance.

RAYMOND: Very good. Still, it's one thing to have abolition of the death penalty be one of your, you know, almost assumed beliefs—

ROGER BARNES: Mhm.

RAYMOND: —you know, given, in that kind of environment perhaps. It's a different thing to focus on that and to make that your life's work, both intellectually and also as politically in terms of the Texas Coalition to Adopt- Abolish the Death Penalty.

ROGER BARNES: Mhm.

RAYMOND: Is there, you know, was it-can you talk about that? Or—?

ROGER BARNES: Well, yeah, I think one of the things is that I'm an educator. And I like to educate people. And I like to see students learn. And I like it when there are breakthroughs. And when people go, I didn't know that. And when I feel that I've been able to help them acquire some knowledge and an awareness and an understanding, that's why— I do principally sociology of law— kinds of stuff. I teach deviance and I teach criminology and criminal justice and the death penalty class and-and sociological theory— that's what I was really trained in— that stuff, you see. But I like to teach statistics. 'Cause I get these students who are scared to death of statistics and so they don't think they can do it, 'cause they hated math in high school. And I liked being able to get them so that I can teach them statistics and watch them learn.

RAYMOND: I should take your course.

ROGER BARNES: And I guess in a way I never really much thought about it except that maybe that's part of the deal is that the death penalty is a never-ending opportunity to engage with people and to educate and to inform and to enlighten. And I've always thought that if sociology has some kind of value, it must address issues outside of the narrower realms of academia. I mean my sociological hero is C. Wright Mills. Mills was this-this larger than life fellow whose motto was "Take it big!" And he just pissed off everybody that he had any relationship with. And he died, unfortunately, very young. He was only forty-five years old. But his sociology, he was as — he was as excited about speaking to students and addressing a public audience as he was worried about the "professional" sociologists of his day. So I grew up with this. I mean, my dad

gave me a book I still have on my shelf up there, the— see— it's *The Collected Papers of C. Wright Mills* there. It's up there somewhere. He gave me that when I was in high school. Yeah, I looked at that and I said, This is— this is nice. He says, "Well, you oughta get around to reading this guy. He's pretty darn good." So it wasn't until I got to K.U. and decided I would major in sociology and I— well, better read Mills— well, I got hooked. So I think in the kind of sociology that he did and that I grew up being so impressed by and that's part of why I belong to the Texas Coalition to Abolish and why I'm the head of this student group that we have on campus that has-has vigils on days of executions and why I go out and I write editorials for the newspaper and I go give talks to civic groups and church groups and other school groups. And I can talk about other stuff, and I do, besides the death penalty, but inevitably I get asked to, I guess maybe they think I know something about it, and so they want me to come and talk to them about it. You know, there's so many different angles to take on the death penalty, so much to write about, and so much to say. I mean you can talk about the economics of it, the morality of it. You can talk about life on Death Row, the sheer humanity or inhumanity of it. We can talk about the innocence issue. We can talk about its failure as deterrence. You know, I've been part of this battle long enough to where I can remember going back in the sixties and seventies where there was quite a debate about whether it advanced public safety and did it function as a deterrent. Now you notice that that discourse is just basically all dried up and disappeared. I mean, even staunch proponents of the death penalty don't really try to advance the deterrence argument because it just doesn't hold up. So with them it's like if you're gonna argue this case, you gotta argue that on some other grounds 'cause, well, if you got any knowledge at all about the studies that we have on deterrence, you know that it doesn't work as a deterrent. So there's any number of angles to take.

RAYMOND: So you went to graduate school and became a sociologist. Can you tell us a little bit about your route until you got into here, into the University of the Incarnate Word or is that— ?

ROGER BARNES: Yeah, it's not— it's not a seamless kind of thing. My wife is an occupational therapist and she got her baccalaureate degree and her master's degree from the University of Kansas in occupational therapy. She was teaching in — after we got married, I'm working on my dissertation and she's working for the Topeka public school system. She's commuting from Lawrence to Topeka. It's a distance of about thirty miles. And Karen got it into her head that she wanted to become a college university academic and so there was a job that opened up here at the U.T. Health Science Center, just a regular faculty assistant professor position in occupational therapy, and I had about two or three chapters left to write on the dissertation, and I was teaching at the United States Penitentiary at the time. I taught there for two and-a-half years through the graduate program that we had. I felt badly about leaving that, but I said to Karen, Well, you know, if they're gonna hire you down there, I can finish up the dissertation down there and let's see what happens. So we moved! From Lawrence down to here; packed up all of our belongings. I sold my baseball cards for three hundred dollars. Yeah, I wish I had that shoebox back. But we needed the money to pay for the truck, and we loaded up our stuff and we moved down here and got a little rental house and then I went around to different schools and applied my— sent my resume around. I

was A.B.D., of course, and I actually got hired at the University of Texas at San Antonio as a full-time adjunct faculty. I had four courses. I actually, that was the first time in my life I got a paycheck that totaled a thousand dollars a month. And so I taught there and then got down to the point where I had about one chapter left on the dissertation. Then I was — I had been a sabbatical replacement. The guy came back and so I taught part-time. I taught a course at Texas Lutheran, I taught a course at Our Lady of the Lake, I finished up the dissertation, defended, and a job opened up at U.T.S.A. I applied and interviewed and went through the whole process and they hired me. I had a full-time academic position and now my wife did. We were two academics and we were in the same city, different schools, but that was all wonderful. Let's— I had— I didn't run into any problems or anything at U.T.S.A. I just wasn't— it just wasn't all that— didn't fit me and how I saw myself and how I wanted to have my career. So after about, after four years there, I said, You know— to Karen I said, Look, we gotta talk about this because you're coming up for tenure next year and you're probably gonna get it and I'm not real happy at U.T.S.A. I hadn't gotten any-into any arguments. It wasn't a political deal. It just was, well, just some schools, you know, you just don't feel that comfortable at. And so I said to her, Why don't I look around and let me see if something happens to open up here. So she went ahead and she got tenured and then a position did open up here at Incarnate Word. And I just, the fortunate series of events, and I interviewed here and I've been here now for twenty years. They made me an offer and I told all my friends at U.T.S.A. I was taking it and I was leaving. And I've been here for twenty years now, it was one of the best things that's ever happened.

RAYMOND: Good.

ROGER BARNES: Yeah.

RAYMOND: Good. Tell me— I want to do a couple things— but what— could you tell us about the U.S. Penitentiary that you taught at for a while and what years those were?

ROGER BARNES: Well it would be 1978 to 1981 and probably—yep, seventy-eight to eighty-one. And well, there's a lot of stories there. First class I taught was Causation of Crime and Delinquency, which was quite interesting, teaching crime and delinquency to federal inmates. I would go in, it would be an evening course, would last from like six-thirty to nine o'clock. The University of Kansas had a graduate program, a master's degree program and an undergraduate program in sociology going on inside the walls. I would, once a week, I would drive over from K.U., it only takes about forty minutes or so, forty-five minutes maybe, to get from Lawrence to Leavenworth. It's kind of a pretty drive. I'd get there at the penitentiary, park my car, walk up these big-it's kind of designed-the front of that building columns kind of looks like a capitol building in a way. Walk up the steps, open up, go through a series of gates, bars, sally ports, and then into the education wing. Leavenworth, kind of a classic auburn-style, or, Pennsylvania-style design where you've got wings that go, you've got a main wing that goes off like this across the front and then you've got two wings that shoot off-off the

back. I go into the education wing and then we'd have class and so I got to know these guys pretty well— very well. One of them was the guy who did this.

RAYMOND: Oh, you know what? We—

ROGER BARNES: Wanna take a break?

RAYMOND: — have to change the tape.

ROGER BARNES: Sure.

RAYMOND: And then we'll talk about this.

ROGER BARNES: Okay, then while we wait—

[END OF TAPE 1]

RAYMOND: We're back on, thanks.

ROGER BARNES: Okay.

RAYMOND: You're at Leavenworth-

ROGER BARNES: Right.

RAYMOND: — in 1979-81.

ROGER BARNES: Mhm.

RAYMOND: Teaching?

ROGER BARNES: Teaching.

RAYMOND: And you were about to tell me about friends that you made there.

ROGER BARNES: Yeah, I had two guys that were, that I got to know pretty well. Pretty well, indeed. One of them, I'm still very good friends with because he's still in prison. And his name is Tony Hughes. And Tony is a Native-American and he killed his girlfriend and his girlfriend's child on an Indian reservation in southeast Arizona-southwest Arizona. And because it was a federal Indian reservation, it was a federal crime and he got two life terms in prison. Under the sentencing guidelines, life is life, which means that he's eligible for one parole hearing after he has served thirty calendar years, and that's it, just one. And if it's a turn down, it's a turn down and he dies in prison. If it's something else then it's something else. His thirtieth year came two years ago and we made a decision there with the parole examiner from the U.S. Parole

