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# THE LIFE AND CRIMES OF THE STEEL GUITAR PLAYER: PRIVATE TROUBLES AND PUBLIC ISSUES

NORMAN GREENBERG

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THE LIFE AND CRIMES OF THE STEEL GUITAR PLAYER:  
PRIVATE TROUBLES AND PUBLIC ISSUES

by

NORMAN GREENBERG

B. A., Stanford University, 1966

M. Crim., University of California, Berkeley, 1969

A THESIS

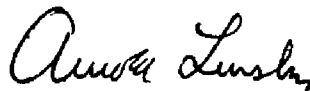
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Thesis director, Stuart Palmer, Prof. of Sociology



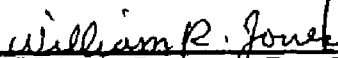
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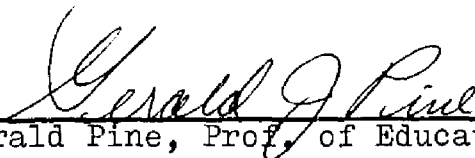
\_\_\_\_\_  
Howard Shapiro, Assoc. Prof. of Sociology



\_\_\_\_\_  
Stephen Reyna, Assist. Prof. of Anthropology



\_\_\_\_\_  
William Jones, Prof. of History



\_\_\_\_\_  
Gerald Pine, Prof. of Education

JUNE 20, 1977  
Date

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## ABSTRACT

This is a study of the life of one inmate at the New Hampshire State Prison. Material for the life history of the inmate was gathered during fifty hours of tape-recorded interviews. The life history, in the words of the inmate, is divided into four sections: "Childhood," "On the Road," "The Crimes," and "The Punishment."

The life history is accompanied by an analysis, the purpose of which is to explain the dynamics of the life history and to show its relevance to others. The analysis is an eclectic scientific inquiry, drawing on the work of social scientists from several disciplines. It is conducted at both micro- and macro-levels; and it refers both to subjective processes and objective conditions.

Specifically, the analysis identifies three problems in the life of the subject of the study: his ambition to succeed, the abuse of his children by others and subsequent events, and his sentence for his crimes of armed robbery. The first of these problems is most important in the life of the subject in that it sets the stage for and exacerbates his other problems. All three problems are, however, important social problems in America, affecting many people, both directly and indirectly. Examined are the nature, the causes, and the solutions of these problems, for the subject of the study and for others generally.

The emphasis on solutions of these problems, though

carefully considered in light of possible latent functions of existing systems and possible unanticipated consequences of any reforms, signifies the humanistic objectives of the study. Ultimately, the objective of this study is to show that the story of one person's life can enable others better to understand and help themselves. Scientific information aids in that objective.

The subordination of science to humanistic ends is approved by many social scientists. Among sociologists, C. Wright Mills is most identified with that, since he explicitly raised the issue and criticized any science for science's sake. His distinction between "private troubles" and "public issues" provided the organizing framework for this study.

## INTRODUCTION

I was introduced to Carl Hoitt by the Warden of the New Hampshire State Prison, Raymond Helgemoe. Two weeks earlier, I had explained to Warden Helgemoe that I wanted to write a life history of an inmate who would be willing to talk openly to me. I told him that, by means of this kind of extensive interviewing, details of the man's past and aspects of his feelings might emerge that might not come out in any other way; and therefore this might be a unique way to understand a man's actions, including his crimes.

The Warden had some reservations about this type of research; especially, he suspected that I would obtain only the inmate's point of view. But I told him that I was certainly capable of maintaining my own perspective and, besides, by questioning the inmate, it would be possible to produce a more objective account of the man's life than might at first seem possible.

The Warden gave me permission to begin the research. He told me I would be able to talk to as many of the inmates as I wished, so long as they were willing. The Warden arranged the initial interviews with two inmates. Both were trustees, which meant that they had the right to work outside the prison walls. I was not restricted to the Warden's "choices". I could have interviewed others if these did not

work out. As it was, one of them--Hoitt--did.

I met separately with the two inmates in the Warden's office. Each seemed to want very much for me to write their life story. An ex-convict once said to me, "That's what every man in prison wants." Maybe the life story is a way to be vindicated. A man in prison might feel like he is a failure. His family and friends might feel ashamed of him and pity him. Something like this can maybe salvage a little bit of his honor. The drama of his life, if not the outcome of it, can become some sort of achievement. Maybe this is what these men think.

The first man I met had been at the prison for more than ten years. He took care of the grounds outside of the prison. Sometimes he would conduct a tour through the prison. He made little leather key chains as a hobby, and he tried to sell these through the gift shop downstairs in the waiting room. He had been accused of an atrocious crime, a crime that is notorious in New Hampshire. He told me he was not guilty of the crime. He might or might not have been guilty. I neither believed him nor disbelieved him when he said he was innocent. My mind was open on the subject. Yet this was a problem for the study. If he WAS guilty, then I would have to contend with evasions, at least for a while, until he would decide to confide in me. If he was innocent, I would want to examine all the circumstances of his arrest, the trial, and his imprisonment, including the police investigation, his reactions, the media coverage, and the way his family and others treated him. All of this would have been

very interesting, but difficult. It would have meant re-searching events that occurred more than a decade earlier. Furthermore, I was not sure to what extent he would cooperate with me. He told me that what happened to him was very sad and painful, but that he had resigned himself to it and had gone beyond it and just wanted to forget those things. How did that square with his wanting to cooperate with me? He was challenging in the courts the conditions for his eligibility for parole. Maybe he thought my research might help him succeed with that. I did not want to take a chance of simply being used in that way.

The second man I saw was Carl Hoitt. He had been at the prison for five years. He worked in a building outside the prison walls, helping to fix it up so that it might eventually be used as a minimal security institution if the Governor approved (he did not) and the funds became available (they did not). He was involved in many other activities. He was one of the "jailhouse lawyers", helping other inmates research their legal problems and launch appeals and lawsuits. He had been elected to the inmates' grievance committee. He had a steel guitar stored in the prison, and he practiced on it sometimes. Whenever a group would come to the prison to play music, he would play the steel guitar with them. He was taking a criminology course by correspondence with the University of California at Berkeley. He thought the books outdated and planned to drop the course. He was a Mormon and was studying his religion. He made engraved leather wallets which he tried to sell in the gift shop. And he also

worked in the woodworking shop sometimes. He belonged to the prison chapter of the Jaycees.

One of the things that interested me in Hoitt right away was that he did not seem to take himself too seriously. One of the first things he said to me was: "Hey, I'd like to do this with you but I want you to know from the beginning that I'm not much of a criminal. My whole criminal career lasted forty-five days. I stole no more than \$10,000 and only spent a small part of that. I once divided the amount of money I stole by the amount of time I've spent here and you know what I came up with? I 'earned' about fifteen cents an hour. That's the kind of criminal I am."

I decided to interview him, to see if we could actually produce a life history. He never did understand why I did not choose the other man, whose crime was so much more serious and so much more notorious.

I began to come to the prison about three times each week for about a month, for about three hours each time. I would go up to the steel door at the entrance to the prison and ring the buzzer. The guard let me in. Then the guard would have me fill out an identification card, and I would walk through a metal detector while the guard watched. There was a barred door leading up some stairs, and I pressed against that. This caused a light to go on in the command room of the prison, which was at the head of those stairs. A guard in the control room pressed a switch which caused a buzzer to sound. I would hear that and push hard against the door, which now would open. At the head of the stairs,

I would drop my identification card through a slot where the guard in the control room could pick it up. He would call for Hoitt through the intercom.

The prison is old. It was built in 1874. We met in a building that was connected to the cell blocks, where the staff had their offices. The room where we talked must have once been a kitchen, but was now used for staff meetings. The guards also ate their lunches there.

One of the first things I felt I had to do was to find out how voluntary Hoitt's participation in this project really was. I did not want to do this if he was forced to do it in some way unknown to me. I asked him if he thought this might help him get parole and if that was why he wanted to do this with me. He said he would become eligible for parole very soon and that he was certain of getting it. He said he was interested in the life story and he wanted to work on it with me.

He had some suspicions also that he wanted to get out into the open--that I might be connected with the FBI or the police and might be trying to find out from him something about his accomplices or his fellow inmates. Of course, there was no way for me to prove to him that I was not with the police. Sometimes, when we began the interviews, I could see him weighing every word. I said, "You'll have to believe me. I'm not with the police. If you don't believe me, we can't go on with this. You'll just have to take my word for it." He paused for a moment and said, "All right." It was either that or we had to stop. Because he had these worries, I promised him I would not let anyone

see any of the information until he had a chance to go over it and delete whatever he wished. We also agreed to use false names whenever he wished. I told him he did not have to tell me the names of the people who were his accomplices in the crimes, and he never did tell me their names.

At some point early in the interviews, I talked to him about the possibility that his life history might some day be published. I figured that was probably on his mind anyway, and I did not want him to think that I would finish with him, sell the story, and keep whatever money I got from it for myself. Just by being silent on the subject, I would make it appear that that is exactly what would happen, and I thought that he might begin to resent me because of it, which he would have a right to do. So I told him that if this were to be published, I would find out from the publisher what would be a fair way to divide the money and that he would be certain to get a part of it. He accepted that; he did not seem to be at all surprised that I raised the subject. I told him that there was a good chance it would never get published and that I was not counting on it in any case. He said, "Well, if I was set on that, I would've gotten Truman Capote to come in here and interview me." Well, the possibility of its being published lent a kind of excitement to the whole thing, though neither of us ever counted on its being published. It was an exciting but remote possibility for us. It was an incentive. He would ask me how many pages I had typed. At one point I told him I had one hundred pages,



which seemed to me like a lot. He said, "Well, that's not much of a book. We'll have to do more."

I taped the interviews. He said he did not mind the machine running. And, in fact, he was more relaxed with it than I was. In a way, I think that the machine motivated him to express himself. Because he was being recorded, he knew that his words were going to be preserved exactly as he said them, and I believe that was important to him. Only occasionally did he hold back because of the machine. One time he wanted to tell me something that was quite personal. The machine was off then, and I wanted to turn it on. He said, "No, it's not really that important. You'll only be wasting your tape." I said, "Well, I can always erase it." He said, "I'll tell you the story first and then you can decide if you want to tape it." Finally he agreed to let me tape the story as he told it. I had to insist on that. I had to make sure that our relationship would be recorded.

The interviewing was interrupted late in August because of disturbances at the prison. Before the normal routine resumed he was transferred to Walpole, Massachusetts, to begin a sentence there. I visited him there twice. Altogether, I talked to him for about fifty hours.

In the beginning of our conversations, he kept trying to give me an explanation of his criminality. He must have thought that this was what I wanted. The Warden might have told him I was trying to find out why someone might have committed a crime. Or maybe he kept trying to

explain himself to me because he was sensitive to the inequality in our relationship. Here I was, an outsider, coming in to the prison to talk to him because he was a "criminal". Maybe he felt sensitive about that, as if he were a freak on display, at the same time that he appreciated the opportunities that this opened up to him. He wanted to tell his story, but did not want to look like some stereotyped crook. So he wanted to explain himself to me by means of a rationale that would justify him. He had no way to know, at least not at first, that I did not feel any prejudice towards him because he had committed robbery and spent time in prison. Maybe if he had hurt somebody-- physically attacked them, behaved callously--then I might have felt some prejudice; I might have despised him if that were the case. But, as it was, I did not feel any prejudice towards him.

He tried to explain his criminality to me in terms of the corruption and greed that he thought prevailed in high places in America. Politics was his favorite example. He was sure most of the politicians were dishonest--not just Nixon, but Nixon was his favorite example, and he especially disliked Nixon. He respected Drew Pearson and Jack Anderson for their part in exposing corruption in politics. He was just as critical of businessmen. He believed his criminality was not odd, but ordinary. He was finally getting his piece of the pie in the only way it is gotten in America, according to him. He wanted me to see that the mystery was

not why he committed his crimes, but rather why he waited so long before committing the crimes.

I did not disagree with Hoitt's argument, nor did I mean to disparage it in any way. But I just felt that his argument got in the way of the story. I felt that the story could speak for itself. And if his reasoning were true, then it would emerge from the story. I said to him, "The way I see it, your explanation is not necessarily the only one and neither would mine be the only explanation. By laying out the story as you remember it, we give the reader a chance to make his own guesses and I think that is the best thing to do."

I wanted him to give me a simple narration of the events of his life. There was no need of philosophizing retrospectively or turning out eloquent phrases. It took me a couple of meetings to give him an idea of what I wanted. I would start an interview by reminding him where we had stopped the last time, so that he could resume a story or begin to talk about a new phase of his life. At the beginning, to encourage him to talk naturally and freely, I would say to him, "Tell it to me as it comes to you. Just say what sticks out in your mind. We can always go over it later and I'll ask questions as we go along." Whenever he hit on a concrete event relevant to the time period on which we were concentrating, I would seize on that and ask him who said what to whom, what happened next, and so on. If he would say he could not remember someone's exact words, I

would say to him, "You don't have to use the exact words. Just describe it as well as you can." He soon caught on to what I wanted and seemed really to enjoy reliving the details of his past.

I did not usually use interview schedules. Sometimes when I knew beforehand in a general way the events we were going to discuss, I jotted down a few questions and managed to ask all or most of them in the course of the interview. But this was not my usual practice because I felt that Hoitt, in the telling, would introduce ideas and events that I could not anticipate in any way. I did not want--any more than was necessary--to put his comments "through the sieve of a middle-class mind", to use Oscar Lewis' phrase. And I had to react spontaneously to what he said, usually by picking out the concrete events he mentioned and asking him to elaborate on these. I tried also to ask him about his thoughts and emotions at the times of the events he described. I did not simply ask him what were his thoughts or emotions. Instead I tried, as much as possible, to suggest a thought or idea to him and ask him for his reaction: why didn't you do such-and-such? Or: many people would have done such-and-such, why didn't you? Or: you must have been tempted to do such-and-such? The alternatives I presented to him were the kinds of thoughts or actions that many people would have turned to in a situation like the one he was describing. His reactions, I think, enriched and deepened the story. They help to make the story meaningful to the

reader and to lift the story above the level of a mere action yarn.

Since I began the interviewing with the purpose of helping the reader understand why someone would commit a serious crime, I asked him to begin the story with the crimes. I asked him to tell me briefly what his crimes were and when and with whom he committed them. Then I asked him to try to tell me when he first thought of crime (he could not give a definite answer) or, in any case, when he met his accomplices and first committed himself to engaging in crime with them. Then, we carried the story forward to his capture and his release from jail in Massachusetts on bail. Following this, we went back to his childhood and carried the story forward to his crimes. Then we continued after his capture with the rest of his story.

Immediately after each interview I transcribed from the tapes. I edited the material at the same time, omitting comments of his that were not relevant to the events of the story, putting some of the material in chronological order, and making the transitions smooth. Later, after the interviews were completed, I edited again, refining what I had done in a preliminary way earlier and omitting some minor details. I did not edit according to an explicit formula of any kind, though retrospectively I can identify the following pattern in the way that I edited the material.

There are components of the story: lives within the life: stories within the story. The "lives" to which

I refer are his working life, his religious life, and his love life. Each of these is treated separately. And, in each one, there are beginnings, endings, new beginnings. Often, these critical periods are marked by an actual change of locale. Hoitt will talk about moving to some place and getting a job and then describe what that was like. And, then, the continuity breaks slightly and he will explain how he meets a girl, establishes a relationship, and so on. A break of continuity again and he will talk about a religious conversion. In the discussion of one aspect of his life, he refers to other aspects of his life; but essentially, in the life story, the discussions of the three sides of his life are kept separate.

A problem during the interviewing and in the editing was how to allow the story to move back and forth from one side of the life to the other without, on the one hand, interrupting all the stories to the point that there would be no momentum and, on the other hand, continuing a discussion of each side of Hoitt's life to the point that there would be no connections between them. Another problem was that crucial phases in the story of one aspect of his life would be lost while the story of another aspect was told to its conclusion. But these were not insurmountable and were resolved in a variety of small ways as they arose.

Towards the end of the interviewing, much of my questioning was concerned with eliciting from him details that would conclude various stories that he had introduced.

I would ask him, for instance, to tell me what happened between him and his wife, Donna, after he came to prison. I would ask him what were his religious experiences in prison. Prison life, per se, aside from experiences having to do with events that occurred earlier in his life, is not emphasized.

Though I began this research with the objective of understanding why one person would commit a crime, I saw other possibilities for the study soon after beginning the interviewing. I saw that crime was not a fundamental, nor necessarily the most interesting part, of Hoitt's character. He turned to crime relatively late in life and stayed with it for a very short time. It is only the fact of his capture and the long sentence he received that makes crime loom large in his life and gives him the identity of "criminal." But once the details of his life are known, then it is clear that the crimes and the imprisonment are but episodes in his life. It is possible to identify themes, or problems, in his life that are more important than the crimes in the sense that they underly and explain the crimes or are more important in terms of their ongoing effects. Three of these problems are identified in this study: his ambition to succeed, the physical abuse of his children by others (and subsequent events), and the sentence he received for his crimes. Especially important is his ambition to succeed, the central motif of his life.

The purpose of this study is not merely to tell the

story of one man's life but also to make that story meaningful to others, to turn the story into a looking glass so that others can see their own reflection in it. To have identified Carl Hoitt by his criminality would have defeated that purpose, since most people are--in their own eyes--innocent of crime, and they regard the criminal with fear and scorn, sometimes mixed with envy. But the ambitious man--a victim of child abuse (in an indirect way), a victim of bureaucratic insensitivity, a victim as well as perpetrator of injustice--is not so easily shrugged off. Such a life can be an object lesson for many others.

To an extent the questioning and Hoitt's own sensibilities and experiences and a reader's insights will suffice to make the life history relevant to a reader; but a systematic inquiry into the dynamics of the life story and its relevance to others also can be useful and that is done in Part II of this study.

The reader who becomes involved in this study will hopefully find much that is useful here: information about the nature, the causes, and the solutions of one's own problems or the problems of someone close. The reader can gain solace from knowing that he or she is not alone in suffering and this can lead to an identification with others who endure, or will in the future endure, the same problems. By identifying with others, new realms of action appear. A person acquires a public as well as a private sphere for action. In the private sphere, one works only for one's own well-being. In the public sphere, not only can change in one's



own circumstances be effected but also it is possible to achieve a measure of satisfaction by helping others who must endure the same problem.

The ends of this study are therefore humanitarian-- to help others improve their lives. Its means are scientific. The subordination of science to humane ends suits many, but not all, social scientists. C. Wright Mills is one whose humanitarian ideals always infused and directed his scientific inquiries. He emphasized the importance of a person's discovering the public sphere of action:

Whether or not they are aware of them, men in a mass society are gripped by personal troubles which they are not able to turn into social issues. ...The knowledgeable man in a genuine public, on the other hand...understands that what he thinks and feels to be personal troubles are very often also problems shared by others, and more importantly, not capable of solution by any one individual but only by modifications of the structure of the groups in which he lives and sometimes the structure of the entire society.

It is the political task of the social scientist-- as of any liberal educator--continually to translate personal troubles into public issues, and public issues into the terms of their human meaning for a variety of individuals. It is his task to display in his work--and, as an educator, in his life as well--this kind of sociological imagination. And it is his purpose to cultivate such habits of mind among the men and women who are publically exposed to him. To secure these ends is to secure reason and individuality and to make these the predominant values of a democratic society. (1959:187-188)

Mills' distinction between "private troubles" and "public issues" is a useful way of explaining the organization of this study. The life history reveals "private troubles." Part II examines these troubles from a larger perspective, as "public issues."

PART ONE

THE LIFE HISTORY

## CHAPTER I

## CHILDHOOD

I was born in 1934, in Dover, New Hampshire. Dad was a carpenter and machinist. He had skills along those lines, but I don't know exactly what work he was into when I was born. I know he did work as a carpenter in my youth and during the war he worked at the navy yard, workin' on submarines.

I was the oldest boy, the second child. I had an older sister. She was eight years old when I was born. And it's been related to me that my mother wasn't really supposed to have any more children. The doctor advised against it. I guess her health was in jeopardy if she had any more children. That's the reason for the eight years between my oldest sister and myself. She just decided she wanted more children regardless of the risk. They had me, and then there was five others. There was seven children which turned out to be a pretty good family for somebody who was supposed to have just one child.

They were both alcoholics, both my father and my mother. They'd drink at home, on the weekends. They both worked and on the weekends they'd drink. It seemed to affect 'em in different ways. Sometimes they'd get violent, and my father would hit my mother, and I didn't like that. And when I was a youngster growin' up, I hated him for it. And I hated him probably until I was, oh, some time in my teens, had children of my own, and got out into life. I love my father dearly today and I have for a long, long time.

When my father'd get violent like that, my mother would get away from him. She had an automobile and a license. If he was gonna be mean or somethin', she'd wait until he went somewhere to do somethin', she'd take all of the kids and go away.