Commission that we would not proceed with the parole hearing that day. There were lots of kind-of administrative reasons why we didn't want to do that. So Tony's still in prison, he's-he got transferred from Leavenworth to Bastrop. I see him a couple of times a year. We speak on the phone about once a month. He-he calls and we talk until — they have a time limit and then they cut us off, like after nine minutes or ten minutes. I've gotten to know, I got to know his brother, Luther, who has passed away. I got to know his daughter, Tracy. So it's, I've known Richard since 1978, and so marks three decades. He's sixty, I want to say sixty-two or sixty-three years of age. I saw him just a couple of months ago and we sat down and I go up to Bastrop. It's the same routine. I walk in with my bag of quarters to feed the vending machines and he gets called out and we sit down. I told him, Hell, we're gettin' old, doing this stuff, thirty years ago— it was thirty years ago— and here we are still doing this. I don't know if Tony is-is ever gonna get out of prison. I'm afraid that in many respects, he's become kind of institutionalized, and at his age, it's probably gotten to be a kind of comfort zone in prison. But he's a remarkable story because in the thirty-two years now that he's been in prison, he picked up an A.A. degree, a B.A. degree, an M.A. degree through Kansas. Je got that down here in Bastrop after he had gotten transferred. I kind of served as his thesis director and-although, I wasn't K.U. faculty, so I was kind of a stand-in for our friend, Bob Antonio, who was his— technically his thesis director. He's got those degrees. He doesn't have a single disciplinary infraction, not one in thirty-two years of incarceration. He's got a stack of commendations like that for program achievements and accomplishments, and he's got a clean bill of mental health by institutional psychiatrists. You know, I talk about Tony in some of my classes because it's a good example of at what point, as I put it to my class, when do you call the dogs off? Now understanding that he has himself a bit of maybe this— he's been maybe so prison-icized that he's kind of in there and he's not pushing, he's not-there's some things he needs to do before we can proceed with a hearing with a—with an examiner that's sent down by the Parole Commission. And he— there's some other documents that he needs to get and he's not in any particular rush to get those, that's why I say that I see Tony kind of taking his time. But, you know, how long do we— is society served by keeping somebody like that in prison? I mean, he's terribly remorseful about what he did. He was drunk, of course, when it happened. This has been a murder that was— that occurred after a prolonged argument many days until finally grabbed a rifle [mimics rifle being fired twice] and that was it. But all the time he's been in prison, he's-no alcohol, no substance abuse at all, nothing. When do you call the dogs off? I mean when do you finally see he's not being served any better by being in prison and society isn't necessarily any better protected or served well by keeping him in prison, either. That's a tough call. Back in the days, he-in some respects, he's kind of fortunate that he got the prison sentence that he did, because in some states that would qualify as capital murder. In Texas, back in the old days, when we had a forty-year thing, the "hard forty," he'd still be eight years away from even making eligibility for parole. So, I don't know. The guy that got— Let me tell you this story and I'll try not to go on too long 'cause it's not directly a death penalty story, but it's a—

RAYMOND:

It's important [inaudible]

ROGER BARNES: It's a very-it's quite a story and it-it concerns a guy whose name was Willie Bosket, but I'll call him Butch Bosket.

RAYMOND: How do you spell that?

ROGER BARNES: B-O-S-K-E-T. Early 1990s, let's say 1992-ish, I'm in my office on a Friday afternoon, just like this, pretty quiet on campus. This place turns into a ghost town. Telephone rings, I pick it up, guy on the other s-end says, "Hi, I'm Fox Butterfield. I'm the New England Bureau Chief for the New York Times, and I've just returned from a trip to Kansas. Do you have time to talk?" And I remember kind of shaking my head and chuckling and going, Oh, I know what this is going to be about. And Fox and I were on the phone for two and-a-half hours. He was calling about one of my former students, Butch Bosket. And yes, I remembered Butch very well, very well. Butch was arguably the brightest, most intuitively bright student I've ever had in my life. He was also extremely lethal. Butch Bosket is the subject of a book that Fox Butterfield wrote, called *All God's Children: The Bosket Family and the American Tradition of Violence*. It's up there on my shelf, somewhere, up on the top. When Butterfield— this New York Times reporter, he is now their criminal justice correspondent when he was asked by his editor to go to a prison in New York State and interview a young man by the name of Willie Bosket who was considered the most dangerous prisoner in the New York state prison system, Butterfield— who had won a Pulitzer for the Times, he was part of that Pentagon Papers group— he had never been in a prison before. So he had extensive experience as a field war correspondent in Vietnam, but had never been in a prison. So Fox goes to interview this young man named Willie Bosket, who is extremely dangerous, very violent: had stabbed a guard and miraculously missed killing him by a matter of just a half an inch or so. Willie Bosket had committed a murder, two murders actually, one night, two murders on a subway in New York when he was fifteen or sixteen years of age. It had actually led to what was called in New York, the Bosket Law, led to the lowering of the age at which you could try a kid for an adult crime. And Willie Bosket was the son of my student, Butch Bosket. Butch and Willie never met one another, despite the fact that they were father and son. When Butterfield meets Willie Bosket and gets interested in his story and says, I think I better, I think I might have a series of articles. Heck, I've got a book here. But being a very astute historian, Butterfield has got a Ph.D. in history, he's very, very bright, an extraordinarily gifted writer, he said, but I need to do my research and I need to find out. Well, of course, doing the research led him to Willie's dad, who was my student, Butch. Well then, of course, as he went back in the family lineage, he discovered that Butch's father, James, had also been an extremely violent man, and his father, Pud, equally as violent. Pud had been on South Carolina chain gangs back at the turn of the previous century, okay? See, you've got four generations of lethal men. I mean very, very violent. New York police are convinced that Willie Bosket committed more than the two murders on the subway. I'm sure they're right. But *All God's Children* was the outcome of some remarkable social history that Butterfield did. He might be trained as an historian, but he's got a sociologist's temperament and sensitivity. It's fascinating. You both would just marvel at the reading of it and I, sometimes I have my students read it. They have a hard time with the early history part of it, 'cause he takes you back two hundred years in American history to the

settling of South Carolina. And sometimes my students aren't really that interested in the history, but if they work through that, then they get into the story, the twentieth century story of Butch and of Willie. Butch Bosket, my student, had killed two people in a pawnshop in Milwaukee, Wisconsin, when he was a young man in his twenties. His girlfriend at the time was pregnant with Willie. Butch got— he got convicted and he got sentenced to life in prison. Wisconsin didn't have, doesn't have the death penalty. He arranged to get transferred to the state psychiatric hospital and from there he escaped. And then Butch made his way back to New York City where he robbed banks. Eventually the F.B.I. caught up with him and arrested him and he was convicted and given a— I'd have to look in the book, but it was—it was a pretty good sentence for bank robbery. And he shows up in my class. And that's where Butch and I first meet one another. I liked the guy. He's engaging, he's bright as all-get-out, he can be funny, he can be extremely emotional, I mean he can get just raging, sort of, but it's kind of a constrained, controlled rage, where the veins on the side of his head would get just like almost Nixonian. So I got to know Butch real well. In fact, I even wrote a letter to the Parole Commission saying what a good student he was, and urging a parole for Butch Bosket. Boy, in retrospect, was I way off the mark. Well, eventually he did get paroled and he got returned to Wisconsin to finish out the sentences that he owed on the original murders. And he worked his way through the Wisconsin system pretty quickly. He also acquired a girlfriend-girlfriend had a child, I think a couple of children, one of them was a young girl. Butch began sexually molesting the young girl. He had gotten a teaching—he had gotten into graduate school in sociology, University of Wisconsin, and there in Milwaukee, and the home of the original pawnshop murders. So he was back into his old trade, dealing porn and molesting the daughter of his girlfriend. This came to light. This child had bruises on her, markings on her, and after some inquiries were made, Butch was charged with sexually molesting the girl and was taken to the psychi- taken to taken to the county hospital, I think it was. There, in Milwaukee, is a huge sprawling complex, and he was put into the psychiatric wing under armed guard. They had a deputy there in his room; he was handcuffed to the bed. The mother of the girl, his girlfriend went and rented a nurses outfit, got a gun, got her car, drove her car to the hospital, went in posing as a nurse, and walked into the hospital room, and got the drop on the deputy sheriff, okay? Took the deputy sheriff's gun away, un-handcuffed Butch from the—from the hospital bed, and then the two of them started making their way out. There was some confusion, she had either come- I forget the exact chronology here, Virginia — but she'd either come up the elevator and then they were going down the stairs or vice versa, at any rate, in the exit, they got lost and ended up in the basement of this labyrinth of a hospital. And by the time they finally exited the building, they were at the opposite end of where she had left the getaway car. So they start making their way through the parking lot— by now, of course it had been discovered that the deputy— all of this was going down— and the place was screaming with police cars, and they intercepted Butch and the girlfriend in the parking lot and there ensues a good old-fashioned shoot out, bang-bang-bang-bang-bang-bang-bang-bang, back and forth until Butch is down to two bullets in his last gun. He grabs the girl around the neck like that and shoots her in the head, and then he eats the last bullet, and blows his head off. Oh, I forgot to tell you, Butch Bosket was the first and only prison inmate in American history to be inducted into Phi Beta Kappa. That whole story sounds so remarkable, just like if you scripted it in Hollywood, that's, it would be