It was an unsettled kind of life, but I don't want to paint a real terribly bad, gloomy picture of that because it wasn't that bad either. A lot of times it was good. The drinkin' was confined mostly to the weekends. Dad worked pretty regularly and he limited his drinkin' to the weekends and not every weekend neither. We done a lot of huntin' and fishin' and sports together.

I'd steal a taste of their beer sometimes, and I liked the taste of it. I think all children do. I probably thought that was why they were drinkin'. I don't remember clearly.

I don't think they were discontented with what they had. They were just social drinkers. Dad liked to party alot, and Mom drank so she could be with him.

Overall, it was a real happy childhood. There was a lot of love, security, a lot of hard work and discipline.

My dad really loved music. He played the harmonica. He always had a drawer full of 'em. He was pretty good at it. I'd always get one of his. I guess I ruined all of his harmonicas, blowin' in 'em. Like if I'd eat pancakes and have syrup in my mouth or somethin', I wouldn't have sense to know it would ruin the harmonica. But I learned to play the harmonica.

Now, there used to be a school, in the country, down on Beckworth Road, the school house. There was six grades in one room with one teacher, and they later turned it into a Community Club, the Piscataqua Community Club, of which I was a member when I was a kid growin' up and I played harmonica. I was in the early teens, sixth grade maybe. And Joe Patetti played guitar, Jimmy Wood sang. We had a little band when we was kids, and they hired us to play for their dances.

My mother loved to tune in Wheelin' on Friday nights, on the radio. That's the only time you could get country music out of Wheeling, West Virginia, on Friday nights. I listened to that music, and I learned the songs, years and years ago. I always liked the five-string banjo and the mountain music and the fiddles.

We had, in our house, one of those player pianos, that you put rolls on, and pump it with your feet. Dad loved that thing. Like sometimes when he was drinkin, it wasn't always bad, we'd all get around that piano, and he'd play them rolls and sing with the kids. It was fun. I don't know where he got that player piano. It was something he wanted so he went and bought it. They had money. They weren't rich but they weren't poor either, during the second world war.

One time, WCOP, now we didn't even get that station, put a show touring around, back in the forties. And Dusty Rhodes was with the WCOP show that come into the city of Dover and played at the City Hall. And there was a young fellow playin' steel guitar for him, a man who was a real

cracker jack. And that was the first time I'd ever seen a steel guitar. And he was very, very good on the steel guitar. It really fascinated me, and I went up on stage afterwards and talked with him.

I didn't get a high school education. I dropped out of high school. I got in an argument with my English teacher, and she failed me because of a book report that I hadn't got in. Even though my grades were real high in that class, she failed me, and I got bitter over that. I didn't think that I should of been failed. I should of maybe been punished or disciplined for my incompleteness or been required to make it up or somethin'. But she failed me. And that kept me back from goin' into my senior year of high school. In my junior year, I quit because of her.

She was at least partially deaf if not totally deaf. She had a hearing aid. She was an old lady and I think the day for her to be teachin' had long passed, way before I got into her class. She wasn't very tolerant of children's pranks. Some of the guys would tease her, and they'd hiss. And there'd be this hissin' sound, and she'd mess with her hearin' aid. She'd think it was her hearin' aid. They'd torment her. And she couldn't take it. She just wasn't up to it, that's all. She was a character. She'd stomp around and holler and stuff, and glare at people. She'd tell 'em to come back after class and nobody'd show up. She wasn't very effective. She liked the kids that got all of their

reports in on time and didn't write out in the margins and done everythin' strictly according to her rules. And the funny thing is, I liked English. She was my English teacher.

She was drivin' me frantic. Like we had to read Ivanhoe, and I couldn't stand that, the writing of Ivanhoe. I wouldn't read it today, I think it's trash. Nothin' so borin' in your life as readin' Ivanhoe. He'd describe a character, in the book, and he'd describe what the guy was wearin'. And when he got to the belt, he'd tell you where the belt was made and who made that. It's a classic example of stupidity, I think, Ivanhoe. Now the theme of the story might be good. He could of wrote a real nice story, if he didn't get bogged down so much in description. And it was totally borin'. It never got to the action, it seemed. Who cares where the threads were made for the clothes and who raised the sheep where the wool came from. It was ridiculous. And these are the things I resented.

I'd never do a book report on Ivanhoe. I got one word for that. I just didn't turn it in. She kept tellin' me to get it in, and then she failed me on it, one marking grade. For that, she failed me for the whole year.

I probably thought about dropping out of school before then, but that was the frosting on the cake. That gave me good reason to.

When I saw that F, I didn't think it was fair, 'cause I had got good grades on the tests and things like that. I had done plenty of work in the class. That was my

only failure, that one book report. And when I saw it, I said, "That's fine, That's good. That's just what I been waitin' for. Stuff it. I don't really need you. Hell with it all." And I quit. And I went to work.

I told my mother and my father I wasn't goin' back. Well, they felt bad about it, and they tried to talk me out of it. And I wouldn't listen. And I was of the age then when I wasn't about to listen. I was ready to leave home over it too. If necessary, I would of. But they didn't push it that hard.

The headmaster of the high school did call my parents and asked them to try to have me reconsider 'cause I had the potential to be a good student and they wanted me to stay in there. But I just wouldn't do it.

I think I was workin' with my uncle, at that time, installin' lightnin' rods. And I liked that, 'cause I was outside and I was doin' things that interested me. I worked on my uncle's crew. He didn't own the business. I learned to do some steeplejack work, like we put the lightning rods on White City Church. There's a Church in White City, Mass., and it's ninety feet from the eaves, and I was climb-in' around on that thing. It's seasonal work, and I probably worked up until the winter.

I don't think I done much durin' the winter. I was workin for my family, gettin' wood in, and things like that. That's when I started playin' the steel guitar, teachin'



myself.

The steel guitar is an instrument that you sit at and you slide a bar on the strings and you use finger picks and foot pedals, you use both your feet and both hands. It's the hawaiian sound, but it's far from that today. It has tremendous range on it, in pitch.

Billy Walker, he had a steel guitar. Him and his sister used to have a radio show. She was a terrific singer and is a terrific singer today. And Billy used to play the guitar and sing at the garage where the kids used to have their hot rods at and fix 'em up and work on cars and things.

He owned the garage, and he'd play the guitar and he'd sing. And his sister, Leena Mae, she'd sing. It was country and western, blue grass, and old folk songs. And I really liked it. And the kids would sit around and listen. We'd sing along too but mostly we'd listen.

I bought the steel guitar off him. That was my first steel guitar. I bought an amplifier and a steel guitar. It was a cheap one, little six-string student guitar. I'd fool around with it at the garage, but I couldn't make it sound good. It sounded horrible. I don't know how it came that I bought it. I just wanted it. And I asked him if he'd sell it to me, and he did. And I took it home, and I learned how to play it. I drove my parents crazy with it, that's what I did. I developed on it pretty good, though, and I got popular at parties.

When I started to play the steel guitar, in the fifties, guys like Wep Pierce were gettin' popular. They

called him the Wanderin' Boy. He had a lot of hit records on wanderin'. And Kitty Bells was the queen of country music.

## CHAPTER II

## ON THE ROAD

I got into sports, softball league, and workin' for Eastern Air Devices and playin' ball for them. A bunch of guys I was playin' ball with, they were some of the ones I played music with, decided to go to California. I was nineteen then. We were kind of popular then. We was gettin' in our late teens. And we had a good ball team, we was startin' to play music pretty good and had a lot of girlfriends. You know, we were the popular, real popular, guys. Adventuresome, most of 'em were adventuresome-type people. I went out to California with Billy Cadosi, Joe Pattetti, and Frank Beaulieu. I heard Beaulieu later committed suicide.

We went to California 'cause there wasn't much opportunity in the east coast, especially the Dover area, unless you wanted to work in a shoe shop or the tanneries. And that wasn't for me because I could see guys goin' into tanneries and startin' out at a dollar forty-seven an hour and somebody who'd been there fifteen years only earning ten cents an hour more. So that's not much incentive or much to look forward to. You didn't have to be much of a financial expert to see that there wasn't much of a future in that.

We didn't have any destination in mind when we went out there, to California. We got on the Pennsylvania Turnpike, we picked up Route 66, and went all the way Route 66 to

Albuquerque, New Mexico, the Texas Panhandle, out across Arizona into California, through the foothills. We got into the grapefields. We were starvin', so we ate grapes. And then we pulled off the freeway and we wound up in Huntington Beach. We settled down in Long Beach.

That was 1954. I was nineteen and IA on the draft. And the Korea situation, you know what that was in '54. It was rough. We all had trouble gettin' a job because of our age. Nobody wanted to hire us and train us for anything and then us be drafted into the war, so we couldn't get work.

We was starvin'. We couldn't get nothin' except what we could steal, to eat. Like if somebody had six quarts of milk out on their doorstep in the mornin', we'd take one, or two, and we'd drink that. We couldn't work. We couldn't work. And we had no income. I had people come right out and tell me, "Yeh, I'm gonna do some hirin' but why should I hire you? You're nineteen years old, and I'll just get ya trained and you'll be gone."

We had to steal to eat. Like if we'd go in and buy two items in a store, we'd steal six. But it was always food. And we did actually live that way.

Not all the guys could steal. Some of 'em was too scared to, afraid they'd get caught or somethin'. Those of us who did have talents used 'em. It's a good thing we did

or I don't know what would have happened to us. And we'd eat out of the orchards, like I said, we'd get into the grapes.

One time I was so hungry, me and one of the other guys, went into a restaurant and ordered a meal. We didn't have a penny in our pocket. And people kept comin' in so we had to keep orderin' stuff. It seemed like every time we'd get ready to go somebody else would come in so we had to order somethin' else. I couldn't hardly stand to eat any more. And I'm quite sure the girl knew what we was doin' after a while. We kept orderin' stuff. When she'd ask us did we want anything else? or, did we want the bill? or somethin', we'd order somethin' else. So I think she finally caught on 'cause she kinda looked at us funny. She went out to the back room, stayed out there awhile. And we ran out and ran and ran hard. And we got down on the beach and got sick and lost all that dinner. So it didn't do us any good.

It was pretty rough. And I wouldn't send home for any money from my people. Once in a while maybe my sister or somebody'd send a money order. But we didn't want 'em to worry about us or think we was havin' trouble, so we couldn't ask for too much. Once in a while we'd take turns sendin' home for money. That would keep us goin'.

We were like sober people on skid row, if you can visualize it, and young instead of bein' old derelicts. But

it was because of the war and because we couldn't get work. We were starvin'. We were livin' on the beach. We'd drive around in Joe's car. We could just scrape up enough money to get gas and look for work. We'd live on the beach. And then we found out we couldn't do that very long. The mist would come in and we'd wake up soppin' wet and cold, in the mornin'. We'd have to wait 'til the sun come up to dry us off. We'd sneak into YMCA's and take showers. We'd keep clean that way, and, if we couldn't do that, sometimes we'd sneak into gas station rest rooms and clean up in there. So we didn't get grubby. We stayed clean. It was quite an adventure.

We'd pick up part-time jobs too, at the Y. Like people would want a day laborer, just for one day or somethin'. We did earn some money that way. Whenever we could, we would. Jobs like tearin' down an old building. I got a job for Polk Company workin' on the City Directory, enumeratin'. I think they give ya five cents a name. That was interestin'. People don't want to tell ya what their doin'. Guys threatenin' to knock me down the stairs, everythin' else. I'd question these people and some of 'em would get pretty hostile. Like if a guy's hidin' out from the law or somethin', he don't want some creep comin' around writin' all the information down: his name and where he works. I ran into all kinds of situations. Dogs would chase me and everything.

We started goin' to this mission. We found this mission where we could get a supper if we'd listen to the preachin'. These were Pentecostal people, and I'd never seen any before. And they'd raise their hands and holler and shout, speakin' in tongues, and doin' all kinds of things. And I'd be laughin'. And I'd stay away in the back because it made me laugh. But I wanted the soup. And the other guys laughed too. They didn't help me very much. We was kind of silly and young and we hadn't seen nothin' like that before.

The old bums were there too. They were comin' for the handout. I guess that's how we got turned on to the mission, bein' on the street, we heard the people talk about it. They said, "You oughtta come down. You have to go through the service but at least you can get a bowl of soup." One night we were lined up for soup and this old bum, I'll never forget him. I couldn't tell ya what he looked like, but I remember what he said. He was big, a tall guy, a big stomach on him. He wasn't goin' to the mission; he was just there for the chow anyway. And we was in line, gettin' our food. And, very indignantly, he looked in his bowl of soup, and he says, "What? No meat in the soup tonight!" As if he had paid five dollars for the plate. And I thought that that was pretty funny.

Brother Bob Hutton was the founder of that Mission. His wife was Sister June, Sister June Hutton, and they had eleven kids. She was a minister, too. She later died of

cancer, left Brother Bob alone with all them kids. I started to get to know Bob and June. They were very friendly. They welcomed us. I didn't laugh any more 'cause I felt like I was laughin' at them.

I got to love Bob and June Hutton very much, and I moved into the Mission. And I began to take the religion pretty serious.

I'd been searchin' for a religion from the time probably I was around fourteen years old. And I went to various churches. I just had somethin' inside of me makin' me do it. I don't know why I did it. My parents weren't religious and never attended any church, but a friend of mine, Jimmy Wood, and I attended Vacation Bible School of the Seventh Day Adventist Church when we were kids. We learned crafts, things about the Bible, things about Christ. It was fun. We enjoyed it. And we had an outing at the end of Bible School, up in Milton.

I was always lookin'. And then one time we done Christmas carols, and we went up and rung the bells at the Methodist Church. And my grandmother was very religious too. She'd sing religious songs when she was an old lady. I can remember her holdin' me on her lap and rockin' me, singin' about Jesus and about heaven and stuff like that.

I kept lookin' for somethin' that was truthful. I was lookin' for a church where its full programs and all of its teachings were acceptable to me. And I couldn't find it. And when I found one little thing that I felt was an



untruth or was bein' taught in a manner that was contrary to the example of Christ, then it was all gone. I wanted the whole thing, and I knew that there had to be somethin' somewhere that was completely true, or what I believed and felt was completely true.

We started workin'. I got a job from the Mission at the Pacific Greyhound, in Long Beach, handlin' freight. A couple of the other fellas got work at the fish canneries out in Terminal Island. So we started contributing to the Mission and became members. And I was in the faith for awhile, the Pentecostal faith, and played guitar in the church.

Some of the guys and I got an apartment, the five of us. But they decided to come back home after awhile, and I decided to stay.

One night an evangelist was speaking at the mission, and some people come down from another church to visit the mission. They do that alot out in California. They do alot of visitin'. One of 'em was a teenage girl and she was with her parents and her grandmother and her kid sister. And I noticed the girl was pretty good looking. She had a nice face and a nice figure. At that time, I was playing the steel guitar in the church, with the pastor's wife. That night she was playing the piano, and maybe one of my buddies was playing the guitar. After the service, there was coffee and doughnuts and there was a little socializing.

And so I zeroed in on her. But I wouldn't zing right over to her like a bee after a flower. I talked to Harry, and I talked to Bob, and I talked to Sue, and I worked my way over to her. I'd speak to her and I'd say I noticed her enjoying the services. Then, I might talk about the music and I'd find out she probably played piano. Or, her stepfather, part of his testimony was to sing a song with her mother, a duet type thing, and play guitar. I'd rap about that, something that they couldn't or she couldn't be suspicious about. I'd ask if they enjoyed the services, or if they come down there very often, did they plan on comin' back there again, and I'd somehow let her know that I'd be interested in seein' her again. I didn't just go up to her and say, "Hey, babe, let's go out." I know some guys do that and it works for them but that's not my style. I was bein' slick. I should have slicked right out the door. Then, when I saw her a second time, I got into more detail, like it's rough livin' at the mission, and you miss home, and you haven't had a good meal for a long time.

I didn't have nobody else, and I was three thousand miles away from home, and I was hurtin'. I was lonesome and I was without many friends my own age and not gettin' any dates, not livin' the way I was. Christ, it was like I was out on the desert, you know. So she was very attractive for all those reasons, and she wasn't an ugly girl at all. She was a good-lookin' girl. And then the relationship developed to the point where we called it love. Now, by my definitions of love, I wouldn't call it that at all, but at

the time I did.

I don't know why I asked her to marry me. Probably because she lived a good length away from where I was living. And I didn't have an automobile, and it was difficult to get transportation over to see her and get back to Long Beach, where my apartment was, get ready, get up, and get to work and stuff like that. And I didn't like livin' alone. I never did. My friends I was batchin' with had all decided to go back to New Hampshire, and I was alone, and I didn't like bein' alone. Christ, I think I'd a married anybody after a month of that. I just hated an empty house. I hated comin' in after work and there's nobody there.

We were over at her grandmother's, out in the back yard, in the swing, one day, and I just said, "We love each other, and we can't be together as much as we want to be together, so why don't we just consider gettin' married." And she thought it was a good idea. She was excited about it, probably kissed me and threw her arms around me and said she was hopin' I'd feel the same way....I don't know.

I had to send for permission to get married. I think you had to be twenty one in California at the time. I know you did 'cause I had to send for permission to get married. And they sent it, reluctantly sent permission. But they figured I'd go ahead and do it anyway, lie about my age or somethin'. They knew I was pretty headstrong and independent. They didn't know the girl at all. So they gave permission, begrudgingly; they didn't like the idea. They wanted me to wait.

Then I got bumped off my job by somebody with more seniority. I went up to North American Aviation and got some work. This was still 1954. I started out as a utility man, in the machine shop, the lowest job that you had. I'd just run around and clean other people's machines and clean the chips out of lathe beds, run stock for guys, and help 'em keep the machines runnin'. I stayed with them eight years and worked up to senior project planner, in the planning department. And I had the Minuteman Missile guidance system as my project. In eight years time, that was quite an advancement, one of the highest paid jobs that they had that was non-supervisory.

Before I got the job in the planning department, I was a union leader, one of the youngest union leaders in the country. It was the auto workers. Leonard Woodcock was a friend of mine. Walter Reuther and I sat in planning teams before Reuther died. That lawyer who was with Kennedy when he got shot, he was a good friend of mine: Paul Schrade. He was with Kennedy the night he got shot by Sirhan Sirhan. In fact, Schrade was wounded. He was hit too. I was friends with all those people.

After I got established, was workin', makin' good money, I rented an apartment for my wife and I in the same apartment building that me and the guys had lived in before they come back to New Hampshire. And I was pretty serious about my marriage and the religion and everythin' at that

time. I was serious also about startin' a political career.

Through the union, I became a political power, in the Long Beach area and southern California. Like our union alone had potential sign-up membership of 22000 people. So you're influencin' a lot of votes. And judges and things out there are elected. Of course, mayors are elected everywhere. So they used to favor me, to get union backing. They'd call me at home on the phone, people who were lookin' for judgeships in that area. We had what we called COPE, Committee on Political Education. I was active in that. I was always in the rallies. I was a speaker. When I was nineteen, I was speakin' at rallies. I was Chairman of the Downie Unit which is the biggest unit in Local 887, a twenty-two thousand voting power unit. I was chairman when I was twenty, twenty-one, years old. I had a column in the Propellor, which was a newspaper, our local newspaper.

A man who wanted to be judge or maybe mayor would call me at home and he'd say he wanted to meet me. He'd tell me that he was a candidate and, if there was some way he could make himself better known to us, he'd appreciate it. He'd offer all kinds of favors: financial, parties for union officials, entertaining. Like he would support the education or retirement fund, or he'd put some money in for the kids, or he'd throw a party. The mayors used to always do that alot. They would party an awful lot, luaus and

barbecues, and they'd want you over to their house. And these were influential people. You see, we had something they wanted and that was the vote.

I had to get out of the union when I got into the planning department because that wasn't a part of the bargaining unit. I got out of the union in '60 or '61.

All during that time, I was active in the religion. I had my own revival down on Hollywood on the Pike where we played music and had a singing jamboree and had the doors open and had refreshments and stuff. And a lot of sailors and other military personnel away from home used to come in. We played good music. We had a pretty good band. But it was all gospel.

It was early when I had the revival thing. I'd probably been married a couple of years.

I asked my parents to come out. I was workin', and they hadn't seen me for quite a while and they hadn't met my wife. And I had a son, in 1956.

Dad come out first, and he lived with me in Long Beach, and he worked for Kaiser Engineers, makin' good money. He'd still drink. Once in a while, he drank. And one night Dad was in pretty bad shape, and I didn't know what to do. He wanted some help. Even when he was drinkin' he wanted some help. He told me, "Find a Twelve Step House."

He says, "It's time to try out AA." I did find a Twelve Step House, and I took Dad up there. And it was there that he met a fella named Carl Rose, an Indian fella, a beautiful guy, and they became very good friends. He called up Carl several times and Carl would come any time of the night or day. And Dad's been sober since then. I think Carl come along at the right time and had the right things to say. He was Dad's sponsor. He kinda took him under his wing, as Dad has thousands a guys since then.