something like that. It's true, I mean that's-that's how that happened. That's all part of *All God's Children*. That was my student. There was another part of all this, that you might find kind of interesting from the violence aspect of it. And that is that Butch had a-a friend in prison by the name of Rodney Britton, B-R-I-T—B-R-I-T-T-O-N. Rodney Britton was dangerous as all-get-out. Rodney Britton was a white guy; Butch was Black. Rodney Britton had his hair real long. He had been arrested in Oklahoma and had escaped from county lock-up, and had kidnapped the deputy sheriff in his escape. Along the way, of course, ended up in federal court, and he got convicted and sentenced to Leavenworth, where he and Butch hooked up and I mean hooked up in the contemporary meaning of hooked up-they became lovers. And so in exchange for sexual favors, Butch would make sure that nobody bothered Rodney. Butch was very strong; he was very well built, very muscular. Rodney was kind of slight, kind of skinny. Rodney had a penchant for knives and he would keep them in his shoes or in his boots in class at Leavenworth. He'd sometimes-he'd reach over, he'd pull his knife out and he'd kind of look at it and stick it back in his sock into his boot. Well, I had a friend who was in law school at K.U., and my friend had never been inside a penitentiary. So he wanted to know if he could go up, or I'd-maybe I asked him. I said, "Jeff, you know, if you want to go in the prison with me, I can arrange that." I did. They were accommodating. And so when we took a break one evening, I'm talking to Rodney Britton and to Butch, and I've got my law school buddy and neighbor with me and Rodney kind of casually mentions that's he's going to be getting out of prison in February-this was in the fall-and that he was hoping he could return to K.U., go to school, and finish his degree, and my friend says, "If you want a place to live, you can come and stay with my wife and me." And I remember driving back that evening with Jeff and I said, "Jeff, you've lost your fuckin' mind. You don't know Rodney Britton and I know him just enough to know that you don't want him living with you." Well, then we kind of said, Oh look, the chances of this are pretty remote. Well, what happened was that in February, he did get out of prison and he posted a fugitive bond to fight extradition back to Oklahoma, and he posted it there in Leavenworth, and then he somehow got over-either got on a bus or he hitched or somehow got to Lawrence. It's not very far from Leavenworth and he showed up on Jeff's front door: Hi, I'm here, me and my earthly possessions in this bag. And so he came in and they gave him the spare bedroom that they had. And Rodney, yeah, yeah, this is-this is going be not pretty. Rodney had a kind of flip female persona that sometimes— especially if he ingested enough L.S.D. or took enough-did enough coke – he could kind of slide into this female Rodney deal. All the while, o' course, his penchant for knives was ever-present. And he just scared the living hell out of Jeff's wife, of course, and this became oh, after about three or four weeks, an intolerable situation. And so I went to the prison and I saw Butch. In fact, I was making pretty routine Friday afternoon visits to the prison to see Butch – this was in addition to my teaching at night. And I said to Butch, Look, this-this situation is intolerable. Rodney has got to go. That's just it; I mean he is dangerous. Rodney had come to my office at K.U. I had—I was a graduate teacher and I had—I mean graduate student who was teaching and I had, along with some other graduate teaching assistants, we had a little collection of desks and Rodney showed up one-one day. I remember walking home with Rodney, down the hill and saying, "Rodney, you gotta get a job, you gotta stop doing the drugs." He quickly had found the drug sources in Lawrence, Kansas. "You gotta-you gotta get serious about and

get into school and do that stuff.” But, that was all falling on deaf ears. Well, after my conversation with Butch, I said, “you gotta get Rodney’s gotta get out of there. He’s gotta get out of Jeff’s house.” And so Butch called Rodney the next day and said, “Leave. I order” You see, this is the power that a powerful— that a inmate like Butch has. And it’s just that, even though he’s in prison and Rodney’s out, Rodney’s going to do what he tells him to do. And so Rodney did. Rodney called another prison buddy of his, ex-con, who came over from, I don’t know where, and picked up what stuff Rodney had. And Rodney, if I recall, Rodney cut his hair, had a long ponytail— left it on the bed. The two of them ended up a couple of days later in Arkansas. They robbed a grocery store or a restaurant and they got drunk as they were driving around, getting away from all of this. They stopped in a little tiny town to get gasoline and it was-the car was running low, just at the point where the gas station operator had closed up, turned off the pumps, and was locking up everything. And they said, Can we get some gas? And the guy said, I’ve-I’m all locked up.” But so they drove on. Well, just a matter of a few moments later, the town sheriff comes through and he’s just checking on how everything is and the guy at the gas station says, Well, you know, these two guys came through just a few minutes ago. Smelled pretty bad. They probably were drunk. So the sheriff takes off after them, thinking he’s just gonna knock down a couple of guys who are driving while they’re intoxicated. Well, he stops their car-he finds them, he stops their car and he gets out and he doesn’t probably walk more than a couple of feet before Rodney gets out and (two gun shot noises) like that. Shoots the sheriff before the sheriff is able to squeeze off one round that goes through the back window, back seat and hits Rodney’s companion. So Rodney does what you would expect him to do: he pushes his companion out the car like that, leave him wounded along the side of the road, the cop’s bleeding to death on the highway, Rodney takes off. So Rodney takes off and the car runs out of gas and then Rodney takes off into the Ozarks, into the hills. There ensues the longest manhunt, I think, in the history of Arkansas policing. And for about five days, dozens, if not hundreds, of police are involved in tracking down Rodney Britton. They finally find him way up there, some place way in the Ozarks, deep, you know. He’s in this little shed, this outbuilding that’s got a little raised loft in it. And this deputy sheriff goes in to find-to see what’s up there- and he starts to climb up the ladder. Rodney’s up there (gun shot sounds) like that. He wounds the sheriff; he doesn’t kill him. And the sheriff falls down, out of the thing, and fires back at Rodney, and then they torch the place; real John Wilkes Booth. Then they go in and they find Rodney, of course, dead. We were scared to death back in Lawrence because we feared somehow that Rodney was gonna make his way back to-to Jeff’s house and I live behind Jeff. We just had a fence so we’d just hop over the fence to see each other. So we were, knowing all this, the Lawrence police for five days just maintained a pretty stable patrol around that block. Course, Rodney never showed up. And they finally got Rodney but that was a pretty tense time. Last time I saw Butch Bosket, I went back to the prison, and I was pretty pissed because I knew that-that Rodney was dangerous, but I gotta confess I didn’t know he was that dangerous and that this whole thing was going to unfold. Butch was pissed for a different set of reasons. He was pissed because Rodney was dead. And so we had a rather tense and final meeting. As I said, Butch could get-he could get angry, he could get-he could get worked up. Trying to keep him calm, Sit down, Butch. I remember Bob Antonio and I’d tell him, Stop, sit down and talk to us. He was just so distraught because Rodney Britton had been killed in

this shoot-out. So that was the conditions under which I'd lost-last saw him, and then of course, just a matter of a month or two after that, I moved down to San Antonio. Butch and I exchanged a couple of letters and for the life of me, I don't know what happened to them. And so when Fox Butterfield went to writing the book, I just went through everything and I couldn't find those letters. It's kind of too bad. But that was — there's the other-there's another Leavenworth story for you: the story of Butch Bosket and Rodney Britton.

RAYMOND: I have to admit to some surprise that inmates at Leavenworth were allowed to wear boots.

ROGER BARNES: It was pretty—

RAYMOND: —for that exact reason.

ROGER BARNES: Yeah, it was kind of military-style stuff. I mean the uniforms were-were kind of khaki, pressed, and yeah, they had boots. They had boots; they had tennis shoes. I had a couple of inmates that cheated on an exam. What do you do to guys who cheat on an exam when they're already in federal lock-up?

RAYMOND: What did you do?

ROGER BARNES: Gave them Fs. Didn't break their heart.

RAYMOND: So many things I want to ask you. Being at Leavenworth, seventy-nine, eighty.

ROGER BARNES: Uh-huh.

RAYMOND: —and visiting your friend now in Bastrop periodically—

ROGER BARNES: Yeah.

RAYMOND: —what changes have you seen in federal prisons? Either from that experience or from other visits?

ROGER BARNES: Well, at Bastrop, it's a lot more younger guys. Bastrop, if you kind of think of the federal system, from maximum security penitentiaries like Marion and Florence and Leavenworth and Atlanta and then you go all the way down to like the camps that you've got like at Spring, Texas and-and things like that. Bastrop is a federal correctional institution, F.C.I.; it's not a United States penitentiary. These names all kind of connote a level of security classification. So in a classification system, Bastrop would be kind of a middle level institution. Not nearly— it doesn't have — Bastrop doesn't have as nearly a dangerous inmate population as you would have at Florence. I mean that's a super max. I mean that's the modern-day Alcatraz. What I've

noticed is that you have a lot of young guys and you have a lot of drug offenders. And thirty years ago, it wasn't quite like that. You had an older population and you didn't have—you didn't have as many young guys in it; you didn't have as many drug offenses. These federal sentencing guidelines that got adopted in the eighties and into the nineties, you know, really harsh—really harsh. So you've got a lot of young-young guys serving some substantial federal time. And a lot of the sentencing guidelines have removed a lot of—of freedom that judges have. So their hands are kind of tied. It's made a lot of these federal judges kind of unhappy because of that—because they'd like to be able to take into account some factors that they're not able to take into account to. With convictions, they've got a very narrow range of what they can impose and all imposes sentences and frequently it's pretty hard time. So that's one of the things. And when I go to see Tony at Bastrop in the big waiting room, I'm always struck by the fact that there are so many children – young children – that come to see their dads or their grandpas in prison. But you have a lot of minorities. You always had minorities in federal prison, but, boy, you have a lot of minorities: a lot of Hispanics, a lot of Blacks, nationals in our prison today. And of course, and the thing that has changed – and this is true in the federal system, although I think it manifests itself even more in state prisons – and that is the role of the prison gang. You had cliques thirty years ago - groups of inmates who got together – but now, I mean the prisons are pretty much—the entire social system is structured around gangs: the Aryan Brotherhood, the Mexican Mafia, and the like. So the— that's really changed. What prison language, and the prison administrators call “security threat groups,” but that's a kind of euphemism for gangs. And they really structure the whole social situation, setting of the prison. And I— that's another— that's another big change. And then, of course, along with all of this goes just the sheer increase in the volume of people that we have in prison. The biggest increase, of course, is at the state prison level, but what are we looking at now? About two and-a-half million people behind prison bars. We've got the world's highest incarceration rate of any nation on the planet. It's just—we're a very “carceral” society and with all this incarceration, we lead the western world in violent crime. There's got to be something different. I remember a long time ago, in the mid-seventies — if I said 1976, that'd be real real close to this—Robert Martinson's famous book on the “effectiveness of correctional treatment” came out. And what Martinson's research group there at N.Y.U. had done was to survey the existing literature at that time over almost a two decade-long period. Research that had focused on how effective correctional treatment was. That is “Did prison rehabilitation work?” And Martinson was—is I—when I went, suggested he was very hopeful that he could make a very persuasive case to show that prison rehabilitation programs worked. Well, by the time they got through surveying all this literature, the conclusion was that there was no compelling empirical evidence to substantiate that correctional treatment was effective. So, in essence, it didn't make a lot—a heck of a lot of difference whether you—you can have some paper if you write on the back.