Well, Dad liked it in California. He liked it. He liked what he saw, and he saved up some money and brought the family out. And they started goin' to church, the whole family did. And they have been ever since. They got religion. And they're still Pentecostal. In fact, my mother's become an ordained minister in the Pentecostal faith. They moved away after a while. I guess they probably got homesick or somethin', I don't know. They came back to the East coast. Not too many New Englanders ever uproot and stay gone. That's a historical fact. Especially people from New Hampshire.

I had a problem in my marriage. I don't know if the girl was lazy or didn't know how to be a housekeeper or what. She'd been raised by her grandmother and her grandmother didn't want her gettin' married. And she never required her to do any housework. I think it was a conscious

effort on her grandmother's part so that she'd be undesirable to any man. I really believed that, because she just couldn't get herself organized. She wouldn't keep the house up. She was so bad with the housework that several landlords, though they liked me personally, had to come to me and say they just couldn't tolerate havin' their place be in such bad shape. She was just filthy, and we even had to change apartments because of that, several times.

I was busy with the union. I was busy with my work, to get the promotions that I did in eight years time. I had to be applyin' myself pretty much on the job, and to be a labor leader I had to apply myself pretty much there too. And in addition to that, I was goin' to law school at the last part of it, because I had political ambitions.

I kept askin' her and talkin with her and helpin' her and doin' everythin' I could to get her to come around to get her to do the things that had to be done by a wife to support a guy that was in the things I was in and had the plans that I had going for myself.

I was workin' to become a lawyer. For that reason, I enrolled in San Diego Junior College and began takin' classes at nights, while workin'. I took introduction to psychology, English, and, of course, law. I figured that, because of my connections in labor, I could go pretty far in politics, at least as far as United States Senator from California. After that, who knows? It seems far-fetched now, sittin' in prison and talkin' about somethin' like that, but it wasn't far-fetched at the time. It was



entirely possible. I had good contacts. I didn't know Governor Brown personally, but he knew of my activities.

I was always doin' some silly thing, anyway, that kept me in the newspapers. I've always been able to do that for some reason. Like we sent a mile-long telegram to Washington when they cancelled the Navajo Missile contracts and threw so many people in the streets. At North American Aviation, they suffered quite a blow. The Navajo missile cutback put thousands of people out of work, so I come up with the idea of sendin' a mile-long telegram to Washington, protestin' the automatic cut-off with no warnin' and no replacement contracts, creatin' such a severe economic problem in the Southern California area. And that got a lot of publicity, that telegram thing. It went out on the AP and the UPI. I had a lot of interviews and stuff. I was always doin' somethin' like that. I was in the newspapers. The Los Angeles Times didn't like us too much though. They was always a foe against labor.

So I had political aspirations. I had talent. I had contacts. I lacked education, but I was getting that and doing good at it. I was inspired and I had high aspirations. I could see clearly the way to go and the plan was pretty well formulated. And the only flaw in it was the marriage, which is no small thing. I knew it wouldn't help my political career any to be a divorcee. And I didn't want a divorce. I was a faithful husband and a hard worker and a good provider. And I wanted that marriage to be a success.

I couldn't have people in the home though because it was never cleaned up properly. And she never took care of the kids the way she should. I'd come home from a hard day's work, workin' overtime sometimes, and I'd be due at a special executive meetin' for the union up in Inglewood, near the airport on the Imperial Highway. I'd come home from work and have ta cook supper. I'd have to wash the pans to cook the supper in, that's how bad it was.

I couldn't put up with it. I'd be workin' hard all the time, and she'd be readin' magazines, visitin' friends and just goofin' off. I really tried and tried and tried. I got to be pretty much disgusted with her, and it was interferin' with our sex life.

I spent a lot of money for washers and dryers, everythin' for the house and for her. No matter what I got her, she didn't do a thing to improve. She had a problem. I think she probably needed a psychiatrist, but I didn't think along those lines back then. I didn't think of it. Maybe it would've straightened her out. I don't know. She sure needed somethin'.

We had this next-door neighbor. Her husband neglected her. He wouldn't even put money in the house for groceries. He'd go off bowlin', foolin' around, and everything. He wouldn't even care if there was any food in the house for his kids.

She started askin' if she could ride to the store

with us and one thing and another. And her children played with my children, and everytime I went out and fixed a barbecue, she was always there. And she was a good lookin' girl, but I wasn't thinkin' along those lines. For some reason, I didn't. I don't know why, but that was the farthest thing from my mind.

I'd go over her house, and I'd give her a kiss on the cheek or somethin', pat her on the butt, and I'd take off. I was always foolin' around with her like that, even in front of my wife 'cause I wasn't tryin' to seduce her. But it was affecting her 'cause I didn't know she was being neglected as much as she was, in every way, sexually too.

And one day I was foolin' around and not thinkin' a thing, and she says to me, "You know, you're not very fair."

And I says, "What do you mean?"

She says, "Well, you fool around, and you get me excited, and you go off, you go home, and you're alright." She says, "But you leave me in pretty bad shape."

And then it came to mind. I failed with her, and I thought about it, and I told her I didn't realize I was botherin' her.

And she says, "Well, you do." She says, "You know, I think very much of you. You're important to me."

I told her I'd cut it out.

And she says, "Well, I didn't mean that, exactly: for you to stop."

So it continued, and we started havin' sex. Like I'd

take a night off college when I was supposed to be in college and I'd park the car around the corner and I'd go to her house next door, which is pretty close to home and it seems kind a reckless. Part of it was maybe I was hopin' I'd get caught, 'cause I knew the marriage had to change or be lost anyway.

She didn't enjoy the sex with me, though, at all. No, up to a point she did. She enjoyed the attention. She enjoyed the kissing and the foreplay. But the actual sexual act, the intercourse, she'd start to enjoy it and start to reach a orgasm and she'd stop, just before she should reach the fulfillment of the act. And that bugged me. That really bugged me because in my marriage and before that with girls I was never one to satisfy myself and not be concerned about my partner in the sex act. So I asked her about it. I says, "What in the hell's the story?" I says, "I gotta know what's buggin' you."

She says, "Nothin'. Everythin's fine."

I wouldn't accept that. I knew somethin' was wrong. I kept after her. I told her, "Well, if we didn't find it out, if we didn't get it straightened out, if she refused to talk about it, we'd just quit doin' it, we'd just go back and be friends and not mess around no more. 'Cause if she wasn't gettin no more out of it than that, I felt like I was usin' her.

And she says, "Alright, let me think about it." And next time, she says, I'll tell you. I'll try to."

So I went over and we talked about it. What had happened was like this. She was a virgin when she was married and so was her husband. They were both virgins. They had met at some Baptist bible college, and they hadn't had no sex with anybody or together when they got married. Virgins, both virgins. And on their wedding night, they went to a motel and started to have sex. And she was enjoyin' it and she got to breathin' hard and all kinds of stuff. And when she was gettin' excited and ready for her orgasm, he started laughin' at her. And every time after that, she just withheld and she wouldn't let herself go because of him makin' fun of her on their weddin' night. And I think that's what ruined his marriage right there. He ruined his marriage on his weddin' night.

So then I worked with her and I talked to her. I asked her, "You don't think I'd laugh at you?" I worked with her very much on that. And then she had an orgasm. She flipped right out. She thought that was really terrific. I was gentle with her and patient and, later on, she thanked me for that, because she didn't think anyone else would have been able to make her enjoy life that much. She saw sex as a duty thing.

I really loved her and she loved me, and we talked sometimes about gettin' together permanently, gettin' married. She was divorcin' her husband, and I knew that my marriage was doomed, and so it was natural to think about it and to talk about it.

We knew we were in love. And it was a good thing.

There were no lies. It was really nice. It was a beautiful relationship. It's one that I can look back on fondly, without any shame.

I don't know what happened. Oh, yes.

We lost contact with each other. We didn't realize that we wouldn't always be able to get hold of each other, and she had to go back to Arkansas, where her home was. And while she was gone, we didn't do any letter writing. She must have had a lot on her mind, too. I'm sure she did: problems and things. And I didn't know it, but she was planning on coming back to where I was, within a few months. But in the meantime, I moved. I changed my residence. Neither her nor I knew a lot of people in the community. The neighbors I knew, but they were just casual acquaintances. There was no real close friendships. Nobody that I would let know where I had moved to. And, after I had moved away, she did in fact come back and I was gone and she asked around but nobody knew where I was. She couldn't find me. And one day in the supermarket I met her ex- father-in-law, and he asked me if I'd seen her. And I said no, and I said, "Why?" And he says, "She was here, last week. And she was very much upset 'cause she wanted to see you." And I said, "No, I didn't see her at all." And I says, "Do you know where she is now?" He says, "No, I don't." He says, "I think she's gone back."

And I didn't know where she was, there in Arkansas. I knew she was in Little Rock, but I didn't know how to find

her. I knew what her maiden name was, but I didn't know how the hell to find her. Little Rock's a big city. It drove me frantic for a while, and then I figured, well, maybe that's the way it should be, and I tried to make another go of the marriage, my own marriage.

Years later, I was travelin' through the country, with my music, on a Grand Ole Opry show, and I was in Little Rock. It was pretty late at night. It was raining, and I went to a phone booth, and I went through all the names in the phone book which were the same as her maiden name. And I made two or three calls and maybe the third call I got her mother on the phone. And I asked her if she had a daughter named Cathy and she said, "Yes, I do. Why?" She got a little bit suspicious.

I says, "Look." I says, "We were friends in California," and I told her who I was.

And she knew my name. She said, "Oh, yes. I've heard her speak of you. She's talked with me about you."

And I says, "Is she there now?"

She says, "No. She's out. She's out bowling."

And I asked how she was. She says, "She's fine," and she had a boyfriend and she was engaged to be married to this guy. So I didn't even bother tryin' to see her. I just told her mother, I said, "You don't even have to tell her I called. I just wanted to know how she was and if she's happy and engaged and stuff, I won't bother her."

She said, "Well, I'll certainly tell her you called."

I said, "Well, if you think that it's important.... You do what you want."

She probably did. I didn't get sad over it then or afterwards. It didn't bother me, and I forgot it. I was a rip-roarin' musician then. That's when I was quite promiscuous, a tomcat.

I was pretty discouraged, disgusted with the marriage. I'd seen the things that I worked for with the college and the union crumbling, and every day there was less chance of those developing any further. And I got to drinkin' and messin' around with the pills and mixin' them. Pills were legal then: amphetamines, barbiturates, dexemils, things like that. They used to get 'em at work. You know, like if a guy come in tired or if he'd been out partyin' over the weekend and Monday or Tuesday he was feelin' rough and was runnin' equipment, like lathe operator or somethin', he'd just go down to the infirmary and the nurse would give you some bennies and perk you up. It used to be legal. Half the housewives in the country were drug addicts and didn't know it in those days. They were all takin' them weight reducin' pills and takin' more than the doctor prescribed and gettin' their highs and really gettin' their kicks off gettin' their housework done. They were all junkies and didn't know it. I knew what they were. I knew what they could do, especially mixed with booze.

Everybody had 'em. They were legal. Maybe the



benzedrine weren't, but there were all kinds of people comin' around that would go to Tijuana, that was only a hundred miles away. Get 'em off police officers frequently. Some of your best contacts was police. I knew police at the college. They were in my classes. They got benzedrine from busts. They were doin' it too.

I had it. The marriage had had it. The marriage had had it in its fifth year when I had the affair with the girl. Those last three years was just keepin' it together for the sake of the kids which is just insane for people to do.

I hated my life with her: talking, talking, talking, until I was blue in the face and then threatening not to be able to put up with it anymore and some day leaving her. She didn't believe that I would. Sometimes she'd say she'd try, and sometimes she did try, but it didn't last over four days. She'd say she was sorry nine million times. I got so sick of listenin' to her say she's sorry that I wouldn't listen to it from anybody else for years. I hate that word "I'm sorry". If you're sorry, don't do it. She was terrifically lazy and had been trained to be that way. She'd eat a lot of candy and read romance magazines and watch television. She didn't believe I'd leave her. Even when I threatened her, she didn't believe it. She was pampered and spoiled and I couldn't break her out of it. And the children, she neglected 'em, which angered me.

I got sick. I had my tonsils removed, adenoids, and a submucous resection. And infection set in. I hemorrhaged in recovery. I didn't know about it 'cause I was still unconscious. They told me afterwards that they almost lost me, that I almost died from the hemorrhaging. And afterwards, it got infected. I was havin' a hell of a time with it. I was havin' a lot of headaches. I was spending a lot of money on chiropractors and specialists and all kinds of things. Everyone had a different theory. I was gettin' shots for inflammation of the spine. They was tellin' me all kinds of stuff, and I never could figure out what in the hell was doin' it. They were migraines. I was havin' migraine headaches. It began to interfere with my attendance on my job. I think maybe too it was triggered by the stress and the strain of the work that I was in, the hours I was puttin' in with the school, the union, my employment, the problems at home. I was sufferin' migraine headaches where it would blind me. I completed my last semester of college with just a C where before I was the top student in my class. And it was foul'in' up my attendance at work. I couldn't hardly live with those migraines. They was actually killin' me. I thought I'd be better off dead.

I was tryin' to do too much too fast, I think, and I had the home problems on top of it all. So, after eight years with the company, they dismissed me for attendance. I knew it was comin'. They have their rules and regulations, and you don't keep comin' in late and miss days and still keep workin'. It's cut and dried.

They called me to personnel and talked to me so that, with that rank that I held, it wouldn't be so impersonal. It's quite a thing for them to fire somebody that's been workin' with them that long and in that capacity.

He just called me in and said that I'd exhausted my sick leave and that, with my absenteeism like it was, they couldn't use my services any longer and I was terminated. And they was, you know, sorry, and I got my severance pay. And they had their checks all made out and everything was ready, except the speech. And it wasn't much of a speech. And I didn't care to hear it.

That was 1962. We had two boys at that time. Carl was born in 1956, and George had been born in 1958. She was pregnant with Suzanne at the time, and she had the baby that year.

I told my wife, I said, "I just got fired. It's gonna be hard for us now, at least for a while." But it didn't bother her. She must have been just assuming that I'd go out and get something equally good or better. I don't think she realized the impact of the thing. I don't know. She had this mental problem. She didn't face these realities of life. I told her before that, if she didn't straighten up, there'd be comin' a time when I'd leave. She didn't want me to leave but she wasn't doin' anything to make the marriage better, either. She just wouldn't face reality and meet her responsibilities to the realities of life. She was passive and even that can drive you to the point of distraction sometimes.

I had been playin' music part time at union activities, functions, and one thing and another; and I just shifted into it full time. You have to realize that the instrument I play, the steel guitar, is always in great demand wherever there's country music. So I didn't have any trouble findin' work, and I was gettin' more successful with that every week. I met some professional musicians who were doin' a little recording, and I got into that, so I got some recording experience in the studios. The Seattle World's Fair was on. Some guys come along who wanted to go up there, through Washington and Oregon, and do some barnstorming and see what they could pick up. So I decided to go with them 'cause I couldn't stand no more of her and I figured it might shock her into something and I'd come back in a month or so and see if it straightened her out.

I told her I was goin'. She didn't like the idea. She asked me not to go. I told her I was anyway. I didn't care what she'd say. I told her I'd be back, and I told her if things didn't change I was gonna leave for good.

So we went out with no specific jobs in mind. It was just what they call barnstorming in the music business, picking up what you could along the way. We'd play at rodeos, country dances, pavilions, fairgrounds, lounges, all types of things. You'd just go in and try to sell it on the spot. We met a lot of people that wanted us to stay and, for one

reason or another, we didn't like the town or the pay or the club or it didn't meet with our plans in some way and we didn't stay. We left. We ran into a lot of good opportunities and kept on going. Back then, of course, you were lucky if you made over twenty dollars a night. I've seen people work for a lot less than that, people you hear about now. Big stars and song writers were havin' it pretty rough back in those years, in California. Buck Owens himself was in Bakersfield and he wasn't doin' all that good during those years.

But I got up into the Portland, Vancouver, Washington area by the interstate bridge there: Jansen Beach. We were havin' it a little bit rough but we were pickin' up some change too.

At one of the clubs we was playin' at, we met an announcer or a disc jockey from radio station WCOB and he told us they needed help really bad and that the station was hurtin' financially. The station had been really run down. It was owned by an alcoholic divorcee, and it was in pretty bad condition, the station was. The disc jockey I talked to sometimes would get drinkin' Apple Jack. He was supposed to be runnin' a Saturday night show and he'd go out in the back room nippin' on his Apple Jack. He'd never get back into the control room. The record would just sit in there and swish all night long, over the radio. It was in pretty bad shape.

They didn't have any money, and we had a lot of time. Well, it worked out pretty good. All of the band became disc jockeys. And every guy in the band was kind of a kook, you know, each one in a different way. And we got the station up to number three in the Portland area, from probably a fifteen position. We weren't gettin' paid but we were getting percentages on the sale of advertising, which picked up. Remington Rand and all these people started to show an interest in us because of our popularity. And it was the guys in the band that did it. And we'd announce where we were playin, so that got crowds where we were playin' and made club owners more interested in having us.

I was living in Camus, Washington, for a while, and then I moved to Vancouver. Camus is where Jimmy Rodgers is from. He sang "Honeycomb".

And the guys got to likin' it up in that part of the country. It was good fishin'. We had a lot of friends. We were popular. And they wanted to settle in there, and I thought it was a good idea too, and it would of been if we'd have stayed longer.

And we had a fella that wanted to book us, become a bookin' agent. He did, in fact, get us several jobs at Larson Air Force Base in Moses Lake, Washington--the Strategic Air Command. And they loved us up there.

My wife wanted to make another try at it. She promised that she would make a sincere effort in discussions

we had on the phone. So I relented. I went down and picked up her and the kids. I don't know. I wanted to be with the kids anyway. I've always loved the kids very much. I still do, always will.

And I thought things would be better, movin' out of the California area, gettin' her away from her family and the influence there that wasn't good. And grandma. And the bill collectors were startin' to get pretty rough 'cause they weren't gettin' paid. I just couldn't keep up my bills, after I lost my job, and I was obligated for quite a bit of money. And they were houndin', houndin' all the time. I had quite a bit of furniture and stuff. I don't know what happened to it. I guess it was repossessed or stolen by so-called friends.

She didn't keep her word very long. It got bad up there too: dirty clothing lyin' all around, sink full of dirty dishes, meals not ready on time, or, if it was, it was something that was just heated up out of a can. She'd of starved to death if I hid her can opener. She tried for a while but I don't think she even knew how to keep house. I'd have to go to a laundromat. I'd have to do the wash with her or it wouldn't get done. She'd be willing to iron but she wouldn't do all the ironing; she'd iron me one shirt out of the pile and leave the rest for when I wanted it. It was ridiculous. And I'm not just bad-mouthin' her.

Well, finally, I sent her packin'. I told her that I had enough of it, and I was gonna send her back to LA, and

she could call and arrange to have her people pick her up-- her parents--and I'd be gettin' in touch with her. And I put her on the bus, her and the three kids, from Portland. I sent her back to LA. I think she lived in a fantasy world. She always believed everything was gonna be alright. She's unreal. I got on the bus, and I kissed the kids. And I told her that maybe some day, if she'd get straightened out, then maybe we'd have a chance but, until she did, there was no hope for us. But I didn't say it in those words, not in public like that. I probably told her I hoped she'd get it together or somethin' like that. She knew what I was talkin' about. She was sorry, she said, and she knew she could do better, and she knew she was wrong. "I'm sorry" again. All that "I'm sorry" crap. She admitted she was wrong but she'd never do nothin' about it. And she'd never show any real feelin'. She was passive, very passive.

And that was the break, as far as I was concerned. I knew then that I never wanted to see her again and maybe not the kids unless I could get away for a visit once in a while. And I really hit the bottle. Really, I wanted to die from drinkin'. I didn't have the courage probably or maybe I was too smart to just shoot myself or something. But I did fully intend to drink myself right into the ground. And I tried to do it. It's a wonder I didn't become a alcoholic. It's a wonder I didn't get the disease. And I was on that kick for a long time, dependable but always half-drunk. It didn't hurt my show business any 'cause the people



I was around were like that too. Most of the time, when I was in that condition, it was party time but you don't sustain that. There's moments of reckoning even when you're drunk and then it's worse. I missed the kids real bad. And I was really depressed that the marriage didn't work and that everything I knew how to do at the time couldn't make it work. And it came Christmas time, and I really got bad off, bein' away from the kids for the first time. I wasn't makin' all that much money, and, when I could, I'd send some money to the kids. I knew they weren't hurtin' 'cause her people weren't bad off. They weren't wealthy people but they had steady jobs and more money than just to pay off bills and things. Her dad was a pretty nice guy, her stepdad, a religious person.