RAYMOND: Oh, thanks. I've got—

ROGER BARNES: Oh okay. You know, whether—

RAYMOND: These are questions. These are notes.

ROGER BARNES: Gotcha, all right. It didn't matter really whether you kept people in prison and warehoused them or whether you ran them through this battery of rehabilitation programs. Leavenworth had at that time a biofeedback unit and— I think it was mostly for men who had alcohol addiction problems, and they asked me to come over—they knew I was teaching through the K.U. program—and they asked me to come over and to talk about aspects of incarceration. When you're in prison, boy, anything you can do to break up the monotony and the routine. So I went over, and the Martinson report had just been published, and I talked about that report and I pointed out that probably it signaled pretty much the end to the kinds of units that these guys were living in—'cause they lived in this unit, this biofeedback program—and said, Look, these programs cost varying amounts of money and if the conclusion of the Martinson people come up with is that these treatment programs by-and-large are not really working; are not appreciably better than just warehousing and incarcerating, then you can probably expect to see the federal bureau cut back on that stuff, which is indeed what happened; and then followed suit were the state departments of correction, who not infrequently take their lead from what the federal bureau is doing. So then you start to see the rollback. Point being, we just don't have the kinds of rehabilitation and treatment programs that— certainly not like we made an effort at in the 1950s and that some lingered into the sixties, and some even into the seventies. I take my students out to what we call a state jail, it's for people here in Texas who are convicted of class D misdemeanors— no, class D felonies, that's it, class D felonies, which means they can only serve a maximum of two years, okay? And I take them out to this prison, it's called a "state jail," but it's a prison, and what you see is a perfect example of how most of these guys are warehoused. Now if the authorities there heard me say that, they'd say, Well, what about our education program? 'Cause they do operate a "school." That's really the exception because most of the people who are in prison, their day is spent not going through school, not going through vocational rehab programs, not getting the kind of anger management, drug treatment programs that they need to have. They're just warehoused. And when you realize that probably somewhere around ninety-six or ninety-seven percent of all prisoners are eventually going to get released — One of my nonstop rants with my criminal justice students is always — What we want to have are people coming out of prison better-equipped to make it in society than they were than when they went into prison. Well, for the life of me, I don't really see that happening. When it does happen, it's almost as oftentimes—it happens by what the prisoners do themselves to themselves, not so much what the institution does to them. And so no wonder we've got this recidivism rate of two-thirds, sixty-six percent. That recidivism rate's been holding steady for years and years and years and years. It's just— to me, it's just evidence of the failure of what we're doing.

RAYMOND: Sorry, tell me what you mean by what prisoners are doing to themselves.

ROGER BARNES: Sometimes, you get in prison—some—a guy who now all of a sudden doesn't have access to drugs and so is necessarily forced to get clean. You gotta get the booze out of their system, gotta get the coke out of their—out of their

veins. And then all of a sudden there might be a period of maturation, a period of somber reflection, a realization that they've marred the lives of other people including their family members, they've left kind of a scorched earth, and it's time to grow up, damn it, and do something because if you—if you want—if you're gonna get out of prison some day, there's just this—sometimes there's this realization, You know, I gotta clean up my shit, and I gotta do it. And so sometimes it happens that way. And it's not as though you can say, Well, I can point to my involvement in this drug rehab program over here, and I've picked up my G.E.D., and I'm taking college classes over here, and along the way, I've learned a trade in air conditioning or something like that. It's not like those are the things that have come together. Now, grant you, sometimes, occasionally, and sporadically, little bits of that does happen, but oftentimes it's just the inmates who just—they sit by themselves and they realize, You know, this isn't working and here I am again. And some of them get religion. And so sometimes those are the pieces that have to come together.

RAYMOND: I'm very interested in your friend, Tony Hughes.

ROGER BARNES: Yeah.

RAYMOND: —and you said has happened in the sense that he's not even really trying; he's not in any hurry to get out of Bastrop, out of federal prison. Can you talk—and you used the word “institutionalization” and prison—“prisonitization.”

ROGER BARNES: Prisonize. Prisonized.

RAYMOND: Prisonized or something. Can you tell me what you mean by that?

ROGER BARNES: Donald Clemmer is the one who back in the early 1940s wrote a book called *The Prison Community* and he's the one who introduced the term “prisonization.” And what he meant by that was a point at which an inmate becomes so thoroughly enmeshed and involved in the inmate subculture that—that that set of rules and the culture that the inmates share amongst themselves is a more powerful influence than the “official” rules of the prison. What Clemmer kind of argued was that there's a period during the incarceration stay when that happens and there's been—there was some research in response to that that said, well, the rate of prisonization is oftentimes the most intense at the midpoint of a prison sentence, that when they first get to prison, they're not really involved in that culture and then when they start realizing, Uh-oh, I do have a possibility of parole in months, or a year and-a-half, or two, then they start to maybe disengage a little bit from such a total immersion into that. What I use—I think the term “institutionalization” in my friend, Tony's case, implies something a little bit different than that. And I think what it means is that he has accommodated his orientation, his definition of the situation to the realities of prison life, so that there might very well be—bear in mind here, I am not a psychologist and I'm speculating, but I know—I've known Tony for thirty years and I think there are probably some things about freedom at this

point that are a little bit scary. Getting a job, paying rent, driving a car, the expectation of establishing relationships with strangers including women: all of this might be just a little bit – whoo! The world that he’s been circulating in and living in for three decades now, and doing pretty well in, has provided a measure of some psyche protection for him. And he’s not threatened, he’s not the victim of violence, he’s able to get up and do his job and have meals and people write letters to him and he does his painting and he teaches young Indians about their culture. And I think he’s accommodated himself and adjusted to that prison role. And the possibility of leaving that entirely and moving into this very post-industrial, highly tech-oriented culture is probably a pretty frightening situation for him. Institutionalized in that sense is what I mean. Does that make some sense?

RAYMOND: Yes. Thank you. You referred to and touched that painting. I wonder if you could show us.

ROGER BARNES: Sure. This is a—this is a painting that Tony did. It’s actually a painting of a picture. I think he got this out of a—like a Smithsonian magazine or a natural history magazine. This is some pottery shards and you can see some corn. And so what Tony likes to do is he likes to take photographs and then he paints the photograph. And I’m his middleman. He has this thing where he paints photographs of family members of other inmates and then he sends them to me and then I mail them on. ‘Cause see, he can’t mail his stuff to the family of another inmate, but I’m on his mailing list so he’ll take a—just make up a name—he’ll take Ernesto Ramirez’s—the picture that he has of his daughter and his wife, and he’ll take that and he’ll paint it—make a pretty good—bigger than this—he’ll paint big pictures like that. And then he’ll box them all up and send them to me and then he’ll—when we talk on the phone, he’ll say, “Now the address for that one is…” and I’ll write it down and then I’ll take it to the post office and spend six bucks or seven bucks to mail it out. I’ve got—I’ve got one of his—I just mailed off two of his paintings earlier, in October. I’ve got another one that just arrived the other day, so…put them in the mail.

RAYMOND: Are we doing okay? Thank you. I’m going to sort of shift again.

ROGER BARNES: Sure.

RAYMOND: It sounds like from what you’re saying that you arrived in Texas, eighty-one-ish?

ROGER BARNES: Eighty-one.

RAYMOND: 1981.

ROGER BARNES: Summer.

RAYMOND: The summer of 1981. And 1982, Texas reinstates or starts executing-

ROGER BARNES: Charlie Brooks. Dec—that's December seventh.

RAYMOND: That's December seventh, nineteen eighty-two. I'm curious, when did you become an activist in this—aside from your research—in a more outward sense, with respect to the death penalty in Texas?

ROGER BARNES: I was always kind of doing it, but the activism part – giving speeches and lectures and organizing – that was usually confined either to the university that I was at, initially U.T.S.A. and then later here, or to different church groups. The activism became more organized in the—about ten years ago.

RAYMOND: Okay, before we get to that, can you tell me what church groups you would go talk to and how that came about?

ROGER BARNES: Oh. Well, I'm a Methodist – United Methodist – so I would talk to Methodist groups or talk to Presbyterian groups. And mostly I just—just get invitations to come to Sunday schools or an occasional Y—M.Y.F. – Methodist Youth Fellowship group.

RAYMOND: And they knew about through your—through your scholarly writings?

ROGER BARNES: Well, yeah, they probably knew more about it through things I would write for the newspaper or write for the *Current*, our other newspaper in San Antonio.

RAYMOND: And so then what happened ten years ago?

ROGER BARNES: Well, ten years ago, I think a little bit more. I think it was more like around ninety-six or ninety-seven. We – meaning activists who kind of had formed informally, or grouped together informally — Dave Atwood really led the charge. Dave's over in Houston, and he really was the one who said, Come and let's organize and let's put together a chapter of the Texas Coalition to Abolish the Death Penalty and let's get ourselves in that kind of group, as part of the National Coalition to Abolish the Death Penalty. So that hooked up activists from all around the state. And now we're doing things as an organization and our membership is growing and we're hiring an executive director now. And I'm involved in that. And so we're going to be doing some pretty good lobbying with the legislature this upcoming session. But primarily, we are—we are an educational group. We give talks and we help sponsor things like the Journey of Hope and try to spread the word that way.

RAYMOND: Can you say for the people who will be watching this in the future what the Journey of Hope is?