So I went downhill from there, went to booze. That didn't help the band any. The other guys had problems too, personal problems, and we had conflicts. Some were unreliable, they'd show up late. They wouldn't get with it. So the band did break up. I stayed on with the radio station, and I started tryin' to sell air time. I did make some sales.

On one of the trips up to Seattle, I had met a singer who was very good. He had been a convict. I didn't know it at the time. It didn't matter. A lot of guys been in trouble with the law who was in music. David Conley or David Poole, he went by both names. I think his middle name was Conley, David Conley Poole. He was very good, and he was entertaining up there on Pike Street, the Cavalhero Club, at the time. And I sat in and played with him. I'd never met him before but he liked my steel. Steels were hard to find, like I said before. And he wanted to work some stuff up. And I said, "Sure, if you ever have anything, let me know." Which I wouldn't of done if I'd of known all the hang-ups that guy had, all the problems he had.

He called me in Vancouver and said that he had an engagement in Colorado, playin' at this saloon in Colorado, for room and board and I don't know if he said 125 or 150 dollars a week. And he asked me if I would play steel for him at the place. I told him that I definitely would because things weren't too busy for me in Portland and Vancouver at that time.

So I did go down with him to that place in Colorado. It was up on the western slope, in Grey, Colorado. And it wasn't anything at all like he said it was gonna be. Like I had a room and it was in an old hotel, and it was pretty bad, run-down. The food wasn't that good. The bar had a little counter where they served people soup or somethin' like that and a sandwich once in a while. And that was

pretty rough.

We worked in a saloon, the White Horse Saloon. That was the most popular place in town. With or without us, it was popular, 'cause the owner, the lady owner, played piano. She's been there for years and she could entertain and sing old songs and tell jokes. And people loved it, listenin' to her. If somebody'd gotten to her when she was younger and developed her talent, she probably could of been a star. She was very good and you could see that when she was younger she had to have been a very attractive girl. She was an attractive lady, but she just wasted away up there in that saloon. But she raised a family. She done what she wanted to do, I guess.

The money wasn't that much. The people were good to us, but we didn't get anywhere near the money he told me we would get.

We met a lot of people there 'cause it was a kind of crossroads for trucking and the rodeo industry was through there all the time. We got to meet a lot of people.

It was a rough place. You had oil well roughnecks, and you had shepherders, and you had the basques and Mexican laborers, and you had cowboys. It was a pretty rough place.

And Dave, he had a fireball temper, this guy. I can understand it after having done time in prison myself. I can understand why a guy would get that way. I didn't

understand it at the time. I thought he was the quickest tempered guy I'd ever seen in my life. The owners knew Dave from before; he had worked for 'em before. They was always preachin' to him not to fight. They told him they wouldn't tolerate fightin' from the band.

There was a little squabble goin' on, over in one of the booths, and both of the owners were over there, talkin' to the people and tryin' to get it straightened out. And the owners had their backs to the bandstand. They weren't watchin' us. And Dave knew that.

And this guy come up, to talk to me. And I was playin' the steel guitar, and I had my head down, as I was playin'. And I can't talk and play very much, a little bit, but the steel requires a lot more concentration than some instruments. The guy was drunk, and he was pretty obnoxious, and he was a wiseguy. I said, "I can't talk. See that guy." And I kept playin'. He put his hands across my strings and the minute you do that they're dead. They deaden right out. I gave his hand a shove, and I kept playin' 'cause I didn't want to throw the rest of the band off, we had people dancin'. Like I said the guy was obnoxious. He had an obnoxious personality, overbearing. He thought we was supposed to just stop everything and listen to him, I guess. And we had the place full of people.

So I told him, I says, "Hey, get away from me."

He went up to Dave and he said, "Hey."

Dave said, "What?" I was playin'. Dave had stopped singin'. I was playin' the instrumental part of the song.

The guy says, "You know something, you're steel player is a son of a bitch." Something like that. He called me a name.

Dave says, "I can't hear you. Come here." He says, "What's the matter?"

And the guy said it again.

And Dave flattened him, knocked him clean across the dance floor and into a booth. He just cracked him without sayin' a word, split his mouth open. He was always in fights, Dave was. But it wasn't hard to do around there, I'll tell ya. It was pretty rough. His girl was workin' there, as a waitress and he'd bop guys that would get wise with her.

I met the owners' son at that saloon, and his wife was a very attractive girl, named Joanne. And she could sing, very, very good singer, terrific singer. Her husband had very serious problems. He had always had everything he wanted: new cars, fast cars. And he was crackin' 'em up all the time, and his folks was bailin' him out.

It got to be off-season or somethin' so the owners told us they had to cut down on the nights. So we stopped playin' full time, went to two or three nights a week, and I had to have other income so I went to work in a wool shed. And I went to work in a radio station, grabbin' anything I could. The radio station didn't pay much money. Most radio stations don't pay much unless they're in the top 40 and

you're a high-powered d.j. with a big rap and a big followin'. And I was drivin' a truck up to the oil fields, old truck, wasn't even fit to be on the road, didn't have good brakes and stuff, and I was drivin' on them mountain passes. And I worked as a cowboy, on a ranch, for a year. And I worked for a man named Mr. McKee, heating and refrigeration, real nice fellow, beautiful guy and his whole family was nice.

All the time, it seems, there was this force inside of me makin' me look for religion. And I always believed. I knew about God and Jesus. I'd heard it and heard it and heard it. Sometimes I'd read the scriptures and I'd read that God is not the author of confusion. But it seemed like I saw an awful lot of confusion in all of the religions I had any experience with. And by that I mean lack of coordination, jealousies between the people, not going anywhere. You know, where do they come from, where are they going, and why are they here; nobody answered those questions. And there was an exceeding amount of confusion. There was a lot of pretending. In the mission there was people pretending to speak in tongues. It was just an act. They'd shout and squirm and fall down, and it was all just a show. And I couldn't stand that. I had known this man at work, in California, that was a Mormon. He didn't preach to me because I didn't ask for it. He'd only answer questions when I'd ask him. He didn't force it on me. And he was one of the nicest guys I ever met. Then I met some more Mormons when I

started playin' music in Colorado. Joanne, she was a Mormon, but she didn't influence me because she wasn't living her religion and she didn't know much about it. She just happened to be born into it. Maybe on Easter or somethin', she'd dress her kids up and take 'em to the church service. She didn't practice family home evening, which is Mondays, when Mormons stay home together and be together as a family, and other important things. She just didn't know about it or she just let it go.

I went to one of the Mormon churches in Colorado and I almost turned away from it completely because one of the members there, one of the female members, got up and was talkin' in one of the meetings. And she was severely chastising the young priests for their conduct, datin' girls that weren't Mormons and things like that. And I didn't understand it, and I didn't like her mouthin' off. I almost never did go back, but the bishop in that area and I had a talk about it. You see, I was workin' at the gas station then--this was after I got away from Craig--and the bishop of the church there and I had a discussion about it. And I told him I didn't approve of the things that I'd heard and I says, "If that's the way it is, I'm not goin' back 'cause these are the things I've found fault with in other religions."

And he said, "Well, whether she is right or wrong or whether anybody you ever meet is right or wrong, it would be a mistake for you to judge the entire church by the activities of one person. They could very well be wrong. But that doesn't mean they have church approval. If they're wrong,

the church doesn't approve." He says, "I recommend you just look at the doctrine of the Church, the doctrine and covenants, and learn a little more about it and then decide for yourself." He was a real terrific guy, and he made a lot of sense to me. He says, "I'm concerned about you and I want you to make the right decision and make it intelligently." He says, "I don't want to pressure you, but, all through your experience with it, as long as you do stay with it, don't judge the Church by me and don't judge it by any other one person." He says, "Just look at the whole thing. I think you'll see the truth in it, like I did."

So I thought that was wisdom, and I responded to it. And I did, in fact, after a while, embrace the faith as what I had been lookin' for and became baptized again in the Mormon faith. But I didn't follow through on it. That's partly my fault. I think it was partly the fault of whoever was supposed to be my home teachers. They were slack, and they didn't come out and talk to me at times when I should have been talked to. I was kind of misguided and I fell away, although I was a Mormon and I believed in it I kept gettin' further and further away from it. But I knew it was right.

Somehow my wife had found out where I was or maybe I called there. I don't recall clearly how that went. Maybe I called there to see how the kids were. I sent some money from there. I talked to her on the phone. She wanted to



know if I was comin' back. I said I never was comin' back. And she said she didn't see any sense in our stayin' married, and she said she was goin' to get a divorce. And I said, "Good, you won't get no trouble from me." I said, "You don't even have to tell 'em where I am. You can tell 'em you don't even know where I'm at and that'll make it all the easier for you. I won't contest the divorce. And I thought at that time that the kids belonged with their mother, that all children did, which is a fallacy. But I believed it at the time. 'Cause there's nothin' worse than a divorcee about six months later. I don't care who they are. If they're foolin' around, if they're goin' out to the night clubs and things like that, within six months time, it's livin' hell for them kids. And I'm not sayin' that all women are like that but if they're goin' out to the bars and goin' to dances and drinkin' and datin' different guys, it don't take long for it to be right in the house with the kids. And the kids are affected by it.

Well, she said she was gettin' a divorce, and I said that's good, that's exactly what I wanted. I said, "You might as well 'cause you're not seein' me ever again."

And she discussed maybe makin' it work. She said she could make it work now, she didn't take me serious before but she realized then I was serious. She said, "Will you give me another chance?"

And I said, "No. I'm done with it."

I got a call from New Jersey, of all places. It was the band that I'd gone to Oregon and Washington with. They had regrouped and got themselves way over in the East Coast somewhere. And he said he had a terrific thing goin'. Jimmy King, of the Tune Kings. He was the singer of the band. He said he had a good deal, a lot of work, backin' some stars. He had a steady engagement at one club which was pretty nice at Penns Grove, New Jersey. My brother had come to visit me and he decided to stay. He was drummin' with me at the time, playin' drums. And Jimmy King wanted me and my brother to come out there, to New Jersey from Colorado.

It seems like this was the wintertime 'cause we ran into some snow and stuff leavin' there. I think it must have been December.

I figured this was a good chance to get back to the East coast and get close to my family. It was not that far from New Jersey to New Hampshire. I figured I'd get home once in a while.

Joanne had broke up with Jack. They had a very stormy marriage. There was a lot of fighting and trouble in their marriage. And I didn't get involved. I like 'em both. And I was a friend of both of 'em, and I wouldn't take sides. I stayed out of their personal business, and I didn't have any designs on Joanne either at the time. I knew that she was a very good-looking girl and very talented, but I was not tryin' to have an affair with her or mess around. And I don't think she did mess around when they were married.

I've seen her with him and without him, and she was pretty loyal and faithful.

So she had broken up with him, and they were headed for divorce. They had been separated many times, and she'd gone home to her parents in Steamboat Springs, Colorado. And I thought well she wasn't doin' anything and she was havin' trouble financially. On the way through, I stopped and asked her if she'd like to go to the East Coast. I told her she could go with us, that we were going and we was goin' to reorganize the band with Jimmy King and the Tune Kings, and I was goin' to be the band leader. I told her if there wasn't work right then, then I'd make sure she didn't go hungry and we'd soon get work that would include a girl singer. I wanted a girl singer in the band and she was the best I'd heard. And she couldn't make up her mind right then. She said finally she didn't think she would go.

So I went back to New Jersey and got things organized pretty well with the band, got it organized and got a real good band goin'. I'd been there maybe a month and I got a call from Joanne. And she wanted to know if there was an opening.

I said, "There always was."

And she wanted to know if Jack could come. I don't know what the reason was why she wanted him to come along, whether it was for security or she felt sorry for him and wanted to get him a start in the business or still had feelings for him. I didn't have any idea.

I said, "I don't have work for another fellow in the band." I told her the only thing we could put on was a girl singer and even then the owner didn't want that.

The owner didn't want us to add any more pieces to the band. He was satisfied with the crowd he was drawing. He even questioned me why I wanted a girl. But I had plans for the future that didn't include him. I wanted the band to become real good and get a bookin' agent and start dressin' up good and become professional and start makin' some serious money. And to do all that I had to have a girl singer and I wanted Joanne. She was the only one I knew anyway, and she was good, like I said.

And finally I told her to come along and bring Jack anyway and we'd make out somehow. And we'd pool our resources and we'd get by somehow. We might not be eatin' too well but we'd make it. And if you want to come under those terms where you work when we work and you don't work when we don't work and it's rough for a while, then that's fine with me.

And she said, "That's alright. I understand."

And he understood. I talked with him. I told him I didn't want no trouble, no family trouble. He was insanely jealous of her. And I says, "When we're on stage, it's professional. You keep your private matters at home. You won't be fightin' in the clubs, or one of you will be gone." I says, "I think it'll be you 'cause she's more valuable to the band than you are." I says, "I ain't sayin' that to hurt

your ego. You're a good musician and all that. But what we need is a girl singer, and there isn't any better than her and you know that." I says, "I don't mind your comin' along if you be a real asset." I says, "But if there's any trouble, you go. That's it. We want it understood from the start."

He says, "Okay, man, I won't be no problem." 'Cause we were pretty close friends too. He and I were. We'd gone through some scrapes together in Colorado. A guy tried to strangle him one night and I nailed the guy. I slapped him up side of the head. Another time there was some steelworkers in town and they come up there and they were lookin' for trouble and they were messin' around, kickin' a waste basket around, some foolish thing. He said, "Hey, don't do that." It was his mother's club, and father's club. And he explained it to them. They said, "What business is it of yours?" And he said, "Well, my people own the club. I'm gonna own it some day and, besides that, I just don't want you doin' that." Well, one guy grabbed him from behind. Another one pinned his arm. And the third one was goin' to do a hell of a job on him. Before he could get his swing back and let it fly, I was on him, thumpin' him pretty good. He didn't even know I was there. I knocked him pretty silly. It was a pretty good battle. We kicked the three of 'em out of the club, he and I did. And we strutted around about that. We thought that was pretty good doins 'cause they were pretty good sized guys and we whipped 'em proper. So we were pretty close for those reasons. We had these ties, this closeness, and we

were friends. He thought quite a bit of me, and he liked the way I played music.

The band got going good up there. I met this girl. She was a cute girl. She lived in the set of apartments upstairs from where the band was when I drove in to New Jersey. I stayed with them at first, the band, downstairs. And we were batchin', you know, livin' as bachelors. And there was girls around, and my brother was there and he's kind of nutty anyway. He loves a good time. Most musicians do, especially when they're loose like that and we didn't have no ties. Not a one of us had a girl with us there at the time, so not a one of us were tied down or responsible, so we were raisin' a lot of hell and partyin' and playin' our music and gettin' our songs down. The girls liked that too, and there was girls around. They weren't married.

I met this girl upstairs, and she seemed to take a likin to me. We'd rap a lot. And she was pregnant. She was showin'. She was maybe four or five months pregnant. She had a little belly on her, but she was a good looking girl, very cute girl, attractive, and had one hell of a personality. But I didn't want a girlfriend at the time.

So she got me up there and cooked the dinners, and she asked me to stay over one night. She asked me if I would, if I wanted to. So I went to bed with her. She always wanted me to tell her I loved her. And I told her that I wouldn't. And she said, "Well, even if you don't mean it, just say it."

I said, "I don't know where you're comin' from. I

don't mess around with crap like that. If I say it, I usually mean it."

She got to likin' me too much, very much. And I wasn't goin' for that. Here she is, pregnant, by somebody else, and I didn't know who. And she didn't tell me, and I didn't question her. I didn't figure it was any of my business. It would of been if there was gonna be any permanent relationship, but I told her there was nothin' permanent, that I was just passin' through. If she wanted to have a good time, fine. I liked her very much. She treated me good. She treated me ten times better in the little time I knew her than all the time that I had known my wife. She took care of my clothes for me...She liked it. She was playin' house or somethin'. I don't know what she was doin'. Actually she was a syndicate girl from Florida and she got pregnant from the head kingpin down there. And she was a hooker. And she was actually more than that to them, she procured other girls for their ring. And I didn't know all of these things until later on.

Instantly she didn't like Joanne. She was very jealous of Joanne, because Joanne would consult with me about clothing, about songs, about what was happenin' with the band, was she doin' all right...Joanne and I were very close friends, for years, ever since I met her in Colorado. We were very close friends. And Sue didn't like her, didn't like Joanne. She was jealous of her. And Joanne didn't think much of her either, and Joanne thought that was my baby. Joanne thought that I got her pregnant. But she didn't say nothin'.

I got the band hooked up with a booking agency up in Philadelphia. It was a big agency, nationwide, known all over the world. We had a good thing goin'. We got the band booked into Jacksonville, North Carolina, the first band to play down there on the strip, near Camp Lejeune. And we moved down there. The club wasn't open yet, and we got situated. They built a special club for us to open.

Things went good down there, except in Jacksonville there are probably ten thousand marines and six women. That's bad, really bad. And Joanne was popular. They loved her. We were an instant success. And we were makin' good money. And we were havin' offers from all over the place, to go to Toronto, Canada, here, there. We were actually booked to go to the Golden Nugget in Las Vegas, for two weeks option in September. We were right near the top. There wasn't a band in the country that could touch us, replace us, for less than fifteen hundred dollars a night. Like when our booking agent had us come up to Philadelphia to do publicity photographs, they had a hell of a time replacin' us. In fact, they couldn't. Their business fell off 'til we got back. And the owner was screamin'.

And we was stuck there a long time too, beyond our contract date. And we got onto our booker about that. It was because the owner had an in with him. The bookin' agent was hirin' a lot of talent for the owner's other clubs.



And, as a favor to him, our booking agent was leaving us stuck down there. And every time our option came up, we didn't want to renew, but the owners wanted to renew, even at the increased percentage. So our money kept goin' up, but we kept bein' stuck in this one place. You know, it's hot down there. And it was bad. And Jack was havin' trouble now with Joanne. He was very, very jealous, and he was havin' trouble keepin' it off the stage. I used to counsel him, "Look, you're divorced. You can't run her life for her." He says, "Well, I can't stand it." I says, "Well, you're gonna have to leave then."

She asked me what she should do. I said, "Well, I don't think you ought to date people in front of him. If you're gonna date, I think you ought to be sensible about it and make dates when the band's not active. And go to some other place, go to a resort, go to Myrtle Beach. Keep your dates out of town, and don't flaunt it in front of him." I said, "He can't live with that. You've been man and wife."

She says, "Well, I'm not goin' back with him." She says, "I don't care about these other guys. I'm not doin' anything with them. I'm not doin' anything wrong." She says, "But I'm not goin' to turn a guy down if he wants to take me out to supper." She says, "You don't mind, do you? I'm not doin' anything wrong. And as far as he's concerned, he's got no say over me."

So I says, "You're right. He doesn't."

She said she was gonna enjoy her social life. If somebody decent, a friend, wanted to take her out to dinner,

she'd go. And Jack couldn't stand that.

And one night I was layin' in my room in the hotel. And I was havin' headaches again during that time too. For some reason, they were comin' on me pretty bad. I don't know. I was workin' hard with the band, developin' it. And one of the guys, the band leader, was poppin' a lot of pills and drinkin' a lot. He was gettin' flaky. And I was tryin' to keep him in line 'cause we had a good thing goin'. We already had the engagement signed for the Golden Nugget, which is probably one of the biggest shows you can play in country music. And the pay was good. And Canada was showin' an interest in us, some of the big clubs up there: the Hotel Edison in Toronto and places like that. We was talkin' about big money now: one nighters and flyin' around. We were just gettin' into the rewards of all the years of effort we'd put in, all of us. But things weren't really as solid with the guys as they should be. I guess it's always that way when you get five or six different personalities involved and that many different families sometimes.

I was layin' in my bed, and I heard this kind of scratchin', bumpin' on my door to my room. And I opened the door, and there was Jack, covered with blood from his head to his toes. He was in his underwear, and he'd gashed his arms open, almost to the bone it looked to me. And I've seen that since then, here, in the prison, but that was the first time I'd seen anything like that. And it turned me off. In a way, I hated him, right then. The friendship was gone. I was concerned about his life. I didn't want the publicity

for the band. There had been some trouble in town with other bands. A girl had died mysteriously in a bathtub. A radio supposedly fell and electrocuted her. She was supposed to be performin' abortions on other girls, and there was all kinds of damn stuff goin' on in that town. And we didn't need that kind of publicity. It was a rotten town, really. You can guess it would be, with a military base and all, entertainers and everybody tryin' to get the guys for their money: the marines, they were suckers. They were far away from home, just through boot camp. I've seen 'em go out and buy things on credit and turn around and sell it for a third or even less at the hock shop. You could buy brand new stereos, tape decks, TV's, anything you want. And guys would do anything for ten or twenty bucks, a couple weeks after pay day. It's pretty bad.

Well, Jack was in bad shape. He was in real bad shape. He had lost a lot of blood. And he says, "Help me." You know. So I helped him. I did have some medicines that I thought would help him. He should have been sewed up, but he wouldn't go to the doctor. I said, "We gotta find a doctor. We'll give him a different name or any damn thing, to keep you out of it, to keep the band out of it. If the doctor has to have that information, we'll give him a phony name. But you gotta see a doctor. That has to be sewed up." He was wide open, both arms.

He wasn't bleedin' that much. It had clotted up. I guess he didn't get in an artery. He probably got some veins

and stuff, but he didn't get in an artery and he was clottin' up. It wasn't all that bad.

I got to his room, and his bathroom was covered with blood, from the ceiling to the floor and all the walls. It was a really gory mess. And I cleaned that all up, so the people in the hotel comin' in the next day deliverin' linens and things wouldn't find it. He refused, absolutely refused, to go to the doctor. I said, "You need stitches."

He said, "I don't care."

I said, "You're gonna have terrible scars if you don't get it stitched up." I says, "You might even need blood. You're white." I discussed it with him. He wouldn't go.

So the most he would do was let me tend to it, and I put some of the powder that I had into it, probably teremyecine or some antibiotic powder. And I wrapped him.

And after that was all done, I rapped with him for a while. He said he couldn't stand it no longer. He was gonna leave. I said, "You might just as well. I can't put up with this." I says, "We can't have it. You're gonna ruin the band." I says, "We've got big things goin'."

He says, "I know it." He says, "I'm just not fit to stay with the band. I can't take the things that are goin' on, the pressure that's on me." He asked me if I could loan him some money, one thing and another. So I got him on his way.

And I didn't know it, but Joanne was interested in me. She had become interested in me, I guess, because of

the counselin' I was givin' her and the things I was doin' for the band. I don't know what it was, 'cause I don't fancy myself any Don Juan. I know she loved my guitar playin', and I think she respected the way I was always business minded and keepin' things together and counsellin' people and gettin' on my brother's butt when he'd get to drinkin' too much. I was really serious then, and things were really goin' together right.

So she asked my brother what was wrong with me. She dropped hints and I didn't pick up on 'em, that she was interested. And he talked to me about it. And I said, "You're crazy." He said, "I'm not either. She don't look at nobody else but you."

Everybody came to my room before the shows 'cause the costumes would be there, one thing and another. And she'd start comin' in when two or three of us were dressin' up for the night. We'd be dressed in our costumes, and she'd come in and ask me to tie her neckerchief or some phony kind of crap. And I thought she was really serious, that she had to have me do it. I didn't think nothin' of it. She kept doin' little things. She kept leanin' on me. Everytime I'd go to eat somewhere, she'd ask if she could go. She started to be pallin' around with me all the time. And we began an affair.

Well, finally, the band broke up. In spite of all our plans, in spite of the fact that we had a date to play at the Golden Nugget in Las Vegas, I couldn't keep the band

together. The people just had too many problems to stick with anythin' no matter how much they put into it. And that thing with Jack didn't help. We were plannin' to go to Las Vegas in September, and the band broke up in July or maybe August.

I picked up some local musicians, some guys in the service that were pretty good. We didn't have the quality of the band that I came there with, and the agent was concerned because he was makin' money with us and he had a lot of plans for the future, like the Golden Nugget. So he was puttin' pressure on me to keep things organized and replace the guys that left, the best I could. And Joanne was the main attraction anyway, and the steel guitar itself. So we had the most important parts of the group. He wanted me to build around it, and I tried to do it some way but I wasn't havin' much success.

Joanne and I decided to get out. It wasn't too easy. We had tried to before, but the owner wouldn't let us. He said, "I'll claim the instruments belong to me, or I'll plant dope in your car and have you stopped on the state border, if you try to leave." He knew that his business would go way down if we left, and he'd do anything to keep us there. I had heard that that's the way it is with some of these clubs. I knew that it was like this in Chicago. The people I met in California, strippers and musicians and bartenders, had warned me about Chicago. They told me that you can't get out of there when you want to, especially if you're good. That's why I never went there,

even though the band had a lot of chances to play Chicago.

I told the owner we were willing to settle down in the area. He said, "Good." He was happy then.

I said, "The only thing is that we gotta go pick up the kids, Joanne's kids who are back in Colorado, and we'd need our pay plus a couple of hundred dollars." And I got the fool to give it to me. We took off and never came back.

He got a little bit suspicious when we took our instruments with us. He asked, "Why are you takin' your instruments if you're comin' back?"

I said, "Well, we are professionals now, and we got a lot of friends that we've played with in the past, and we're gonna see them again. They're not gonna let us get away without playin'."

He says, "Alright." Then, he asks, "Are you sure you're comin' back?"

I says, "Oh, yeah, we're comin' back." He didn't think we were comin' back. I says, "I'm definitely comin' back. I can see this is a place where I can definitely make some money."

He says, "Look. I'll give you the house, everything." The guy was really serious. He was turnin' over a big business there. He saw too that when we weren't there, like when we went to Philadelphia for the photographs, he hurt. There was a lot of competition around there. And when we weren't there, people went other places.

So that's how I got out of that. I tricked him.

So I was with Joanne at that time, and we went back and forth between Colorado and New Hampshire for a while. It seems like in those few years time, I drove across the United States fifty times.

First we went to Colorado and we picked up the kids, Joanne's kids, there, and we stayed there for a while. And, then, we went to my home in New Hampshire and, after a while, back to Colorado. I'd get any job I could. I was a gas station attendant. I also worked as a cook. But the main thing was to be playin'. The other things was just temporary.

When we were in New Hampshire, Joanne and I got married. It wasn't my idea and I didn't care at that time. But she said, "I don't feel right about us this way." And she says, "If you don't mind, would it be alright with you if we get married?" She said she felt the relationship warranted us gettin' married. I went along with it. Later, I found out I was still married to the first one. Not that I cared. At that time, I wouldn't have cared. I loved Joanne very much but it didn't matter to me if we got married.

Well, we came back to Colorado for a visit. I was tryin' to decide what to do. I had a little money saved up, and I figured we had a lot goin' for us. I was fairly talented on the guitar, the steel, and I thought she had



everything that was required to become a star. I still do. She's that good. And I asked her what she thought about goin' to Nashville.

She says, "Do you think we'd make it?"

I said, "Look, I'm not afraid of work. I don't mind puttin' up the guitar for a while and doin' other things until we do make it." I says, "You know I think you're good enough. And I think that's the only place to go and really rough it out and find out if we can make it."

She says, "Alright. Anything you want to do." She says, "I love you. And I trust you. And you've always done right for me." She had a lot of faith in me and in herself. She knew she was pretty good. She was more than that. She was fantastic.

So we went to Nashville, and we left the kids in Colorado until we made some money and got set up. And it's not that easy to break in, I don't care how good you are. There's cliques in every locality, and it takes a while to get known. You gotta be good, but you gotta be more than that. You gotta be dependable for one thing. And it takes a while for people to find that out. Your name has to get around. And you have to be accepted. It doesn't matter just how good you are.

I went down there, and I started goin' around to the clubs where the entertainers gathered. She went with me frequently. And I met a lot of people. I made a lot of

contacts. She did too. We picked up part-time work, pushin' records, tryin' to sell 'em. Some guy would come in with a song or something, and, if I liked it, I tried to sell it to some star. And I'd get a percentage. You see, I got street-wise to Nashville. I'd meet people in a bar or hangin' around an agency or rappin' in a restaurant. Everybody thought you was a star down there, you know. If you sat around with a pair of jeans on and a pair of boots and denim shirt or somethin', people comin' to town would look you over and see if they'd seen you before.

And I got work right sway on the steel guitar. Like I toured with some names. I toured Florida with the Cousin Wilbur Show. And they all wanted autographs. They even wanted the bus driver's autograph. Florida's a hell of a state to play in. I think they're the most enthusiastic fans of any place in the United States. And I went over there with Mel Tillis, too. We went to Orlando. Joanne went on that one. She didn't go on all of them, but she went on some of them. Like Cousin Wilbur and his wife went on tour, she'd stay at their house, babysat their kids. That would save us money too. I'd be on the road, livin' with the band, and she'd be livin' at their house, takin' care of their kids. We had it pretty good. I met Holland Howard, the song writer, and went over to his studio. And he offered to let us use his studio any time we wanted to cut demo tapes and things. Joanne did in fact sing some songs. I went around everywhere. I went to Pappy Daley. I went to

Schwoburn Brothers. Everybody. I didn't know such a thing as a closed door or a stranger. I talked with everybody.

We knew a lot of people. We knew a lot of stars down there. We was there for some length of time. So we knew a lot of people and we knew 'em personally and some of 'em were friends. We went to places where we knew we would meet these people and associate with them for that prime purpose, to get into the business.

We were sitting talking one night, and a big girl singer, big today, I'll call her Ginny Johns, was at the table. Joanne knew that she had children, Ginny Johns had children. And Ginny had just come back from a trip to Germany. She had been to the Far East, and she was just back from a European tour. She had been to Germany. There were a lot of bases, air bases and military installations there. And she was telling her experiences there.

Joanne asked her what it was like, to be on the road like that and goin' all around the world and leavin' the kids home. And that should have been a danger signal to me, there, you know.

And Ginny Johns really laid it on, that it was so terrible and she couldn't hardly stand it sometimes, that she was thinkin' of quittin', lyin' through her teeth. They're like that. People are like that in that business. She was deliberately discouragin' Joanne 'cause she knew Joanne was good, really good, maybe better than her. And that's the kind of thing that goes on in that business. I've

seen record companies that will take a singer, a new singer, and sign a contract with him and put him on the shelf to protect one of their stars. It's vicious. It's a vicious business. You gotta know what you're doin', or you can get hurt.

Well, Ginny Johns told how bad it was bein' away from the kids, that she was gonna quit it was so bad. She ain't quit yet.

I was workin' at Western Auto and John Owens at Hubert Long called me up. He says, "I got some good news for you."

I says, "What's that?"

He says, "Well, you were in here the other day talkin' about work." He says, "The fair conventions are comin' up. We've decided to put out fifteen thousand hand-bills on you and Joanne and sell you in a package with some of our other artists."

I says, "Well, what do we have to do?"

He says, "You don't have to do nothin'. You just have to get ready to go. When the fair season starts, you'll be all over the United States and parts of Canada." He says, "All the bookings will be done ahead of time and we'll just give you the dates, your itinerary, and you'll just have to be there." He says, "You'll be workin' with big stars. You'll be workin' with other people you don't know. You'll be part of our package, our fair package." He says, "I want

you and her to come down, sign the contracts."

I says, "Well, what kind of money are we talkin' about?"

He says, "We'll guarantee you \$150 a show for the two of you. That's not very big money." He says, "But I guarantee you twenty-two days a month work, at one hundred and fifty dollars a day. And that's a guarantee on the contract. If you don't work, you get paid anyway." And that's cheap. That's the lowest pay in Nashville.

And Joanne and I signed the contracts for that.

We were booked into the Boka Chika Naval Air Station, Joanne and I was, for \$1,800, for New Years' eve. We had to agree to stay there for two weeks, playin' four nights a week. That's eight nights, for an additional, I think, \$2,500. It came to over \$6,000 for New Years Eve and eight more nights. I myself booked that in December. I had met the manager on one of the Florida tours. And the guy was real happy to get us. I had my musicians picked out to go and Joanne was gonna be the headliner. I had already talked about promotin' Joanne, and she was part Cherokee anyway. And we was gonna put on a gimmick and have her as an Indian princess. Morningstar was gonna be her name, and the band was gonna dress all in frontiersman outfits. And she was gonna come out in white buckskin with an Indian headband. And it would of sold. And this was back in 1964 or '65, and it would have been a front-runner to all this Indian

movement stuff. The timing was perfect for it. There was no way she could of helped but become a super-star. It would of happened.

Joanne wanted to go home for Christmas. She got lonesome for the kids. And she asked to go back to Colorado. And the car had broke down. It blew up. So we both went back by bus, Greyhound. Her people were in Wyoming then, not Colorado. The kids were up there in Wyoming with the grandparents. And she got back there, and she cried, and cried and cried when she saw the kids and hugged them.

It was that night, after she saw the kids and the kids were in bed that she tells me, "I'm not goin' back. I know this'll disappoint you but I'm gonna quit show business. The kids are more important to me than that."

Well, it took me kind of by surprise. It confused me. I said, "Why?" And she said, "I can't be the kind of mother I want to be and still be in show business."

And I said, "I'm sure we can work somethin' out. I know we can make the kids more a part of our life than they have been." I said, "What you're saying doesn't make sense. How can you give up everything you've always wanted, all of a sudden like this?" I said, "Here's somethin' you've wanted all your life and you're going to turn your back on it right at the last minute. I can't believe it. I refuse to believe it. It's what you want. It's definitely what you've wanted, all your life."

She said, "I've got to make some sacrifices for my kids. I'm serious about it."

I didn't know if she'd change her mind or not. I sure as hell didn't feel like goin' back to Nashville by myself, with all our plans ruined. I said to her, "I'll stay here too. How can I go back by myself? I'll pick up some kind of work, just like I've always done. I'll stay here with you and the kids, take care of you. It'll give us time to think things out."

She said she didn't want me to. She said, "You tried to quit before and it didn't work." You see, I had tried to quit music before, probably when her and I settled a little bit in New Hampshire. But I came back to it before too long. She said, "It's in your blood. You can't quit it, not because of me." She said, "I know you'll be miserable. You'll be so miserable it'll destroy us anyway."

So I had no choice but to go back to Nashville. I had to go back there by myself. I thought she needed time to think. I'd give her the time and, in the meantime, talk to her on the phone, get her to be more rational than she was bein'. I figured that this would be a set-back for our plans but it wasn't necessarily the end of 'em. She had the talent and nothin' would change that. So I took the bus back to Nashville.

And I called the people in Florida, where we was supposed to appear at New Years Eve, and I told 'em that we

weren't gonna make it. I told 'em what had happened. I said she had children from a previous marriage, she went back for Christmas vacation, and she had let me know that she wasn't gonna appear.

They wanted me to find some other girl and call her Joanne because they had already put the posters up and all that stuff.

I said, "I can't do that." I said, "I don't know anybody. I don't know any girl singers here in Nashville." There was one girl who sang bass, but she couldn't front the band. And I had some connections but I didn't have that many. I said, "All the people I know are working, and they all have prior obligations."

He says, "Jesus." He says, "Well, the job's open. What I'll have to do is put in some local talent." He says, "Right up to New Year's Eve itself, if you can get something together, fly in. Make the show."

I never did do it. I couldn't get anythin' together. And I played that New Years in Marietta, Georgia, with another band, playin' steel.

Then I went to Hubert Long, and I told 'em what happened. And I asked 'em what they suggested. And they had already printed up all the material on us and stuff. And they said, "That's not so important. It's a minor thing." He said, "It happens." And they said, "Is there any chance of talkin' her into returnin'?"

And I said, "There's always that chance." I said,



"She loves the business, and she knows she's good."

And they said, "Try to do that and in the meantime try to build somethin' else."

And I told 'em I would. I had established good relationships with that agency, and they're one of the biggest in country business, the Hubert Long talent agency. Some of the biggest stars are with them. And John Owens was a good friend of mine, and he was their talent coordinator and director. A hell of a nice guy.

And I was doin' a lot of talkin' to Joanne on the phone. But she said, "It's rough and we're not makin' it any easier on each other by keepin' in contact. She said she definitely made her mind up. And she thought that we just better go our separate ways, and we had reached the fork in the road. I saw it that way, too. Something that neither one of us actually wanted as far as her and I bein' together. It just couldn't be. We reached the place where I didn't fit in her life and she no longer fit in mine. And it was her choosing. And I had to respect it. It would've been easier for me to understand it if she had met someone else or somethin' like that. I could of got angry at somethin' like that. But I couldn't get angry at what happened. All I could do was be hurt by it.

We had a song stolen off us that Joanne had written when she was younger, she and another girl, and that I had

rearranged and rewritten so that it was more commercial. That was terrible. Probably at the time it was goin' on, it was probably one of the most terrible experiences in my life. You gotta remember the circumstances surroundin' that. Joanne and I, that was the thing we worked on and developed. You've heard the song. It's "The Red, White, and Blue'll See You Through." It hit number one. It was durin' the Vietnam incident and all that stuff. It was worth about ninety or a hundred thousand dollars. It's about a girl writin' to her boyfriend or husband who's a soldier in Vietnam. "Oh, the red, white, and blue will see you through. And Uncle Sam'll watch over you. So don't feel frightened, don't be blue." What it is is an image of a girl, fantasizin', talkin' to her lover. She must of thought he was scared he was goin' to die, or maybe she had got a letter from him and he told her about his feelings. And she was tryin' to keep up his feelings, you know, give him some hope and confidence. And she's tryin' to do this with her letter. And her dream or whatever is interrupted by the doorbell ringin', and there's a messenger there with a telegram from the armed services and she opens it up and reads it and it says, "We regret to inform you..." Then it ends and you play taps. This was the whole thing that we worked out. She and her friend wrote it, when they were younger. And it had to be rewritten to be commercial. It had to have some impact and some punch lines and some arrangin', musical arrangement, like the taps was my idea.

I wanted to do it with a harmonica. And it would of had a lot of impact, especially with Joanne's voice, that thing would of been a skyrocketing hit.

We had talked to a lot of people about that song and my plans for it. Joanne sometimes went with me; sometimes, she didn't. I was the one to get the doors open.

We talked to a lot of people. Oh, I had a contact in the Wilhelm Agency, with the Woburn brothers; and we tried to sell the song there. I got another friend down there called Clyde Beavers. He's got a record company. We pitched it to him. Let him listen to it. But I didn't want it to come out on his label because it was too good. He didn't have the distribution, and he couldn't support all the big plans that I had. And we discussed all these things. I went to Pappy Daley. I even went to Holland Howard's place. He's a famous country and western song writer. He even went so far as to let us come into Wilderness Publishing Company and use his recording equipment and stuff. And he flipped over the song. He really liked it. And she was with me then. She knew that song was goin'. She knew we had a lot of people interested. This is why a lot of people in Nashville, people who are people high up in the business, they knew that that was our song and that when it come out we were ripped off.

Well, I drove out one day for some reason to talk to Ginny Johns. I don't know why I ever done it. Thinkin' back on it, I don't know what was my motive. I don't know. But

I'd heard stories, like from Clyde Beavers and other people, they'd helped Ginny Johns when she first came to Nashville. They assisted her and helped get her going when she had it rough, financially and things. And so I drove out to her farm where she was livin' with her mother and the two girls that she's got. And I told her who I was and what I was doin' and I told her about Joanne and I told her about the song and that a lot of people had heard it. And she says, "It sounds good." And she says, "Describe it to me and tell me what's it about." And I told her how it went "Oh, the red, white, and blue will see you through. And Uncle Sam'll watch over you" and stuff. And I told her about my ideas for the taps and all that. And she says, "Wow, that sounds like it's a real getter. It sounds like it would really have a lot of appeal." And I told her about Joanne and what I wanted to do. And I asked her, you know, if there's any work, if she knew of anybody that needed a steel guitar player or Joanne and I as a team or Joanne as a singer, anything, to be sure and let us know. She said okay.

She just got back from shopping, and she bought a pair of Blue Bell Wrangler jeans, and she tore the back advertisin' label off the jeans and wrote her phone number down on it. I never did call her or see her again except for downtown when she talked to Joanne down at the restaurant in Nashville, when she come off the wall with that stuff about she was thinkin' of quittin' because she missed bein' with the kids. Real slick kid.

Then the song came out. And I couldn't get away

from that song. Every place I went in the country, that son of a gun was playin'. And I'd get physically ill every time I heard that song. My stomach would just....And I heard it everywhere, like it was somethin' out to drive me crazy and doin' a good job of it. I wouldn't play that song. And whenever I'd play with a girl singer, I told her not to sing it.

I haven't told many people about that. It's the type of thing where people say, "Hey, listen to this guy. He's tryin' to say he wrote that song." People lie. A lot of guys in the business lie.

The way she recorded it, it's not exactly the way we did it. She changed a few lines and things, but it's the same title, the same story, the same idea, and the same arrangement. And she got it from that discussion I had with her at her house. It's not identical but it's stolen material. What it did was totally ruin what we had. It don't take much if you're a songwriter to do that. All you gotta do is give me a title of somethin' you might be workin' on, and I'll beat you to it. I'd ruin what you're workin' on. Hers was closer than that. It was a direct steal. And there's nothin' you can do about it. In fact, I couldn't even call it a steal. If I did it publically, she might even be able to say, "Well, where's your proof?" Well, my only proof is that reputable people in the business heard it. I couldn't of sued her. We didn't have copyrighted material. We didn't copyright. I didn't know nothing about that at the time.