ROGER BARNES: Yeah, the Journey of Hope is an organization that was founded back in the 1990s by a man named Bill Pelke. And Bill had other people who were part of that early effort but Bill's story – and he tells it very, very well and— have you heard Bill's story, Virginia?

RAYMOND: I've read it.

ROGER BARNES: You've read it.

RAYMOND: But –

ROGER BARNES: I'll tell the story.

RAYMOND: Yeah, because that's what—

ROGER BARNES: This—Bill—Bill Pelke's grandmother was murdered by a group of young girls. The youngest of whom I think was fifteen at the time. And they went to Mrs. Pelke's house – this is in Indiana – and asked Mrs. Pelke if she gave Bible lessons and she said no, but if they'd come inside her house, she would write down the name of a friend who did give Bible lessons. When they went inside the house, these three girls – black girls – they jumped her and they murdered Mrs. Pelke. They stabbed her to death. And they stole her car and some—just a small amount of money and they—Pamela—I hate to say names when I'm not absolutely sure but—Paula—no, I am – Paula Cooper was the ringleader of this group. And Paula Cooper was given a death sentence for the murder of Ruth Pelke and became the youngest person on the nation's death row at that time. At the time, the Pelke family—when they were asked by the district attorney if it was okay, if they had any objection to pursuing a death sentence, the Pelkes said no. And as of—sometimes as happens, when Bill tells the story, points out that they put it to them like “your mother was a pretty—your grandmother was a pretty important person and you loved her and to honor her, we think we ought to get the death penalty.” And that all made sense. Well, Bill's a steelworker and he operated a big crane. After he—after Paula Cooper was given a death sentence and put on the Women's Death Row there in Indiana—Bill is on his crane one late afternoon-early evening at a steel plant and he has this kind of epiphany where he sees in his mind's eye a picture of his grandmother and this time the tears are coming down her cheeks. And he sees his grandmother crying because Paula Cooper's on Death Row. And so he comes down off the crane and says to himself, I've got to meet Paula Cooper. Well, initially Indiana authorities tell him no way, but they finally relent, they allow him to have some visits with Paula Cooper. And in rather short order, Bill becomes convinced that execution is not the solution. And he gets a lot of help from people in Italy and is able to then create an organization that he calls “The Journey of Hope: From Violence to Healing.” This is an organization that is made up of the family members of murder victims and the family members of people who were on death row. And these two groups of people come together annually now for some time. They pick a state, they go to that state – usually in the fall – and they travel around, giving lectures on their personal-very, very personal-stories about— see, these are people who have had children, parents,

grandparents, husbands, wives murdered and they say, "Don't kill in my name. I don't want this. This isn't going to bring my loved one back to life and all you're gonna do is spread this violence and here will be another family, the family of the condemned prisoner, who is going to lose their father, their son, their uncle, their brother." One thing to listen to an academic talk about it, and we roll out the numbers, and roll out the studies, and cite chapter and verse on all that stuff; and then you end up with somebody like Marietta Jaeger-Lane, who lost her daughter on this camp-out years ago, when the family was out in Montana, camping out. And a really bad man, was terribly mentally ill, cut a hole in the side of the tent and in the middle of the night, snatched Marietta's little girl, Susie, and did terrible things to her, including killing her. And then, on the eve of that killing, he called Marietta seemingly to taunt her. Well, Marietta had a tape recorder nearby the telephone. And she flipped the tape recorder on—and you gotta listen to this, this is incredible—and Marietta talks to this man who had killed her daughter – and they hadn't found the daughter by this time, didn't know where Susie was. And I think the police had said, you know, in this kind of a case, he might try to contact you. And I think that's why Marietta had the tape recorder nearby. And he did. And so she talks to him and she says to him things like, "Well, are you okay? How are you?" and keep him on the phone—and make a short story of this, what happens is that they are able to find this man. They arrest him and then he commits suicide before they go to trial. Commits— as I remember, I think he committed suicide while they were holding him in jail. Well, listening to an academic prattle on about all of this and talking about the law and talking about the studies is one thing, but to listen to Bill Pelke or Marietta Jaeger—whoa, that's a whole 'nother thing. I've seen them talk to students—student audiences and public audiences where people just stand there in just utter, just disbelief - just the tears roll down and they just can't—the agony of these personal stories. And then to hear these people say, "And don't take this man and execute him. That's not what I want." It's like whoa. I mean how — what's your comeback to that? So that's why I think those voices are so incredibly powerful – or groups like Renny Cushing's Murder Victims' Families for Human Rights and the other group, Murder Victims' Families for Reconciliation. I mean here are folks who're saying — these folks have experienced the most profound and the deepest kind of brutalizing loss that you can imagine. And when people say to me, "Yeah, well, it's easy for you to be against the death penalty because you haven't lost a family member. You'd feel differently if somebody killed your wife or killed your daughter." And I say, "You know, thank God I haven't. I don't wanna be part of that club. Who the hell would ever wanna—I don't—nobody—none of us want to be part of that club. But I do know people in that club and I can tell you what they have to say. And listen to their stories." Boy, oh boy, it's like—that's just some real potent stuff. I guess the point is you know that it's not always the case, is it? - That these families that have experienced this profound tragedy want justice. I wanna be there and watch them stick the poison in his veins and, oh, applaud and we'll have a party afterwards. That's one of the great lies that way too many Assistant D.A.s and D.A.s tell the families of these victims. They tell them, You'll feel better. You need closure. The execution will be closure when you watch that happen. You'll feel better when it's over with. And that's all a bunch of poppycock. It's not—that's mythology, mythology in the sense that it isn't true. I—That's why I think those kinds of voices are the ones to listen to. Renny Cushing, whose dad gets shot when he opens the door of his house, dies on the living room floor of

the family home. And there's Renny going, Mm-mm, mm-mm. "Not in my—I don't want—I don't want the killer to be put to death. That's not what we want." That's just—I think you can't ignore those voices and when you listen to them, they are so—they are so important. Not only are they emotionally tugging at you – and I've—whether you're talking to a group of ardently Republican businessmen or whether you're talking to the choir at the Methodist Church—inevitably, those stories affect people in very deep ways, 'cause they're so emotionally compelling. But those voices had a lot to do with the reason why last December, December of oh-seven, the New Jersey legislature laid to rest the death penalty. Because those victims groups said, This isn't gonna do us any good, folks. And then the police came out and said, Well, you've pumped two-hundred and eighty-five million dollars into this rat hole that we call the death penalty, haven't executed anybody, and two-thirds of the cases have been overturned on appeal; and what a miserable way to waste money. You wanna fight crime, give us some money, put it into drug rehab programs, crime prevention programs, and we'll fight the death penalty better—we'll fight crime better than the death penalty. The legislators there in New Jersey, they listened to these murder victims and came away, going, Hm, well now, I guess that's not always the case these victims want retribution.

RAYMOND: We are getting close to the end, but I do have more questions.

ROGER BARNES: Absolutely.

RAYMOND: Do you need to go somewhere?

ROGER BARNES: No, I don't need to go anywhere, if you're doing okay.

RAYMOND: We're doing good, but we do need to change tapes.

ROGER BARNES: Okay.

[DID THEY CHANGE TAPE HERE OR LATER???

RAYMOND: And you got out some photographs and I wonder if you'd show me those photographs.

ROGER BARNES: Earlier, we were talking about Butch Boskett and Rodney Britton. And that's a picture of—this is Butch, of course, and this is Butch over here and this is Rodney. And as I was saying, these two had a sexual relationship and in exchange for Rodney giving Butch sexual favors, Butch made sure—and you can see him and I said he was powerfully built— he's a very strong man— and probably had an antisocial personality disorder. His file at Bellevue Hospital was enormously thick. Any number of mental disorders might have been applied to him. But he protected Rodney from other predators in the prison. One thing that you might notice in this photograph if—I don't know if the camera can pick it up, but they have—sorry—you notice that on

their wrists, there's a braided Indian band and that was made by Tony Hughes, who I was talking about earlier, and that was made just for Rodney and for Butch. That was a sort of—their connection. When Butch was just about finished with his academic work at K.U., I approached the vice chancellor, Francis Heller, and I asked Dr. Heller if Phi Beta Kappa people would consider Butch for membership in Phi Beta Kappa. And they did. And they said yes, we will. And Butch then became the first prison inmate in American history to be inducted into Phi Beta Kappa, and he will be the last.

RAYMOND: Is this—what [inaudible]

ROGER BARNES: This is the induction.

RAYMOND: I forgot what year.

ROGER BARNES: This is nineteen eighty—eighty—no, nineteen eighty. Yes, nineteen eighty.

RAYMOND: Is this a picture that you took?

ROGER BARNES: No. This was a picture that was taken by the Public Relations people at the University of Kansas. And this is Dr. Heller over here and, of course, I don't know this other man. This is Butch receiving his induction into Phi Beta Kappa. I'll tell you something kind of interesting about that particular afternoon. The prison of—the academic officials from K.U., of course, in their regalia, went over to the prison. The induction ceremony took place in a room, a rather sizeable room, and there were other inmates and there was a news reporter from the Kansas City Star or the Kansas City Times, I forget which. And what I remember distinctly about Butch that afternoon was that when things started to happen and K.U. officials started to speak about the history and the creation of Phi Beta Kappa and what a distinct honor it was—in those moments, Butch started clinging to the side of the wall and kind of almost shrinking down like he wanted to just sort of disappear into the woodwork. And when it got time to call him forward, he kind of almost had to be pushed by other prisoners to get on out there, Butch, go. And he kind of came reluctantly, almost embarrassingly. And I gave that some thought later because we sociologists have a term Harold Garfinkel coined years ago called “status degradation ceremonies” and those are ceremonies—whether they're played out in a police station or sentencing at trial, things of that nature—ceremonies that are designed to tear you down, to degrade you, to make you lose prestige, lose power, lose influence—and if you think back on it, in Butch's life, he'd been nothing but a successive series of one after another, whether it was mug shots, fingerprints, convictions, sentences, a new prison, it was—it was a—his whole life; the rejection by his father, his mother. His mother was—Butch's mother was a prostitute and drug addict. His father, James, was in prison most of the time that—when Butch was a young kid. The rejection was just enormous. Nothing but a series of these status degradation ceremonies. Here, at this age, when he's about thirty-six years of age, see, this is when he now has a status affirmation ceremony into this prestigious academic fraternity and he doesn't have the slightest idea how to conduct himself. He's never had such an experience in his life

and I think that's always what kind of was this sort of dodging and reluctantly coming forward. Just a small little observation.