The misery of the thing bein' stolen was that Joanne had already gone back to Colorado, and I had accepted the fact that her and I wouldn't be gettin' together again. The chances were very, very remote of it. And I was hurtin' from that; I was hurtin' financially. Then, I hears this thing come out on the jukebox and the radio stations and it's playin' all over the country. And it's ours. It's somethin' that's been taken away from us. It's worth a lot of money. It's somethin' that if Joanne had done it, everything that we'd worked for would of been obtained. And they even stole my arrangement on the thing, by insertin' the taps at the right place. And I always thought that Joanne had to hear that song. And I always thought she probably figured I had sold it to somebody.

I tried to get ahold of her. And I couldn't find her. I talked with her relatives and things like that. I asked them to relay the message about what had happened to that song, that I damn sure didn't sell it--it was stolen. And to this day, I don't know. She might hate me for that. I don't know. It's something she conceivably could hate me for. If she believes I sold that song, she hates me.

Well, I stayed in Nashville. I moved in with some other musicians. There were five or six of us in the same house. And we all helped each other out. If somebody had money, he'd buy the groceries. And he might do it for five or six weeks runnin' 'cause he knew that, if his luck changed, he could count on the others to do that for him. It was a real beautiful experience. It was communal living.

I got on some recordin' sessions and some of the records they cut went pretty good across the country. And I was playin' steel on 'em. That made me feel pretty good.

And people were talkin' about me, how much I had improved from the time I'd come there and how I was gettin' into the swing of Nashville which is different from anythin' else. Nashville is far different from your regular grindin' 'em out and gin mill-type thing. This is high level, professional work. And they party and raise hell a lot, but they're deadly serious. They're always schemin', plannin', and workin' and tryin' to come up with a sound that'll sell a million.

I was doin' good. I wasn't gettin' rich financially, but I was gettin' by. And I was gettin' better known all the time. All the steel guitarists down there were startin' to take notice of me--like Buddy Emmons, probably one of the greatest steel guitar players in the world. I played in this club called the Honey Club, and we were playin' authentic country music where a lot of the clubs were hirin' guys and they were showin' off and playin' jazz and stuff and just playin' country when they was on the road. But we kept

it country all the time so we had a hell of a crowd there all the time. And the musicians liked to come there, and the singers, 'cause we were doin' their stuff. And I got to meet a lot of 'em there: Jack Green, Jeannie Seely, Howdie Forrester, a bunch of the fiddle players like Tommie Martin.

There was a girl waitress in there I was datin'; and she's the ex-wife of one of the leading musicians, he was a steel guitar player too, and Buddy Emmons had told her that if I stayed with it another six months or a year I'd be the hottest thing in Nashville, I'd be the guy they'd all be comin' after for recording sessions and everything. He told the girl that, and she come right over and told me. She says, "Buddy thinks a lot of you. He says you're the one to be watched right now 'cause you're hot."

He told her that all I needed was more equipment. That I was playin' on inferior equipment but that I had a lot of technique and lot of taste. And I was puttin' the right things in at the right time and I was fast. And that's what he based his prediction on. Right now, it's Louie Green, he's the big name right now in Nashville. His sound is comin' out on most major recordings, but it probably would have been me if I had stayed there.

She was comin' into a lot of money, and she wanted to buy me all new equipment, which I didn't object to, at first, because I could of easily paid her back. It would of been just on a loan basis. And I was gonna go along with it until she slipped and let me know that she wanted me to become super-great on the steel just to put down her



ex-husband, just to bust his pride.

And I said, "No way. He is a friend of mine. He's a star." And I said, "If that's your motive, then I'm not interested." And I said, "You keep your money."

But she had reasons to be angry too. She'd been brought to Nashville when she was just a kid. She was a Cherokee girl, too, like Joanne. Fourteen years old, this guy seduced her and took her to Nashville and got her into prostitution and abandoned her. She became a prostitute. One hell of a girl though. Do anything for you. And there's a lot of girls down there like that.

I've known a lot of prostitutes, and they like musicians. They'll take care of you, when you're down. They're honest people. With people that they like, they're honest. Night people: waitresses, bartenders, prostitutes, musicians. They're kind of in the same clan.

I started goin' out on tours with the Grand Ole Opry, and I was all alone. I didn't have any responsibility. I had always been faithful before if I was with a girl: with Joanne and, before that, with my wife, except for that one affair with the neighbor. But now I didn't have nobody, and I was always meetin' women. In that kind of life, you're always meetin' women. They're lookin' and you're a musician and that appeals to 'em. And I became a rip roarin' musician. If I'd a been a female, I'd of probably been called a whore. I might not of been chargin' but I'd of had the name

put on me.

I remember one night we was playin' a New Year's show at a military base. I was with a Grand Ole Opry group; there was some stars and we played this Air Force base. It was New Year's Eve. The people at the base were TDY to Guam or some place. Most of the men were gone. For every five people out in the audience, probably three of 'em were women. It was pretty wild, wild audience, really gettin' with it. They liked the jokes. They liked the music, and they were really participating. And they were hell raising. That's what they were doing and having a good old time for themselves. It wasn't just goin' out and havin' a few drinks. It turned into kind of like a party. For some reason, I wasn't lookin' for any companions that night or to be with anybody. I wasn't even interested, probably because I thought we was going to go back to Nashville as soon as we got done there. So I wasn't looking for anything to happen. I was going back with the group. That was my plan, so I didn't try to get anything going. And there were all kinds of offers: parties and things like that. We were all turnin' 'em down. We said we had other commitments and we were sorry but we couldn't stay. That's how it starts out. Usually, it's innocent. You know, "Why don't you come up to my house? We got a party goin' and you are welcome." Musicians are welcome to almost any party. And a lot of times a woman will say, "Well, you're goin' out for breakfast afterwards, aren't you? You gotta eat. Rather than go to a restaurant and sit around, it's crowded and people botherin'

ya, why don't you come over?" And a lot of times it's innocent too. You can't always assume it's connected with some kind of a sexual thing. A lot of times it's a guy and his wife. They genuinely want you over to their house because they like your music and they are fans and they just want to be friendly.

But when the show ended, we went to the dressing rooms, the large dressing rooms, and the last guy in didn't lock the door. He didn't think about it. He just threw it shut. And we was all in different stages of undress, changin' from our costumes into our street clothes, and the door busts open. Here comes all these women. The dressing room filled up with women, and they were carryin' bottles of booze and all kinds of stuff. It looked like a Roman orgy there for a while, huggin' and kissin' and raisin' hell. And they did talk the leader into stayin' over and goin' to a party. We agreed. I met somebody there. I don't even remember who she was or what she looked like or if she was any good.

When you have to be more careful is when you're stayin' in the community, when you're doin' a sit-down job. Now, when you're in a place only one night you're alright, you're in and out of town, you're gone. And nobody expects any more out of ya and there's no involvements and there's no lasting relationships and none expected, though some try to follow ya sometimes. That has happened. But when in the community and you're on what we call a sit-down, that's where you're stayin' a week or more in one place or months sometimes, you gotta be careful. You gotta be very careful. I

had a drummer friend out in California, and this guy--I don't know. He was tall and skinny. He had jet black, curly hair and blue eyes. I don't know. He just had a way with women. I don't know what in the hell it was that he had. But they always wanted to take care of him. Rich women wanted to buy him things. This guy could have been a millionaire, and I didn't think he was any better lookin' than anybody else. It was just his ways, I guess. He's sittin' up on the stage one night and in comes his regular girlfriend. Then in comes another girl that he was with. Before the night was over, before we even got to our second intermission, there was five women in there that he was goin' with and goin' to bed with. And women bein' women got to talkin' about guys in the powder room, and one mentioned that she was gonna take the drummer home that night. And his regular girlfriend heard her. She says, "Like hell, you are." And, needless to say, a brawl started out on the dance floor and all five of them women were in it. And he wouldn't even get off the stage. He asked me what to do. And I told him, "I don't know what you're gonna do." And I went out the back door. He was scared. He was really scared. He was a pistol, that guy, Billy Smith. He was from Oklahoma. Good drummer. Hell of a ladies' man.

I was doin' good and I got this call one day from my parents, my mother. And it'd been years since I'd heard anything from California--my wife. I got this call from my mother that the California authorities were tryin' to get in touch with me. And she had a name and a telephone number. And I told her that I'd contact 'em and find out what it was about. I thought that perhaps they wanted some money for the support of the children because, over those lean years, I hadn't been sendin' anything and I hadn't been in touch with her. The last time I had any conversation with her was that time I talked to her in Colorado and she said she was gettin' a divorce.

And I called the number, and I talked to a Darleen Miller, at the Los Angeles County Probation Department, Superior Court Probation Department. And she went into raptures that I got ahold of her.

I told her who I was on the phone.

She said, "Oh, thank God, you contacted us. We've been worried, and I've been worried sick what to do."

I said, "Alright, what's the problem?"

She says, "Well, I don't want you to get all excited until I tell you the whole story." She says, "It's some bad news but it ain't all bad. Things are all right now. It's been bad but it's over." And she says, "I just want to make sure that you can take it."

I said, "Well, what the hell is goin' on?"

She says, "Well, your oldest boy is in McLaren Hall

Juvenile Detention Center. And he's just got out of the hospital, he was on the critical list. He's been beaten."

And I says, "What in the hell's goin' on?"

She says, "Well, your wife's boyfriend, they were livin' together, and he abused the children, beat 'em up pretty bad. The boy was beaten, and the county sheriffs saw him wanderin' around in a dazed condition on the streets and bloodied." He'd gotten away from 'em somehow. The sheriffs picked 'em up. And they had a warrant for 'em, and they had to answer charges. I talked to her on a Tuesday and two days later, on a Thursday, they were gonna be arraigned on criminal charges, child beating to endanger.

I asked how the other children were.

She says, "Well, your second son is fine. He's at home with his mother. "And," she says, "of course, you have the little girl at home with you."

And I knew somethin' was wrong the minute she said it. I knew the whole story. It just flashed on me, because I didn't have the girl, I never did have the little girl with me. And I questioned her on that. I said, "What are you talkin' about?"

She says, "The little girl, you sent for, a year ago. You sent some friends out to pick the little girl up. And your wife sent her out to be with you."

And I said, "That's not so." And I knew the girl was dead. How I knew, I don't know, but I just knew, 'cause why would anybody make up that kind a story unless they were coverin' up somethin' pretty bad. It just came, with

computer speed, in my mind that that's what actually happened.

And I told her, I said, "Look." I said, "I don't know if you've got any children or not."

She says, "No, I'm not married." She says, "I don't have any children."

I says, "Does it make sense to you that a mother, with a young child, would send it off with friends of a father, and let it be gone for a year, and not hear from 'em, and not call it to the attention of some authority?"

She says, "No, it doesn't." She says, "My God." She says, "It sounds terrible."

I says, "I don't have the child. I never sent for the child. I haven't seen the child since I left in 1962."

Now, that was her first case. She was new on the job. She was new in the probation office. In fact, that was her very first case. Instead of waitin' until they had gone into the courts, Thursday, and waitin' until the law had 'em in custody, she went that night and confronted 'em with the fact that she had established communication with me and that I had refuted their story about the little girl. She should never have done that because, the minute she left, they got in the car and ran. They took my boy with them.

We were makin' a lot of phone calls then. And California was pickin' up the tab on that. I didn't have much money. I explained to her the situation and the business I was in, and I told her I didn't have a whole lot of money. She said that that didn't matter, the state is involved in

it now. And, in fact, the unlawful flight to avoid prosecution was put on 'em and they also put a murder one on 'em, with the evidence that the girl was gone and was last seen, in their care, in good health, and now the father was a complaining witness and refuting their earlier testimony.

And it was a nightmare. I got my oldest boy sent back to New Hampshire to be with my parents. I didn't see him right away. I had commitments and things to take care of, and I didn't think I could do any good in New Hampshire. I was workin' closer with the authorities in the way that I was. And they got a lot of information off of me about her relations and where they might be, in Arizona, and places like that, possible places where they might go to. And every place I went to, I checked in with the FBI to find out if they had any additional information. There was an all-point, nation-wide bulletin on 'em.

About three months I was goin' through that. I met Donna, my common law wife, during that time. I met her on a show promotion, and I told her part of the story. She had graduated high school the year before, and she was travellin' with a girl friend who knew a promotor from the East coast, a show promoter, from the New York area. Artie Wiesner, he done show promotions. And the friend that she was with was takin' care of some business for Arnie, in other parts of the country. And she stopped in Indiana because she had relatives in Indiana, and that's where I met Donna, in



Indiana. And this girl she was travellin' with, Karen, had some business she had to take care of for Arnie with the group that she was with, and they come into the office. And I met Donna, and we liked each other right away.

I was movin' fast, and some of the guys were messin' around with drugs. The people I was workin' with were into the drug scene pretty much. And they were goin' into Kentucky, makin' their buys, and they were sick the next day. And I didn't dig that scene at all, and Donna didn't like it either. Karen got involved in it, but Donna didn't want no part of it. And she asked if I could put her to work on some of my deals. I had some other deals I had to go take care of, and I was leaving anyway after we wrapped that up.

And I told her, yeh, I definitely could use her 'cause there was secretarial work, there's quite a bit of it that has to be done.

We had a few drinks together, went to movies, one thing and another, partied around, fooled around together. We had sex after awhile, not right away. I was still thinkin' a lot of Joanne and she was on my mind. And Joanne and I didn't break up in any kind of fight with each other. It's just that she couldn't be away from the kids, and I didn't like it too much but I couldn't knock her for bein' a good mother. I had mixed feelin's on the thing. But the most important thing right then was the situation in California, and I was pretty much frantic over that. And I explained it to the girl, and she said, "That's terrible." And she

wanted to know if there was any way she could help. And she fell in love with me pretty fast. She seen me at my best, I guess. She seen me when all the pressure on the world was on me, and she seen me perform, she seen me do things that were very difficult. She was young and impressionable. And I wasn't tryin' to impress her, I was just doin' my thing and she happened to be in a good place to observe it.

She thought I was awfully strong. She thought I was pretty courageous. She'd discuss these things with me, and she'd soothe me and console me when I got feelin' bad. Sometimes I'd break down and cry. And I wasn't ashamed to cry with her around because she was just that kind of person. And it wasn't that I was lookin' for sympathy, but I was hurtin'. I was hurtin' pretty bad. And I probably didn't care if anyone liked it or not, I had to have my cryin' time. Gettin' alone somewhere. And she wanted to share that with me too. And she did.

And all during that time I had headaches, too. I had headaches regularly for years. And migraines are terrible. If you never had them, you can't imagine how tough they are. And I was ashamed to admit to, or to give into, the pain 'cause I was always afraid that people would think I was fakin', that nothin' could hurt that much.

And I had to cry sometimes. And she observed that, and she consoled me. And she said she couldn't imagine what it was like, but she knew it had to be terrible. 'Cause she knew I was strong and yet I'd break down like that.

She said, "You're not sure the girl is dead, you

know. Maybe she was kidnapped, or maybe she was sold, or maybe the truth will come out." And she gave me other things to think about. And that may have been a possibility. Maybe they did need money. I'd heard of people doin' crazy things like that before. And maybe he had talked that nutty thing into sellin' the girl. I hoped that that was the case, and they'd go tell the truth, and we'd go get the child. But in my mind I was pretty sure that she had been beaten and had died as a result. And I was afraid he might kill the mother and the second child, both, 'cause they could testify against him. And, where he was on the run and where he was wanted, he could be desperate enough and dangerous enough to do somethin' like that. I was scared to death, all the time, that they were gonna find their bodies somewhere. I can't honestly say that I cared if it happened to her, but I damn sure cared if it happened to my son.

I was in pretty rough shape for those three months.

I got uprooted from Nashville. I was in the show promotion field, and I was amongst musicians well known in Nashville. I was recording, as a musician, and doing show work as well, and toured with some of the Grand Ole Opry shows. But that came to an end because of the California thing. I couldn't keep my work up when all I was thinkin' about was my kids. They were of primary importance. And Donna was of primary importance. And Donna was pregnant, and the baby was due any time. So the baby of course was important to me. So Donna and I packed and moved to New Hampshire, my home. We waited, there, to hear somethin' from California. And I didn't mind the change. I really didn't. And to this day, I don't regret it.

One night Darleen Miller called me and she was excited. If I remember right, it just seems like it was night. And she said she had some good news, she was all excited, and she said they had my boy. And then she told me that a couple of off-duty sheriffs were driving on one of the freeways in Los Angeles, and by chance were right behind the car, with all of them in it, and they apprehended 'em, there. They took my son. Miss Miller had him. I don't know if she took him home with her or what. She said she would be hearing from the Attorney General's office on the dates of the trial and that she'd call me as soon as she found out and could arrange to have air fare sent to me so that me and my oldest boy could come to testify.

And I was in pretty much of an emotional state. I didn't know what to do. I was pretty sure the girl was dead. And I did have some thought of takin' the law in my own hands in that case, and for a long time I harbored that thought, to fix it so that there wouldn't be any need for no trial. Like shooting him and her, perhaps right in the courtroom. And I had that feeling. And Donna was aware that I felt that way, and my parents suspected it. And they counseled me. I'd get very depressed sometimes over the whole mess, and sometimes I let 'em know that I felt I had to do something. And Donna for the most part probably had the most influence on me, and she'd tell me that I was important to her and the baby, which was comin', and she convinced me how much the boys needed me, and that we should let the law take care of it.

And it's just as well 'cause all during that trial they had a couple of great big sheriffs sittin' on either side of me and I couldn't of made a move too much anyway. But she talked me out of it. Donna talked me out of it, and my parents.

I went to California. I was met by Miss Miller, Deputy Sheriff Greeley, and my son George. They met us when Carl and I got off the plane. They took us that night to a motel to stay, and the boys stayed there with me.

So we had quite a reunion, the boys and myself. The boys remembered me 'cause I had been with 'em through their earlier years, until '62. I didn't talk to them about the

life they had with their mother and that man. I figured it would be too painful for them to recall it. And they didn't talk about it neither. Even to this day, they don't talk about it. It's somethin' that they seem to have masked off. It's their personal way of coping with the situation and adjusting, I suppose.

I had problems with them during the trial. You see, they were deathly afraid of that person, the guy who had committed those crimes. They were even afraid of him in the courtroom. And I did counsel them on that. I said, "Nobody's gonna hurt you anymore." And that was the extent of my counselling, but I did counsel them to that extent. I said, "You tell the truth." They were reluctant to go into the courtroom. They didn't want to go. They didn't want to testify 'cause they were afraid. We're talkin' about eight and ten year old kids now, not much more than infants and they had suffered pretty much in his hands. And I think that they had a better idea that their sister was dead because of him than I did. So I told 'em to tell the truth.

In the trial they said they never saw her dead, but they saw her beat. And they saw the condition she was in.

It came out in the trial that she had been beat severely. Carl had been beat severely. She was sick for about a week. One day they went to the beach, and the day before he had gone to a hardware store and bought a shovel and put it in the trunk of his car. And they went to the

beach, some of his children from his marriage and them and their mother and him. And the girl, the baby girl, she was four years old, was in the car. They left her in the car. She was sick. She was probably near death then. And she didn't go out on the beach; she stayed in the car. And the kids remember bein' at the beach most of the day and gettin' in the car and ridin' up to the mountains. And they fell asleep. And they remember bein' awake on the return trip and Suzanne wasn't with 'em. But they didn't see anyone bury her or kill her or do anythin'. But they knew that they had that trip to the beach and she was with 'em, then they went to the mountains, and when they come back, she wasn't with 'em. And this was just about the extent of their testimony in the courtroom, which isn't really enough for conviction on first degree murder, not in California at least. They needed much more than that.

I got to meet the Deputy District Attorney who would be prosecuting the case, and nobody, nobody has any sympathy for anyone that murders four year old children or beats children. You can form a comradeship with an armed robber. He can be a comic. He can be all kinds of people. He can be like your best friend maybe. And you can have tolerance for him committin' that kind of a crime. But the crime of hurtin' women and children is usually not tolerated, even by the most hardened convicts. When guys go into prison with that kind of rap on 'em, they don't have it very easy. Nobody likes 'em. And the prosecutor did not like it. And California was goin' for Murder 1 and askin' for the death

penalty. That's what they wanted, on both of 'em. They couldn't produce the body. They couldn't find out the exact location from the children. They were asleep when they got up to the mountains.

She was very smart. She was very, very smart 'cause she knew they were safe if she didn't testify against him. And she proclaimed an undying love for him and all types of things. I got letters she wrote to me afterward, about how much she loved him and needed to help him, that would turn your stomach. She wouldn't tell the truth. She wouldn't tell the authorities what had happened.

So they went into trial with me as a complaining witness. About all I could contribute to the trial was that I had never sent for the girl, by any friends. And I remember distinctly that I said on the stand that I wished I had, that unfortunately I didn't. And their lawyers screamed because I added that tag on it, and the judge over-ruled the objections. He said, "That's his feeling, and he's got a right to express it." 'Cause I wish I had sent for the little girl. We wouldn't all be there that day and gone through those things. She'd still be alive.

Well, they got all the testimony they wanted from the boys and myself. I was anxious to get out of there. I wasn't really sure I could control myself forever on the thing. And it was just a bad situation to be in. I wanted to get back to New Hampshire with the boys and start buildin' my home with Donna and the baby and be around my family. And I told 'em I was anxious to get out of there. And they felt,



even though the trial wasn't complete, they had no more need for our testimony. Any further testimony wouldn't be of any help. So between the Probation Department and the District Attorney, they agreed that we could, probably should, return to New Hampshire, as a family, with the stipulation that we'd speedily return in case somethin' developed in the case where we was needed and further testimony was needed. And I told 'em we certainly would, that we were just as anxious for justice in the thing as they were. So we returned to New Hampshire.

Well, they questioned her, and they tried to talk her into telling 'em exactly what happened and where the little girl was, if she wasn't harmed. There was always the chance that she had let some relative, some distant relative, in some faraway state or somethin', take care of the kid. They were worried about that, the State was. They said, "It is a possibility, you know. We could come out a this lookin' real bad."

I said, "I don't care what you look like. I hope they do produce it."

They said, "Well, we do too, of course, but we have to be careful from a legal standpoint how far we go and how hard we bear down. We have accused 'em of murder." They felt that that was enough to make 'em do somethin'. And a normal person, if the girl was alive, it would of.

We left the state and come back to New Hampshire. And, within a week, I got a call from Darleen Miller. She called up and she said the trial was over. And she says, "You're probably not gonna be satisfied, but she was sentenced to a year and he was sentenced to five to fifteen years, for involuntary manslaughter."

And I asked her what happened. I was very upset. I was angry. I couldn't believe it. That somebody could do somethin' like that to children and get off like that.

She says, "Well, you have to understand that the trial couldn't last any longer. It had to come to an end, one way or another. And the prosecution had a very weak case for murder because she wasn't testifying, she wouldn't divulge any information, they didn't have no body and no knowledge of any whereabouts of the body. The only thing they had was that they had established that the child was last seen with them, when she was alive. And that's all. That's not really strong enough for first degree murder. So the state had to agree to the lesser charges before they would be willing to cooperate, tell 'em where the girl was. And once they agreed to the lesser charges, and they got sentenced, the double jeopardy clause came into play and they couldn't be tried again for the same crime. And they agreed to show 'em where the little girl was." I think it was the next day, and she said she'd be in touch with me.

They did go up and Darleen described that they looked around, they didn't know exactly where it was, but they did take them to her gravesite. And I made her tell me

about it. I wanted to know. And the girl had been murdered and buried up in the mountains.

I immediately thought about bringin' her back, perhaps havin' her cremated out there and have her ashes brought back and have her buried near my grandmother and grandfather, in the cemetery. I felt like we could go there sometimes, the boys and I. They could visit the grave. I thought it would be helpful to them, and I just wanted it. I don't know why, but I did.

And I asked Darleen about the grave, and she said the baby had been put in a shallow grave, up in the mountains, and they got the baby's blanket and evidence that she had been buried, and she was pretty vague on the thing. And I asked her about the return of the body. And she said she didn't know anything about that, and she didn't have any experience in it and I'd probably have to work out something with somebody in that business here, the funeral business, and some people out in California.

And that bothered me. And Mr. Williams, Ralph Williams, in Dover, has a funeral home. He's been known in the family for years, and I called him and asked him about it. And I think he's the one that told me, or maybe it was Darleen, I'm not sure. Anyway, one of 'em told me that she had been buried in a shallow grave and then animals had tore the grave up. And there wasn't much left. There was only a few parts there. And he didn't think it would really be worth the expense and everythin' to me to have it brought back. And he was very kind, and he was very understanding,

and he offered to me what he thought was the best counsel at the time. He said, "It might even be the best thing if you don't do what you plan to do. It might have a harmful effect on the boys instead of the beneficial effect that you feel it might have." He says, "Nobody can predict those things." He says, "It might have been helpful, but it could have been harmful too." So he says, "Why don't you just leave things alone and forget about that?"

So I had to, really. I didn't have much choice.

When Darleen and I talked about that sentencing, her and I both agreed that that wasn't very much time for either one of the parties. His name's Howard Moore Thomas. I haven't mentioned his name. I don't know why. I don't like his name much probably. He's the one that got the five to fifteen, and she got a year. And I expressed my amazement at that sentence. I said, "That doesn't seem very wise." And I computed in my head the fact that they would be both on the street when the children were still of tender years.

She said, "Well, that's right."

And I said, "He doesn't seem normal to me what I saw of him in the courtroom." And I knew that this wasn't the first time he had been known to harm children. When he was seventeen, he had taken an infant baby out of a basinette on somebody's porch and beat it unmercifully. So I said, "I can't help but wonder how predators like that can exist on the face of the earth, human predators, somebody who can hurt

a four year old girl, somebody who can take an infant baby out of a basinette and beat on it. I don't know if I could apprehend a person like that if I was a police officer without blowin' his head off on the spot. I wouldn't trust myself." And I said, "And that monster's gonna be out on the streets in a few years."

She says, "Well, maybe not, but there is a possibility that he will be." And she says, "Why, anyway?"

I said, "Well, I feel there's a chance, with this type of person, who's already done what he's done, he might want to take some retaliation against the boys, for testi-fyin' or for knowin' what they already know about him or somethin'." I said, "I have no fear of him personally, but I work, I'm away from home, and I don't want my family threatened by this creep. If I was there I'd shoot him on the spot, but I'm not always home. I'd love to have a confrontation with him but not involving the family."

She says, "I can see your point." And she says, "Just to be on the safe side and to have more power if such a thing should happen or if the children are kidnapped or harmed in any way, how about if I have the court maintain jurisdiction over them so that if anyone does try to hurt them the powers of the courts of California can come into play on it too."

I said, "That shounds alright to me." Which it wasn't alright. It wasn't legal and it wasn't smart. But with the mood of that moment and with the things we was discussing, I didn't at all anticipate any problems coming

from that.

I should never of had this discussion with her. It was just a spur of the moment thing, and it had far-reaching effects on our lives after that. And she didn't intend for that to happen. I know she didn't. She'd tell you the same thing today if you could talk to her. She didn't intend to happen what did happen. I know it because she really liked the boys. She got very attached to the boys and the family and the case. She got very much personally involved. She even cried and the kind of things you might do if you were involved in something like that closely. When we were out there for the trial, she'd take the boys to lunch or go with us to lunch and make sure that they didn't want for anything or need for anything. She was always concerned about 'em. She loved 'em very much. But the phone calls dwindled off, and she was out of the picture for a very long time.

Well, I was left with a problem, a very, very serious problem. The boys were maintained under the jurisdiction of the California court. The State of New Hampshire's Probation Department was requested by their Court's Probation Department to keep a check on the boys. Pretty soon it became like the boys were criminals. It became like they were somethin' the Courts were really watching close for some wrong that they had done. And this is the way it developed, it really did. It wasn't like they were victims of some horrendous thing that had happened to 'em, and they were

bein' protected by the courts, in no way at all. They had to be checked in their school records. The Probation Department of New Hampshire was allowed to come into my home. I cooperated with them at first, and they took full advantage of it. They had no business in my home. The boys were New Hampshire residents, and the California Courts had no legal say over them.

And it got pretty bad. They started goin' down to their schoolrooms, and I told 'em I didn't want them near their schools. I said, "The boys have done no wrong." I got angry. I says, "You're treatin' 'em like criminals." I said, "They are the victims." And I didn't want 'em in the schools, but they did go into the schools, one time, one of the New Hampshire Probation Officers. I got on him about it, and he agreed that it was probably wrong, and he'd check with me in the future and make sure that all his visits were at the home, 'cause I knew that kids could be vicious, and if it was known that a probation officer was down there lookin' in on them then they'd be tormented by their classmates, 'cause their classmates wouldn't understand.

The boys were havin' enough trouble at school as it was, without having the probation officers make things worse. They were having trouble adjusting at school. Because of the kinds of things they had seen and been involved in, they were in a depressed way for a long time. It was hard for 'em in school. I had trouble with some of their teachers because of that. And I went to the school and I explained what had happened. I told 'em I didn't care if the boys

failed that year of school, that their personal adjustment and family adjustment was much more important than that year in school. They could make that up after they got adjusted. Most of the people cooperated except for one teacher who got weepy over the thing and tried to pamper Carl and mother him. And he took to that like a duck to water, and it did mess him up in school. He needed discipline there and love at home. And she tried to play the parent role, and she made a mistake and admitted it afterwards. I got very angry about that and went down and confronted her with it, and she realized she made a mistake. 'Cause then Carl didn't want to do his work so much and he felt like he could go to her for shelter and warmth and protection and love and all that stuff. I told her that wasn't her job. Her job was to be a teacher. But the damage was done. I had a hell of a job on my hands, as you can see and imagine.

And I got a phone call, one afternoon, from the probation department, in California, inquiring about the boys. I told 'em they've been gettin' their reports, or I suppose they were gettin' their reports since the New Hampshire Probation Department was keepin' a check on things, which I resented but I still felt it was necessary by law. Since then I have found out it was not necessary by law. The New Hampshire Probation Department was way out of line. All these things was workin' on me, and there's anger in me now over it. And it was eatin' on me, inside. And it was a threat to my family's security and my children. It wasn't a personal threat to me, but it was disrupting what I wanted to



be a way of life in my family, and I didn't think anyone had a right to do that, not a moral right. I felt the law was wrong in that, and I've come to find out there's no such law.

This phone call I got was from my ex-wife's social worker. She was released, or was gettin' ready to be released, and he wanted the boys to go out there for a visit, to be with their mother, for her rehabilitation.

And I said, "You surely must be joking." And I hit the roof. I said, "I don't personally care about her rehabilitation. I'm too busy with the boys' adjustment, and they're comin' along fine, and they don't need her. If she needs them, that's tough, 'cause she had them once and she abused them. Their sister's dead, thanks to her and the way she lived."

And he said, "Well, she is not going to hurt the children. She is not a brutal person. There's no reason to think that."

And I says, "If you let a brute in, you're brutal."

And he said, "She might have been afraid of him too, you know."

I said, "They were in her care and responsibility, and there's plenty of law in California that she could of went to for help, if she really wanted it. You can't tell me she was afraid of him 'cause he wasn't with her twenty-four hours a day. He didn't keep her chained in a closet. When he left, she could have went to the proper authorities and had all kinds of protection. I don't buy the fear theory." I said, "I just can't picture someone not protectin'

their children. In my mind, a mother, in that kind of a situation, dies first, before she allows it to go one second further."

He said, "You're being too hard on her."

I said, "In the weeks before she died, there was testimony that the girl was covered with bruises, black and blue, even down inside her ear was all black and blue. There was hemorrhaging inside there. And my ex-wife's own sister testified to that, and she questioned her on it. And she'd say that the girl had been bumped by a car and knocked down rather hard, but that she felt she was alright. Didn't even take her to the doctor. Didn't even do that much. Didn't try to save the baby." I said, "You're makin' a mistake in thinkin' she's a human being. She's some kind of creature, a creature that shouldn't be let alone with children."

I said, "You don't know what you're foolin'with." I said, "Those children are more important than her to me, and they should be to you."

He says, "Well, she is important. She is my client."

I like to broke his jaw. I told him if he wanted trouble he'd get it. I says, "I'm not willing to let those boys get on no plane to go see her." I says, "When they get older, when they can decide for themselves...." I says, "You can tell her this. You can know it for your records. When they are strong enough to handle that emotional experience, and if they wish to see her again--and I'm not even sure they do--then they can go to her and I won't do a thing against it. I said, "I've not said anything against her to

them. I've not even mentioned her name to them. It's like she doesn't even exist. Whatever they know about her and whatever feelings they have for her, she had to put there when she had 'em and when she was supposed to be a mother to 'em. I've done nothin' for her or against her since they've been with me. I don't even mention her name because I don't want the memories of California comin' up."

And that is the truth, I didn't. And I didn't let her communicate with them because of their adjustment thing, not because of any hatred for her, because I didn't think it was wise to let her be antagonizin' the boys with letters and stirrin' up memories that I didn't even have a notion of. She did write a couple of letters, and I did keep 'em for 'em, for that sole purpose, that they were in a terrible emotional state at that time, and I didn't feel like they could adjust with that kind of an influence on 'em.

I told him these things. And I said, "When they get older, if they want ta see her, if they want to go to California, I'll work my fingers to the bone if I have to and pay their way out there. But when they are little children like they are now and they need my protection, they're gonna get it." And I says, "Somethin' in me tells me not to let them go to California." And I says, "I'm not gonna let them go."

And he couldn't see none of that. He fought me. He threatened. And I'm talking about a period of time now. I kept up a front of bravado but inside I was gettin' pretty soft. I was gettin' scared. I was gettin' weak. Every

time the phone rang, my blood would be like ice water. I was frightened. And until you have children and they're seriously threatened by something like that, you don't know what fear is. I've been afraid in my life: of personal danger or somethin' goin' wrong or gettin' hurt or almost drownin'. I know those kind of fears, but it don't compare with the kind of fear that you have when a couple of your children are in very serious danger. There's no fear like that. And I probably should have had a nervous breakdown. But I didn't. I don't know why I didn't. But in a way I think I went crazy, through it all. In that area, I think I was crazy. I sure was distraught and didn't know where to go, where to turn to. I knew I couldn't trust the New Hampshire authorities because I was judging all of them by the actions of the New Hampshire Probation Department. I felt like they were right in it with California and California in fact told me they were. This guy's name was David Bechtel, her social worker. He said, "Well, if you don't cooperate, then I'll just have to go to the Courts and get a warrant and New Hampshire authorities will take the children, by force if necessary, and put 'em on a plane, and they will come out here."

I said, "I'll die the day that happens."

So that was botherin' me. I didn't really know what to do. I needed help. I needed counselin', but I didn't know what was available to me. I had fallen away from the Mormon Church. I done a lot of talkin' with the Lord but I

didn't know there were friends in the Church who were just as concerned about me as they were their own lives. I didn't know about the law. I didn't know any of these things. And I was desperate, all this time. All through the time I was involved in the criminal activity, I had this fear and this anger.

It wasn't until I got into prison that I began concentrating on the legal side of the problem. I had the time, and it was always on my mind. I'd fall asleep readin' law books to find out how I could protect them boys against the state of California. That's how I became a jailhouse lawyer. I had studied a little bit of law in California, but that was business law, I and II, not criminal law and not constitutional law. And to protect them against Bechtel forcin' their removal from the state of New Hampshire, I researched the law the best I could. I talked with people that impressed me that they might know a little bit about the law. I talked with them in depth about all kinds of things about the law so I could get a better understanding of how it worked and how you got things filed under courts.

So I studied and I read and I checked on the law, and I liked some of the things that I found in the law. I filed a motion in the Federal Court in Concord, and they replied that they didn't have any jurisdiction over California. And I, in turn, asked them: Who in the hell does if you don't? So that raised a legal question: where do I get for relief? And I think it was a court of proper jurisdiction, where I am a New Hampshire resident and the children

are. They didn't want to get into the issue of that. I was going to appeal it to the First Circuit in Boston. I didn't have to, though, because the magistrate sent a lawyer friend over to talk to me. He asked me the problem 'cause they could see by the writings that I was very concerned and that there probably was a serious problem. And I really laid it to him. And he said there was a hearing coming up. Every so often they'd have a review in the courts. And there was a notice of the hearing that came, certified, to me. And they advised me to petition the courts out there, which I did. I sent it to the judge out there, by mail. I told him that I couldn't appear in person but that I was representing myself. I related to him what had actually happened in the boys' lives and the murder of their sister, the parties involved, and that I worried that she would try to appear in his courtroom at that hearing to try to get permanent custody. I suspected that they were going to try that. I wrote the whole record out for the judge. I gave the judge four or five pages of testimony on the conditions: the trial, the adjustment of the boys after they got back here, how well they responded to the love that they got from their new mother Donna, how much they loved their baby sister who I felt might have helped in some way replace the one they lost. And I wrote down where I felt that the courts never did, in fact, have jurisdiction once the boys were sent to reside with me in New Hampshire, that California lost all rights and interest in them when they legally left the state. And the Court sent back a decision that they had dismissed all

further interest and jurisdiction over the boys, and I felt that was a win. And it was, 'cause the threat was over. That was in 1971 or almost 1972. I went through hell every night in this prison until that decision was reached, expectin' to be told any moment that the boys had been grabbed up. If somethin' like that had happened, I would have escaped. I would of went to California and shot her. I definitely would of or I would of been shot down in the process. I would of definitely tried that. I would die for my children. I sure would.

## CHAPTER III

## THE CRIMES

It was rough for me in New Hampshire. I wasn't workin' steady. I'd do odd jobs here and there, pickin' up what I could for income. Like I'd help a friend, he raised chickens. He'd pay me a little bit. I'd do it as much to help out as I did to get the pay, 'cause he couldn't pay me a full salary, and he couldn't afford a hired hand. He needed some help and I needed some help, so we both profited by it.

I started playin' music where I could and when I could 'cause I always could depend on that, it seemed. I was pretty good. I got a band together. I was the leader of it. And, by 1970, the band got established in the area. The band was popular, and I was popular as a band leader and a musician. Jimmy Woods was in it, my childhood friend. He played guitar and sang. And we got some others together who wanted to play full-time, and I knew we could do better full-time in music than by bein' janitors in some factory. And we built a group that thought that way, and we did well, we got the bookings.

We began doin' what we call sit-downs. We were stayin' in one place all the time. We'd leave our equipment set up in one lounge in Portsmouth week after week after week, and the owners liked us to be there like that 'cause the place was packed every time we were there, the place was like New Year's Eve. And I'm not braggin', people will tell



you that that knew the band in those days.

In the lounge where we did most of our playin', the liquor license was safeguarded only by the restaurant, it was allowable only by the restaurant. The owners didn't have just the lounge license. They had a restaurant license. And to justify the lounge, they had to have the restaurant or the Liquor Commission would yank their license. And the owner was upset 'cause the Liquor Commission had started to prod him a little bit 'cause the activity of the restaurant wasn't up to what they considered standard requirements or what the hell ever. Plus the fact that people that had an in with the Commission, competitors of this lounge where we was workin', were complainin' because this place was gettin' too much business due to the popularity of the band. I know that. It's politics and it's vicious and it's corrupt, and it shouldn't be allowed. I know that his competitors tried to get at him and have his license removed to put him out of business 'cause he was drawin' all the crowd, and the only way they could do it was through the Liquor Commission. And the owner couldn't handle it. And he was worried. And there was a little discussion after hours and during the day and things like that where he'd say, "I'm worried I'm gonna have to close unless I can do somethin' with the restaurant." It wasn't open enough hours and there wasn't enough variation on the menu and things like that. And he was gettin' frantic.

So I asked him, why didn't he just operate the restaurant?

And he said he couldn't. So it come down to the

fact that I'd take over. It would be mine. Everything was in his name, but the restaurant was mine. I didn't get any help from him financially.

And the restaurant didn't make any money. It lost money. It always did. And I had to make it up out of my pay, so that I wasn't able to pay my bills around the house. And that, plus my problems protecting my children from the authorities in California and New Hampshire, made me scared and nervous. But I couldn't let Donna see this. I couldn't let the family know that things weren't stable, that things were in jeopardy. I didn't figure it was manly of me or the right thing to put that kind of burden on other people. It was my problem. It was mine.

I didn't always have the money to pay the employees of the restaurant, the waitresses and cook and dishwashers. And sometimes I'd have to ask 'em to wait. Some went along with me, and others said, "No, I want my pay." And I'd have to get it out 'cause there are pretty strict laws on people's pay.

I had to buy the raw materials, the supplies. I didn't know anything about it, but I had to go out and beat the brush and find venders that sold wholesale. I had to go down to the meat distributors. I had to go to vegetable people. I was busy all the time. I always had something on my mind to do, connected with the restaurant. And I played with the band at night, so I didn't get much sleep. I was takin' naps mostly. And the restaurant wasn't doin' well. It wasn't doin' well at all. It was constantly, constantly,

losin' money. I'd get nervous and desperate. I'd think, if only there was some way I could get some money.

I had a lot of ideas about makin' the restaurant successful. My head was filled with ideas, in fact. If I had some operatin' capital, I'm sure that would of been the finest little eatin' establishment in the state today. For instance, I had the idea to move a rotisserie type thing up in front of the window and feature roast beef and steaks and things and have the cooking done right in front of the window and an exhaust fan puttin' a little bit of the smell out on the street so people could smell the aroma of the cooking foods. That was one little gimmick that I wanted to do but that would cost a couple thousand dollars to set up that display thing where the cooking was done right in the window. That would of went over big, I'm sure.

I wanted to do some advertising, but I never had the money to put into it. Little gimmicks. I thought too of later on gettin' Nashville stars in once a month and the overflow from the lounge would support the restaurant. And I'd put their pictures up in the restaurant and have them around the restaurant and talkin' to the customers. The place would of been packed twenty-four hours a day if we'd of developed that kind of business. But I didn't have the capital.