RAYMOND: Could you show those two photographs again of where he is on his own. I guess this is-

ROGER BARNES: This one?

RAYMOND: Was that outside at Leavenworth?

ROGER BARNES: Oh yeah, yeah. They were allowed outside, had a big exercise yard at Leavenworth; still do. Yeah. Go out there and-

RAYMOND: He looks-

ROGER BARNES: -work.

RAYMOND: Yeah, so that's a—and then again I just—let's—can we look a little bit longer at that one?

ROGER BARNES: Sure.

RAYMOND: Thank you. So the inmates who are in that room, who are they?

ROGER BARNES: They're basically were inmates who were in the education program.

RAYMOND: I see.

ROGER BARNES: K.U. offered a number of classes. They had classes meeting there, two or three classes, every evening, most nights of the week. That program has been completely shut down now.

RAYMOND: Do you know when it was shut down?

ROGER BARNES: It was phased out in the 1980s. The death knell came in the 1990s when the Congress of the United States, in its not-so-infinite wisdom, decided that federal prisoners were no longer entitled to Pell Grants, and of course, none of these guys have any money, and so-the Pell Grant was the thing that enabled them to take these classes-so without that, whup, that takes care of, see that's what I mean about this whole business of backing away from rehabilitation and treatment. 'Cause this was once a very big program. And there were some successes. I talked about Tony, who's still in prison, and Butch, whose saga is memorialized in Butterfield's book. But we did have guys who went through this program who got degrees, who went out, and have lived productive lives in society, and I'd like to feel that something that they got through that

education helped them accomplish that. So it's not as though there was altogether a miserable failure.

RAYMOND: What other courses did you teach? You said the first course you taught was Causes of-

ROGER BARNES: Causation of Crime and Delinquency. I've taught History of Sociology. I think I taught—I probably taught an intro sociology course somewhere in that mix. Gosh, I'm having a hard time remembering exactly what else. We had a corrections course, which dealt with, among other things, prisons. I mean it dealt with prisons, but I don't think I taught that course, inside the walls. Yeah.

RAYMOND: That's very, very — so much fascinating. I want to take you back to now or at least the last ten years. In San Antonio, you've been here for twenty years?

ROGER BARNES: Twenty-seven years, yeah.

RAYMOND: Twenty-seven?

ROGER BARNES: Yes, since 1981.

RAYMOND: That's right. Twenty-seven years. Twenty years at Incarnate Word.

ROGER BARNES: Right.

RAYMOND: What would you say about, and this may be an improper question, but in terms of people organizing against the death penalty or not organizing against the death penalty, being pro, being — what is the mood or what are some of the different currents that you see in San Antonio itself or in Bexar County about the death penalty?

ROGER BARNES: I think there' — we're changing. Things are — it's a different climate now on the death penalty than it was twenty years ago, or twenty-five years ago. The *San Antonio Express News* supports a moratorium on the death penalty. That wasn't the case back then. We've seen declines in public opinion in support for the death penalty. We've seen that nationwide. We've seen some Texas polling that supports that. Haven't done any polling here in San Antonio, but there's no reason to think that the national mood and increasing disenchantment with the death penalty isn't something that's going on here. I'm not the only one who will write columns for the newspaper or letters to the editor opposing the death penalty. There are other voices out there, other people are—other groups are organized. The Journey of Hope has been here a number of times. Sister Helen Prejean has been here. She gets a big audience when she comes. She's an—so there is anti-death penalty stuff going on more now than ever before. And we get coverage. On days of executions, there are vigils that take place all around this city,

including a vigil in front of San Fernando Cathedral, which is right in front of the Bexar County Justice Center. So there's simply more—there's a greater degree of organization, a greater degree of publicity. We had a march one time when Sister Helen was in town. We gathered at the Alamo, I'm talking about some hundreds of people including school kids. And we decided that we would march, have a silent procession – carrying our banners and our signs – and we would process from the Alamo down Commerce Street and make our way into San Fernando Cathedral where Sister Helen gave a talk on the death penalty. And I remember two things about that: one was that when we passed the Esquire Tavern on Commerce Street, which is a famous drinking establishment and kind of a—kind of a rough place. Middle of—it was a Sunday afternoon, a guy kind of came out of the bar, and mind you this is a silent procession; he came out of the bar and he saw our signs and he says, "I've been in prison before. I know some of those sons-of-bitches deserve killing." And Sister Helen turned to him and said, "Now, young man, I want you to think about what you were saying and hold on a second. Every life including yours is precious." And she starts in on this guy and I whispered to her, "Helen, this is supposed to be a silent procession." She says, "Well, okay, just a minute." And she has to get the final word in. But one of the things I remembered distinctly about that talk that she gave was that—she's a marvelous speaker – and she says to the crowd that's gathered there – it's pretty substantial group of people, I mean the cathedral was pretty packed – and she said in her talk, one of the hardest things to do is to get Christians to do what they pray. It's that part of the Lord's Prayer where you come to "Forgive us our trespasses as we forgive those who trespass against us." She said that's the hard part. She said that doesn't have a little asterisk by it that says "this only applies to like when you call me bad names or you stole my motorcycle or something like that." She said that's an unqualified statement. And she said that's what we're challenged to do. Now that's—see, that's what the Journey of Hope is about, that's what Murder Victims' Families for Reconciliation and for Human Rights is about. They're into this "let's search and find ways to seek reconciliation and forgiveness." Oh, you—I mean that's what's so hard, isn't it? I mean you can—I think most of us would say, Let's just agree that maybe we ought not to kill the killer. But when you get into the Christian language and point-of-view of forgiveness, well, then you've entered a whole realm of some really heavy stuff. And sometimes when I talk about that in my sociology classes, my students, understandably, and myself included, can sometimes have a hard time with that. That's just — that's real demanding.

RAYMOND: You said that every time there's an execution, there are vigils all around San Antonio. Tell me some of those other places that, if you remember, other places.

ROGER BARNES: We have a student organization here on campus. Our students call it "Humane Humans: Students Against Government Execution." And today is Friday, December seventh; we had an execution in Huntsville last night at six o'clock, Elkie Taylor. And my students had a vigil for him on Wednesday, at noontime. And they have a little program that they read and prayers are offered up for everybody, not just for the one who was to be executed, but for the prison guards who are participating in it, and for the family of the murder victims, and so forth. So do that—The Sisters of Charity of the Incarnate Word have vigils over at the convent. They have vigils

at St. Mary's University. Then there's a couple of other organizations that have vigils elsewhere in the city, too. They do—they do one at the archdiocese.

RAYMOND: All of these institution — vigils you talked about right now are related to the Catholic-

ROGER BARNES: Yeah, through church.

RAYMOND: Catholic institutions. Are there — any of the other organizations that you've talked about – are they Catholic organizations or are they other kinds of groups, vigils?

ROGER BARNES: Some of the other vigils are not really church things and so they're not — they don't have that kind of Catholic imprint on them. I would say that even here while we're — this is a Catholic university — that the students who are part of this anti-death penalty organization – they kind of try to fit together a vigil that is—speaks to those who are Catholic in the organization and then part of that whole ceremony - or vigil is designed for those who are definitely not Catholic, or maybe not even religious at all – of anything. Oh, but I gotta say that in this city, with a significant Hispanic population, significant Catholic population—the Catholic Church has been a big part of the anti-death penalty discourse and they have done much to address that and to make that popular. I've been on Catholic TV more than once, talking about the death penalty and so it's a—you've got the faith communities of all stripes; almost all mainstream faith groups are opposed to the death penalty. The Mormons find a reason to okay it and one group of Baptists - the Southern Baptists - find a way to fit the death penalty into their theology but when you go look at the Lutherans and the Episcopalians and the Methodists and the Presbyterians and those other mainstream Protestant denominations: they're on record and have been. The Methodists are a good example. Last year was the fiftieth anniversary of the Methodists' official position, as a church opposed to the death penalty. One of the times, I was able to get Sister Helen to come here and talk, got her down to Travis Park at a Methodist church, and she spoke to a crowd of about seven hundred people down there. It's not just—and I don't mean to leave folks with the impression that the only faith group here in San Antonio are the Catholics. The Democratic Party here has been pretty good, too, about speaking out on the death penalty. And the various progressive organizations.

RAYMOND: Can you name some?

ROGER BARNES: Yeah, I talked to the San Antonio Progressive Alliance Coalition. Sam Millsap and I talked to them a couple of months back.

RAYMOND: Who is he?

ROGER BARNES: Sam Millsap is a former Bexar County district attorney. Sam is—from 1983 to 1987, was Bexar County's District Attorney. He successfully prosecuted a number of death penalty cases and some of his—some of his—

the ones he prosecuted, he obtained death convictions. And a number of those men now have been executed, including a guy by the name of Ruben Cantu. And Ruben Cantu has a very strong claim to innocence. Testimony was - in the Cantu trial - was based solely, exclusively, one hundred percent on the eyewitness identification of a man named Juan Moreno. Moreno has now recanted his testimony, claiming that he was coerced by the San Antonio Police Department into wrongly fingering Ruben Cantu. There was absolutely no physical evidence, there was no—there were no blood spatters, D.N.A., ballistics, absolutely nothing other than Moreno’s testimony that connected Ruben Cantu to the murder that took place. And so now we have—the Cantu case is one of three cases I’d like to say four cases— here in Texas, where you have compelling claims of innocence. And these are cases of not men who are innocent on Death Row - we’ve had eight people exonerated in Texas - but these are cases of - four cases - where I think we executed somebody who didn’t do the crime.

RAYMOND: Tell me those four.

ROGER BARNES: Carlos DeLuna is a case out of Corpus Christi. Carlos Hernandez is probably most likely the guy who killed this store clerk in a convenience store. The *Chicago Tribune* has covered the the DeLuna case, very detailed coverage there. And it’s hard to read the Tribune’s series on Carlos DeLuna or to watch the movie about Reverend Carroll Pickett, called *At the Death House Door*, where the DeLuna case is prominent in that documentary and not come to the conclusion that something went terribly wrong in the DeLuna case. The *Houston Chronicle* and the *San Antonio Express News* has been important in covering the Ruben Cantu case. And Lise Olsen over in Houston and Maro Robbins, who was formerly with the *Express News*, have done a lot to analyze what errors and mistakes probably led to the conviction and execution wrongly of Ruben Cantu. And then you have the case of Cameron Todd Willingham. This is kind of a central Texas case of a fire in which Willingham’s children perished. Willingham was a totally despicable fellow but did he set the fire intentionally? I think now modern-day forensics says and arson investigation says no. This was an accidental fire; wasn’t an intentional fire. And he was convicted exclusively on junk arson science, just junk bogus science. And then the other case is the one that a lot of people have heard about and that’s the case of Gary Graham. Gary Graham was charged with the murder of Bobby Lambert outside a grocery store in Houston. Gary Graham, according to the eyewitnesses who did not testify at his trial - his trial lawyer incidentally and subsequently been disbarred - he received a terrible trial, received a terrible defense - but the witnesses who saw this take place, but who were not called to testify, said, Uh-uh, wrong height, wrong build, wasn’t him. And if people who are watching this, are listening to this want to do something really chilling, they should go to the Texas Department of Criminal Justice webpage and read the final words of Gary Graham. He changed his name to Shaka Sankofa in the months before they executed him. And read that final statement. It goes on and on and on and on with him saying that “Texas is committing a murder tonight. I did not kill Bobby Lambert.” He acknowledged all kinds of crimes that he had committed, took full responsibility for those. But he went—they had to drag him, they had to almost to beat him and to hogtie him to the gurney before they could stick the poison in him. And I mean you can’t help but read that and think,

Jesus, that's a pretty powerful statement, I mean, is this guy innocent? And I think the answer to that is yes. And I'm—not just based on that. When you really go through and you look at the evidence and you look at the mistakes that were made in the trial and the failures of his lawyer to bring forth people who could have provided an alibi for Gary Graham. There was no ballistics that connected him to that murder and he was convicted again almost exclusively on the testimony of a Mrs. Skillern who saw this for just a few fleeting seconds at night from some number of feet away, only light was a outside light. So there are four cases. And significant thing is all four of those guys are dead. Go back to Sam Millsap for a second, because I think Sam deserves — He prosecuted the Cantu case. In the late 1990s, Sam started to have real doubts about the efficacy of the death penalty and became interested in— with other people, especially lawyers, law professors—in the moratorium movement. And Sam said, “You know, I think maybe it would be a good idea to take a look at this system. Let's have a moratorium, take a look at the system.” This is about the same time that Governor Ryan in Illinois had appointed that blue ribbon commission and they were examining those— they had had thirteen people released from death row and twelve executions. And Ryan had let one of those executions go forward but then he said, “(whistle) That's it, time out on all this.” And it was about that time that Sam Millsap started thinking, “You know, this is maybe something we ought to do, we ought to have a moratorium.” And then he—to hear Sam tell this story—he said later—finally one night his wife said to him, “Why don't you just cut out the shit. You really are an abolitionist. You're not just for a moratorium.” And Sam said, “You know, I am. I really am.” Now this is power—I'm saying “powerful” too much but—and this really is something because look at what this guy did. He prosecuted Ruben Cantu. I mean if you wanted to get really ugly and dirty about it— and Sam's a dear friend of mine, I never would because I think he's harder on himself than any of us would ever be and I don't—would never do this to Sam – but somebody who wanted to be ugly could say, “You've got blood on your hands.” He is now one of the most forceful poli—abolitionists in the United States and he—Sam talks to law faculties and law schools and he talks to students and civic groups and talks about Cantu and talks about the mistakes that were made. And says, “The system”—he likes to say, when I'm with him or in the audience, he says, “I'm not like Roger. Roger is opposed to the capital punishment on moral grounds, in addition to other things. Roger would never kill anybody. He would never—he would never kill a Saddam Hussein or an Adolf Hitler.” And I wouldn't. 'Cause I am opposed on moral grounds in addition to all those other grounds. But Sam says, “I don't really take that stance.” He says, “I take the position that the system itself is so seriously flawed and so fraught with problems that—and it's a system where death is different – if we convict somebody wrongly, we can let them go from prison and maybe they can repair their life – but if you execute them, you can't go back and resurrect them from the dead.” And so his is a very important and influential valued voice. And Sam's absolutely right. I mean it's the system that is so—that is so wrong-headed. There's a line in Tolkien where Tolkien, one of his characters says, “Deserves death! I daresay he does. Many that die deserve death but some that die deserve life. Can you give it to them? Then be not too eager to deal out death in judgment, for even the very wise cannot see all ends.” And I've always kind of liked that because it captures the idea that death is such a final verdict and—well, we've exonerated a hundred and thirty people to date in the United States, since we resumed executions

with Gary Gilmore back in January of seventy-seven. Now, we've got over three thousand people on the nation's death rows. Where's exoneration number one-thirty-one? It's out there. It's sitting—he's sitting. Most likely he is sitting somewhere. The system is just terribly broken. It is too expensive to run it. And I suspect strongly that the day will come when we finally do join the rest of the western world—the western industrial democracies and say, "What have we been doing? Let's let this one go." And you know what would be so compelling about it is that a lot of folks will say, "I can't afford this any more. I just— it's too expensive. It costs too much money." They won't be necessarily moved by the moral argument or by its—or by the mistakes in the system or by its failure to serve as a deterrent or by its racism or the fact that only the poor and the working poor or working class end up on the nation's death row. It'll be—it might come down to economics. But let me tell you a quick story. A Methodist church that my wife and I went to for some while got a new pastor. And I went over to meet him one Saturday weekend afternoon 'cause I knew he was in the office. And so introduced myself to him. And he said, "What do you do?" "I teach." I said, "I teach at Incarnate Word." "What do you teach?" he said. "Sociology. I teach criminology and criminal justice and courses like that." Out of the clear blue, he says to me, "Do you have any feelings about the death penalty?" So I said—okay, does he get the three-hour version or the three-minute version? So I said, "Okay." And so we talked about that and I explained to him that yeah, I did have some feelings about the death penalty and then I thought, being a pastor, maybe he'll appreciate this. So I told him the story about the time that Mother Teresa went to San Quentin's Death Row. Have you ever heard this story?

RAYMOND:

No.

ROGER BARNES:

It's a great story. She goes to Death Row at San Quentin and she has a guard, a prison guard who's her escort there for the entire day. And of course, this is a huge death row. It's half again as big as Texas' unit, the Polunsky unit. There's over six hundred men on death row at San Quentin. At the end of the day, Mother Teresa—as she's getting ready to leave the row, she turns to her guard-escort, and she says - in a voice that shoots down the death row, loud enough and intentional enough to be heard by the prisoners - she says to the guard, "Remember, what you do to those men, you do to God." And she exits Death Row. So I lay that line on my new pastor friend, Jim. A couple Sundays later, he comes up to me and he says, "You've really changed my life." "How's that?" I said. He said, "It was that quote from Mother Teresa." He said, "I've not been able to shake it and in the last two weeks, I've had to do some research. And I've been doing some reading on this topic and I've been doing some praying about it and I've finally come to the conclusion, I've gotta let it go. I've gotta let it go. I can't support the death penalty any longer." So I praised him and I said, "That's wonderful, Jim." Said, "I really am glad to hear that." And now I said, "Let me ask you, why did you support it up to now?" And he said something that I think is very telling, and this addresses the issue that you asked earlier about "what was it like twenty years ago?" He said, "I'll tell you why I was in favor of it." He said, "Because I grew up in Texas and we did it. And I never heard any legislators talk against it. And I never read any newspapers write against it. And I never had any teachers teach anything about it. And I never heard any clergy say anything from the pulpit about it. I just figured if we had it,

there must be some reason that we have it; it must be doing something right.” He said, “And in the last two weeks, I’ve learned differently, thanks to you.” And I think that’s kind of what’s going on in Texas. There’s a dialogue, an awareness, a consciousness that wasn’t here two decades ago. Every major newspaper in Texas has taken a position, either for moratorium or for abolition. The *Dallas Morning News* being the last one to take an abolition position. We now have a bill that is going to be introduced in the Texas House, an abolition bill again in this upcoming session. And I’m meeting on Wednesday of next week with a state senator here who most likely is willing to file an abolition bill in the Texas Senate. And we’ll be talking to her to see if she’s rounded up the people she said she would round up to co-sign with her. And that was unheard of ten years ago. It was unheard of six years ago. Public opinion is shifting on this. You’ve got students now that are speaking out against it and campaigning against it and rallying against it, marching against it. I think it’s finally looked at for what it is. It’s a grotesque human rights violation. And it’s real hard to—on the one hand, lay claim to the mantle of human rights and human dignity and democracy and say that you really are for strapping somebody to a gurney and injecting the poison into their veins. I got a feeling that in the end, whether it’s the economics thing and all these other arguments, or that we just plain wither and tire of it and step back and say, “Too much. Stop. Something else.” We just—I’d like to think that the better part of us just is going to come to where we don’t have the stomach for this. There’s always going to be people who—none of that will matter to them. The sense of satisfaction that they get, knowing that somebody has been intentionally exterminated will make them somehow feel warm and fuzzy. But I’ve got a feeling that ultimately, that’s gonna be a minority voice. Look at what we know. We know right now that in this state, you put it to people: life without parole, execution, which one you going to? And it’s fifty-fifty. Death penalty convictions are going down, death sentences and capital trials are going down, public support for it’s going down. Inching away, inching away. The court is helping ‘cause the Supreme Court says, “Well, let’s exempt the mentally retarded, let’s exempt juveniles.” The mental illness thing is next up. They’ve adopted this judicial philosophy of—the whole notion of—oh, what’s the wording? Help me. It’s—of human—got to a point where I just forgot the language of the court. Recognizing what other countries, other people do.

RAYMOND: International law?

ROGER BARNES: International law. Evolv—thank you.

RAYMOND: Evolving-

BOTH: —standards of decency.

ROGER BARNES: Evolving standards of decency criteria. And as you look at that and what they’ve used to justify that; they’ve looked at what do other nations do, what do other states do, what’s the public think about this? I’m not a—I’m not a legal scholar - far from it. But you kind of wonder, Hm, if the stick with that, is that evolving standards of human decency going to paint them into a corner, to where eventually they’ve gotta say, you know what, guys? We’ve gotta let this whole thing go. It is a

violation of the Eighth Amendment, finally, if you're talking about the evolving standards of decency. So we'll see if that day comes. Well, here we are just—we're having this interview – what? – three days after a Black man just got elected President of the United States? Which made me extremely happy. And I voted for him. I was glad to do that. I mean it was wonderful. Who'd of thought twenty years ago that this day would ever come? I'm not willing to say that the death of the death penalty is something that's going to happen in a hundred years. It might be closer to us than we realize. It—maybe it's the courts that finally say “enough.” Maybe it's the financial wizards in the state budget committees, in the state legislature, who go, “Holy shit! Look at how much money we're sticking into this thing. Are you kidding me? Couldn't we spend this money on alcohol prevention programs and delinquency prevention programs and creating safer communities and neighborhoods?” So we might be a little bit closer to some social change here than we realize. I sure hope so. There goes my scholarship if we do it.

RAYMOND: You'll have to become a historian.

ROGER BARNES: Yeah, I kind of am, anyways. Yeah.

RAYMOND: This is wonderful. Gabe, do you have questions?

GABRIEL SOLIS: I don't know. I've just been sitting here and listening and learning. And it's just been a great interview. Thank you.

ROGER BARNES: Good. Thanks, Gabe.

GABRIEL SOLIS: We've learned a lot.

RAYMOND: Thank you so much. You've taught me a lot during these—this period of time, whatever it was.

ROGER BARNES: Well I—you guys have—you have remarkable patience to sit here and listen, and so patiently.

GABRIEL SOLIS: That's-

RAYMOND: That's what we do.

[all laugh]

GABRIEL SOLIS: The story—the story that you gave at the beginning when you—with Bill Sands, going out to visit Death Row; that was just an amazing story.

ROGER BARNES: Yeah, it was.

GABRIEL SOLIS: It was a great experience so early on.

ROGER BARNES: Yeah, it was a really amazing moment. You know, I knew it at the time. I knew. That's why I jumped when I—when that opportunity came. And it's kind of funny, I look back on that. If I hadn't—I knew who Bill Sands was. I'd read *My Shadow Ran Fast*. And boy, was I excited about the opportunity to meet him. I'm an eighteen-year old kid and I thought—but if I—if the *Eagle* hadn't published the editorial, I hadn't written the letter, if they hadn't published it, I hadn't had the guts to, “Mr. Sands, look at my letter. You want to read my letter?” and if he hadn't read it and said, “Oh, this kid's got something to say,” and all of that then I'm never in Arkansas, that story doesn't happen, I don't have this to share. Sometimes, fortune intervenes in some positive ways.

RAYMOND: You know what I forgot to ask you something I wanted to share about you.

ROGER BARNES: Sure, go ahead.

RAYMOND: When you—since you're going back to 1968-69. In 1971, Attica prison — happens.

ROGER BARNES: Oh God, yeah. September.

RAYMOND: Yes, September. So, September 1971, you are already — have this experience with the death penalty and prisons. Can you tell me how that reverberated in your life and your thinking?

ROGER BARNES: I had just arrived at the University of Kansas. I had a dormitory room. I'd had a room by myself. And I remember watching Attica, 'cause you know Attica happened on T.V. I mean it was a—it was covered by the world press. I remember those negotiations in D-Yard and Bill Kunstler and Bobby Seale and, oh boy, Tom Wicker, and that failed conversation with Nelson Rockefeller, to try to get Nelson to come to Attica. And that Monday morning assault. I remember Attica real well. In fact, I think when I was a senior - or certainly a first-year graduate student, but I think I was a senior – I took the book that came out, the official report on Attica, and I had—they had those—a lot of pictures in that thing – and I had a collection of slides made up and I—oh, they're around somewhere, anyways, I had a collection of slides made up and then I did a thing on the sociology of prison riots and a kind of natural history of prison riots, stages that prison riots go through, and the causes of prison riots. And I remember presenting that at the Department of Sociology there at K.U. We would have these occasional — these monthly meetings where faculty— I think I was a first-year graduate student, because faculty and then graduate students would all come together in a big commons room and we would have drinks and treats and stuff, and there'd be some kind of a little program. I remember being in the program, showing the slides at Attica and talking about the sociology of this prison riot. Oh yeah, I remember that.

RAYMOND: At what— and how— what was the effect among people who were studying sociology, particularly with prisons, and doing the kind of research you were doing, about the reverberations of Attica, the event, the conditions leading up to it, responses, opinions about prison, were there?

ROGER BARNES: Yeah. The general sentiment among my sociology colleagues was one of absolute abhorrence. The prisons were these— the prison is a state apparatus – and read “state” in big terms, in Weberian terms, that which claims a monopoly on the legitimate means of violence. Well, the larger state, of course, had just been conducting an illegal war, not only in Vietnam, but also in Cambodia. And the University of Kansas had, along with many, many, many other universities, had gone through that terrible period after Kansas State were—everything got shut down. Students went home. The university stopped business. We- I participated in more than one anti-war demonstration. I can remember, boy, that’s a whole another set of deals. Whether it’s the larger, federal state or the New York state government or these other states that are carrying out executions. This was all viewed quite badly. And it was just another example of the atrocities of state misuse of money, state misuse of human lives, and the barbarity of state action. And I think students were just abhorred at what had happened at Attica. And of course, you know, as young students, we take some guidance from our faculty and sociologists tend to be pretty liberal by function of our education and by the things that we read and the things that we—not only things that we read ‘cause we’re not reading propaganda, but by virtue of what we read, what research we do, and what we come to know, and the insights that we have. And I’d like to think that as a group, sociologists are a pretty trustworthy bunch of surveyors of society, surveyors of the national scene, and have a pretty good read into the temperament and into the conditions of this social system. And this social system was not in good health in the sixties and in the seventies. Whether you were looking at what was going on in the inner city or what was going on in Vietnam or what was going on in the Atticas of this world. I mean one can — well, I won’t draw a parallel to today, but certainly as, to answer your question, to go back to that period of time. There was a lot of conflict, a lot of chaos, a lot of social disorganization, there was a lot of people who were suffering.

RAYMOND: As a person who’s studied and thought about prison riots, I wonder if you did any work or thinking or writing about the Cuban Marielitos who had riots and burned down, not completely, but burned down the prison in Atlanta and one in Louisiana. Was that something you that studied or wrote about?

ROGER BARNES: I didn’t write about it and I haven’t studied it a whole lot except that, you know, the Atlanta situation — we actually learned some things from Attica ‘cause that came after Attica. And one of the things, one of the lessons that was learned at Attica was that, hey, you rushed in way too soon. The pri—it was a classic example of that line in Cool Hand Luke, “What we have here is a failure to communicate.” Because the prisoners thought they had nothing but time on their hands and they had no intention of killing those forty-some hostages that they were holding, ‘cause that’s their negotiating, their bargaining chips. The state, however, looked at that and said, every day that passes in the eyes of the world were looked at as a weaker and

weaker entity. And we can't let this go on any longer. And so Rockefeller orders that assault. And you end up with all those dead—it was the bloodiest day of fighting between Americans since the end of the Indian Wars in the 1800s. And when Atlanta happened, we realized, hold it a second. Let's take a lesson from Attica and let's not go rushing in there. And they spent a lot of time before they were able to see a very different resolution, at the Atlanta riot. So maybe that — we learned that from Attica. But there was a lot of other things that were going on. I mean you're looking at the riots of the Black Panthers at that period, the Weather Underground, the Bill Ayers of this world, and our society was experiencing so much turmoil. And then you've had — throw Nixon and Watergate into this whole mix. I wrote my master's thesis on Watergate and so at least Watergate provided one thing.

RAYMOND: Wow. Well, thank you.

ROGER BARNES: Yeah, my pleasure. I enjoyed it.

RAYMOND: It's wonderful. Thanks. And I guess what we want to do now—

[END OF TRANSCRIPT]