I knew I had to come up with something to improve the restaurant, not improve it as far as food was concerned though. There was tremendous food. I don't know why the people didn't catch onto that. I did get a cook to come down

and help me and the guy was really a blessing 'cause he loved to cook and he liked the band and he liked me and Jimmy. He came lookin' for some extra work and he saw the conditions and he said, "Look, you can't pay me a cook's wages but just give me a little bit to cover my expenses. He just wanted a little money. He didn't charge me what a chef would charge. And this guy could make homemade rolls and breads and things like this.

We took some friends of the band that used to come to our dances and liked us a lot. They all owned horses and belonged to a riding club. And they wanted to have their awards and a banquet and everything at our place, and I never set up a banquet before." And he took over, this young guy, and he set the banquet up and it went off perfect, without a hitch. It was beautiful.

The food was superb, there, because I bought all the best things. Like, when I grilled my hamburgs, for example, there would always be a little dusting of garlic powder to just accent your taste buds. Little things. And I would brown the rolls in pure butter. And when I made home fries, I didn't use grease from the kitchen or oil, it was pure butter. Everything was delicious in there. The toast was hot and had real butter on it. The best quality foods were bought, the very best vegetables, the very best meats. But it just didn't go.

Early on, when I got involved in the restaurant, somebody I knew, in the town, that knew the band and that knew me, I can't remember just who it was, said, "I know a

guy, Tom Walker and he needs a job. He just got paroled and he needs a job. He has to be workin' and a place to stay or he'll have to go back to prison."

I told the guy, I says, "Look, I ain't makin' no money. The restaurant's not payin' off."

He says, "Yeh, but it's a job."

He thought we could work somethin' out 'cause Tom would have to go back to prison if he didn't have employment and a place to stay. He says, "I can't speak for him but I think you guys could work somethin' out. Why don't you talk to him?"

I says, "Well, have him come over." And right away I liked the guy. I liked Tom. He was a personable guy. He was well-groomed, neat and clean and seemed to have a good head on him. He was smart. And he was a pretty good sized guy, you know, he could handle any trouble in the restaurant, when I wasn't there. I was sure of that. And he was straightforward, and he seemed to be pretty honest with me. I took a liking to him right away and we did get along good right from the start. He liked me too. Naturally he would. He was glad we could work out something to the satisfaction of his parole board.

And I told Tom, "If you need an address, if you need a place to stay, I could set you up with that. I can give you enough money to get an apartment." I told him what the scoop was on the restaurant. I said, "It's not making a dam penny." I told him, "If you want to go in there and if you want to help me, I'll split right down the line with you."

I said, "The only reason I'm concerned about the restaurant being open is because the band is working in the lounge and if the lounge closes down, the band is out on the street. The whole business would shut down."

And he thought it was a pretty good deal. He was willing to invest his time. And he did a real honest effort. Yeh, he did.

After we had that going, the parole department knew he was working there, and everything was okay.

Tom had no problems. He had no troubles. Then one day, some people came to the restaurant and told him he was wanted. In a certain town, the police wanted him. He asked me, "What should I do?"

I said, "Well, you should contact them. But first, where you are on parole, I would call them and find out what it is about."

Well he did. He called them. And they said, "Never mind what it is about. We think you know what it is about. Just come on down and see us. We want to see you down here."

And I got on the phone with the chief and I asked him if it was anything serious. And he said, "Yeh, it could be pretty serious."

I said, "Well, when do you want him down there?"

He said, "Right away."

I said, "Well, he wants to have the benefit of counsel with him where he's on parole. And I've advised him to do

that and to make contact with a bondsman. So that in the event that any action was taken immediately, he'd be taken care of.

He said he had no objections to that. He said, "How long would it take to do it?"

I said, "Within a day, no more than two."

He said, "Alright." He didn't even bother to ask where Tom was because he knew Tom couldn't get very far.

Tom was charged with participation in a burglary in the night-time and on the day and time it was supposed to have occurred, he was working in the restaurant. I had sales slips where he had gone to the market and purchased goods for the restaurant. He didn't have an automobile at the time. And I didn't have one at the time. We were using a taxi to pick up our goods. We had all these people that could testify. We had the store clerk. We had the taxi driver. We had the patrons at the restaurant and bar and we had the bartender and waitresses. We had probably a couple hundred people that could testify where he was on that particular date and time, and they still convicted him of this so-called robbery. I testified at his trial as an alibi witness and I told the truth but they implicated that it was me probably driving the car for him and the other guy. And I was on stage at the time playing music. And I was pretty hostile.

Another thing. After the police officially charged him with the crime, a police officer testified that he saw him at the scene, which he didn't. He couldn't have seen Tom

there because Tom wasn't there. It might have been somebody that looked like him, but I seriously doubt it. It was a set-up all the way. It was obviously a set-up.

And he asked me what he should do. When it came down to the end, the state offered a deal of 1-3 years, I think, if he would plead guilty, cop a plea.

I said, "Oh Tom, you're not guilty. How in the hell can you plead guilty to something you didn't do?"

He said, "Man you don't know what it's like. I'm on parole and I've been to prison for these kind of crimes." He said, "I think I'd better plead guilty."

I said, "Well, I can't tell you not to. I can't tell you what to do but I'll be damned if I'd plead guilty to something I didn't do." I pointed out that there was plenty of people that knew where he was at the time.

He said, "Well, you're right." So he pleaded not guilty and he wound up being found guilty by the jury and got 3-5.

Well, I felt very bad for him and his family. I took his wife in with my family for a while. But not too long after he got sent up to prison on the robbery charge, his wife broke up with him.

I met people through the jail system in the process of visiting Tom. People reach out from behind the screens. "Will you do this for me? Will you do that for me? Would you make a phone call: let my people know I'm alright?"



Would you call my wife and make sure she comes up on a certain day?" Or it could be a call to the lawyer, getting little goodies for them: hot chili peppers, any friggin' thing, and letting their wives bring it to them. A guy in prison appreciates any little thing. It don't take much. The least little thing, a guy would remember forever, if he's doin' time.

And there were these two guys especially, Vince and Joey, and they'd say, "Hey, we're getting out of here. We're gonna beat this rap. Anything we can do for you later, we'd be glad to do it." And they were people who were in a position where they could back up what they could say. I began to think right away about the possibility of getting into crime with them. That seemed to be a real possibility and a solution to my problems.

I didn't know their background. I didn't try to find out, but I knew they were criminals. And Tom told me they were. He said, "They're heavy people." And they'd say, "Is there anything we can do to help you?" And I'd say, "Well, I don't think so." But every time I'd see them, I'd think about goin' into crime with them. They weren't askin' me to commit crimes with 'em, but I was thinkin' about it. And I was really susceptible to that idea. The restaurant was failing and Tom was gone, a terrific injustice. Maybe I had to do what I finally did to save my mind, I don't know. I couldn't stand no more of the way it was. I had to do something. I should have went to church. But I got away from the Church. I got away from it. I started to think

for myself and I thought I could handle everything for myself alone. And a man's on his way down when he starts thinking that way. He fights hard but it's a losing battle. When a guy thinks he's alone, that's when he's in trouble. That's when he needs counselling the most but he won't take it and he probably doesn't know where to go for it.

I wanted to join their side. I wanted to get off Nixon's side and get on their side. I don't see too much damned difference between the two, except one you go to prison for and the other you don't.

Tom had told them some of the things I did for him, both during the time he was a parolee and also during his court experience, and they liked it. They thought I was a solid dude. And I am, in prison vernacular, a stand-up guy, solid people, somebody you can depend on, somebody who'd keep his mouth shut, somebody who'd help you if he can and damned sure won't hurt you. And they felt me out. They knew that I was bitter. They knew the story of what happened in California because they rapped with Tom in the jail. I know they knew 'cause they discussed it a little bit. They said, "That was pretty bad. Yeh, we heard about that, yeh." I told them a little bit. They said, "Yeh, we know. Tom told us." They knew everything about me. And they sincerely wanted to do me a favor. And they were sincere. They come to me and they says, "Look, if there's anything we can do for you, if anyone's giving you any trouble--anything. If you need some money...." They knew the business was in trouble.

I said, "No." I was stubborn. I was proud. But I

got to thinking. Maybe they're experienced. I'm not experienced. I could learn from them. I'd have their protection, their contacts. And I had studied the statistics of the FBI: how so many people get caught on this kind of crime and so many people get away with it. It's printed in Time magazine. It's printed in Boston Globe. So I thought about what was the best thing to get into, and I felt sure I'd get away with it. I decided I was going to be a criminal. I had the opportunity through them.

Finally, I said, "I want some action."

They said, "What are you talkin' about?"

I said, "I want to make some money."

They said, "What kind of money? What are you talkin' about?"

I said, "Big money." I said, "I'm talkin' about robberies. That's what I'm talkin' about."

They said, "You ever done anything like that before?"

I said, "No."

They said, "You don't even know what you're talkin' about."

And I said, "No, but I think you do."

They said, "Yeh, we do."

And the funny thing is I didn't have to do anything wrong with them. They didn't expect that of me. They were really concerned about me. Many times, before we done one thing, they said, "Are you sure?" And before we did do anything, they said, "Are you sure you want to do this?"

And Tom warned me not to get involved with them. He

said, "Stay away from them."

And I told Tom some of the things I had been thinking. I said, "Look, the whole United States of America, its government, its business, and everything else is set up on criminal activity." I said, "This country's run like a damned crap game. The house has got all the money and there's no way you're gonna win. What makes Kennedy, Johnson, those people in the government and industry think that they can have that big chunk of the money? What makes them think they can have it all and give nothing in return?" I knew that Nixon was no good. I knew that politics in Washington was corrupt. But people read about these things and they forget them. They forget the things that Jack Anderson is telling them and Drew Pearson before him. And I said to Tom, "Don't you realize what these people are doing? Don't you know that Lyndon Johnson used the Communications Commission and set his wife up with all kinds of businesses?" I said, "So far as that goes, so far as deserving goes, I feel that every bank in the United States deserves to be robbed once every hour."

Tom said, "Don't get involved too much. Don't get involved too deep. Don't use a gun."

I said, "Fuck it. What's he know?"

They beat their rap soon after that. And one day I got to the restaurant and the bartender comes over to me and says, "You got some important visitors." I asked him what

he was talkin' about and he tells me how two guys came in and asked where I was. They left a message they'd call me. They didn't leave their names. The bartender said they had a Cadillac, a black one, and they didn't even bother to find a parkin' space for it, they just double-parked in front of the restaurant, left it out in the street and come in after me.

A little later, I got a call. It was Vince, and he said he was sorry they missed me. He said, "You got a swell spread there." He was talkin' about the restaurant. Then, he asked me if I was serious about bein' partners with them or if I had changed my mind. And I said, "Dammed right, I'm serious." He says, "Okay, let's talk some more about it."

I remember the first time we met was at a restaurant downtown, in Portsmouth. Only we didn't go in there. I waited for them out front. There was a menu posted on the window and I looked at it, as if I was deciding what to order. When they drove up, it was like old friends meeting and we shook hands and they asked how I was and said, "It's good to see you, kid."

And then we went for a ride. Actually, they had me drive. One of 'em, I think it was Vince said, "Let's see you handle the wheels." And they'd give me directions, down to Massachusetts where they lived, first to Joey's house and then to Vince's. They lived in the suburbs outside of Boston.

I drove a couple of times. I figured they wanted to see what kind of driver I'd make for when we'd do a job. And we'd go to Massachusetts each time, drivin' around, have

coffee somewhere, have lunch or somethin'.

They're talkin' to me all the time now. They've become my teachers. They tell me they do this, they do that. They trusted me an awful lot 'cause I could have been a cop.

One of the things they explained to me right at the start was not to talk to them about any of our business on their home phones. They told me they thought the police had their phones tapped. I was to call 'em, talk about the weather, or sports, or something and then hang up. They'd call me right back from another phone.

They'd tell me about how, when you do a job, you always use a stolen car, which they called a hot box, and to wear gloves, and to have your own car parked somewhere pretty far from the scene of the crime so you could drive the hot box to it, jump out, and be gone without anybody bein' able to connect you with the car. They asked me if I had a record. And I said, "No. In fact, I've never even been fingerprinted." And they said, "Are you sure? You've never been in the service or anything like that?" And I said, "No." And they said, "Well, that's beautiful." And it was. I was worth a lot to 'em. And they said we'd probably start out locally, around where they lived in Massachusetts, to see how we worked together and how serious I was about it. Then, we'd go do some things, really big jobs, outside the state. They said they were too hot in Massachusetts, the police knew 'em and how they operated and they'd be picked up right off. They said I might have to do most of the work, at first, but it wouldn't be too long before

we'd be doin' things outside of the area. For instance, they told me they had information about a shipment of diamonds comin' in by courier to the airport in New York, and it was easy, and we were gonna do it. And there would be a lot of money in it for all of us.

They told me how important it was if I got caught not to say anything about who was in it with me, and I said, "You don't even have to tell me that." And they said, "We can see that we don't." And they said that whoever gets caught can count on the others to get the bail money together and get a lawyer and pay the lawyer's fees, if it was at all possible to do that. And they said, "We'll split everything we make three ways." And all of that sounded good to me. And it sounded to me like they knew what they was doin' and I had a good chance with them. And I was already startin to count all the thousands and thousands of dollars and dreamin' about what I'd spend it on. I had several houses, a ranch out west and another house in New Hampshire. I was gonna take my family on trips to Europe and Bermuda and places like that every year. I was thinkin' of buyin' out the restaurant and the bar and fix it up, bring in the big name bands and stars from Nashville, and I'd set up my own band, and maybe I'd get into prostitution and gamblin' where there weren't so many risks and I'd have enough money really to protect myself. I could pay to have a hospital build a children's wing; and I figured no judge is gonna sentence a man to prison who's got the children's wing of a hospital named after him. And my boys were gonna be senators. All these

things was goin' through my head, and I couldn't wait to get started.

We'd talk about sports, about fishin', one thing and another. It was during the time I knew 'em that the astronauts landed on the moon and walked on the moon, and they were thrilled about that. They'd talk about their wives and their families and I remember one time Joey said his wife told him about how a guy made a play for her when he was in the jail and Joey said he'd have to teach the guy not to do things like that. They was religious or at least their families were. They had a St. Christopher's medal, on a magnetic base, on their dashboard. And they'd wear crosses and medalions. They'd talk about how they'd have to take their wives or their children to a meeting at the church that night or about goin' to church on Sunday. They lived very, very normal lives, except for the kind of work that they did. Somebody else goes off in the morning and kisses his wife and his kids goodbye and tells 'em he'll be back for dinner. Well, these guys do that too, only they're out casing a place for a robbery or stealing a car or hitting somebody.

Naturally, they had a lot of interest in crime, and it seems like they were always discussing crimes, things they read in the papers, tryin' to figure out how it was done or what mistakes had been made. There was an attempted robbery at the Redcoach Inn, in Boston, then. Five men were involved. But the police had been tipped off about it and were waiting for 'em in unmarked cars, in the parking lot



and inside, in the restaurant. I think one or two of 'em escaped; the rest got captured. Well, Joey and Vince tried to visualize the thing. They tried to figure out how they all might have gotten out of it, why some got away and the others got captured.

They seemed to know a lot of criminals, to have a lot of contacts, especially Vince. He'd be talkin' to Joey about a party they went to the night before and say, "Did you see Frank there? He was one of 'em that did the First National Bank job two years ago." Or we'd be driving down a street, maybe in Boston, and Vince'd point to somebody and say, "That's Johnny, Arnold Carducci's bag man." It just seemed like he knew a lot of people and what they were doin' and what they had done and who worked for who. And they'd get tips about this job or that job. I figured they must of had some connection with the Mafia.

And one time Vince called up and he says, "We got a job lined up." And he sounded excited.

And I said, "Well, good. What is it?"

And he says, "It's a bank." And he tells me how it's a little drive-in bank, the branch office of a big bank, and they had some information about when to take it and get some pretty good money. He said they'd cased it and it would be easy. And he said we were to meet the next day, at one o'clock, to work out the escape route and for me to see the bank. And we did that, meeting at a shopping center that time, and they showed me the bank. They said that a lot of money is deposited there on pay days and stays there overnight

until being sent on to the main office. And we drove around, lookin' for a route that couldn't be blocked by the police or by heavy traffic or by a train running across it. And we finally found one that suited us. And they told me we'd do the job in five days, and we set up a time and a place to meet. And I thought, this is really something. I couldn't wait.

We had arranged to meet at a mall in Portsmouth. I had a .25 automatic. I'd take money from the restaurant to the bank or from the bank to the restaurant and I'd carry that automatic in my pocket in case of a robbery. That's why I had it. I put the gun in my coat pocket and waited outside on the sidewalk. It was dark. The days had been getting very short. Finally they drove up to where I was. "Let's go," I said.

And they said, "It's off. Somethin's come up."

I said, "What? What're you talkin' about? What's going on?" You see, I was all set to do it and it was a let-down for me.

They said they had to help a friend, a cousin of Joey's. This guy had got busted, and they had to get bail for him, a lawyer, one thing and another. That was their story. They said they promised the guy they'd help him and they promised the guy's family. In fact, it was Joey's family. They said they had to keep their word and we'd do the bank some other time. "Don't worry," they said. "We'll get it. Banks'll always wait."

We never did rob that bank. We'd keep talkin' about

it as somethin' we had to do, but we never did get around to doin' it. I don't know. Maybe, they did do it eventually. Maybe, they were just testing me, to see if I would inform on 'em. I thought about that, then, but I don't know.

And I was gettin' very impatient, now, because I had decided I was gonna do some crimes, and this waiting and planning and thinking about it was just making me jumpy and nervous. It was a month now since Joey and Vince had gotten out of jail, and all we had done was meet and talk and drive in their car and plan and scheme. I was getting tired of dropping quarters into the Hampton toll plaza.

The next Sunday, one of 'em called me and said, "We got somethin' planned. Something big." He said I was to meet 'em at eleven that morning, at a certain mall. He said, "It's not the bank. It's somethin' else, possibly better. It's good. It's easy. We'll tell ya about it when we see ya."

And I was sayin' to him, "Good. Good. Now you're talkin'." It surprised me that they wanted to do a robbery on a Sunday. I wouldn't of thought Sunday would be a good day for something like that 'cause nothing would be open. But I didn't doubt that they knew what they were doin', and I got my gun like before, and I put it in my coat, told Donna that I had to go take care of some business for the band, line up a gig or somethin', and I hurried down to meet 'em.

It was in Massachusetts, at Haverhill, Mass. Vince said it'd be a cocktail bar or a lounge, and he said they were runnin' a bookie operation out of there. He said he had information that the money's picked up late Sunday, and so we'd be able to get all that plus whatever was in the cash register. And he said it should be pretty quiet in there, not too many customers, and the bartender would have no reason to protect the money since it wasn't his but belonged to the owner or whoever handled the booking operation.

And I was worried that maybe the mafia ran the booking operation, and I didn't want to mess with that. I didn't think the mafia'd read me my rights and let me go consult with an attorney. And I said, "Is this thing connected?" And I said, "Look, if this is the mafia's money, I don't want any part of it. I don't want some guys to come gunnin' for me."

And Vince says, "You don't have to worry about that. We'd know if there was anything like that and we wouldn't bother with it."

And so I stopped worrying about that; for all I knew or know now, these guys were with the mafia and had been directed to rob the place because it was competition. It didn't matter to me. All I wanted was to get started and to get my share. And I figured this was it. And I was really nervous and excited all the way down there. There's nothin' like the thought of doin' an armed robbery to get the adrenalin goin'.

The bar didn't look like much. It was in a run-down,

neglected part of the city. It was called the Scarlet Pub. And I said, "It doesn't look to me like there'd be much money in there."

And Vince said, "They don't usually hang a sign out sayin', 'Here's the money. Come and get it.'"

And we drove around it a couple times, and they explained they couldn't go in this time 'cause they'd be identified too easily, the bartender knew 'em. And they had told me before they probably wouldn't be able to take many chances in that area. I knew that. They said, "You'll have to do this one alone." I said, "Okay." I was as ready as I'd ever be. This was my chance. They were testing me. They said, "Don't take any chances. Get out of there if you don't think you can do it." I said, "Sure, sure." Then, they showed me where they'd be waiting, around the block, and then they drove around to the front of the place again, and pulled over to the curb.

And I was in the front passenger seat, Vince was driving, and Joey was in the back seat. And I says, "Well, I guess this is it." And I start to open the door.

And Vince says, "Well, do you still want to go through with it?"

And I says, "I've come this far, haven't I?"

And he says, "That don't necessarily mean nothin'. A lot of guys've come this far."

And I said, "I'm goin'. You just wait for me."

And then they shook my hand and said, "Good luck. Good luck, kid." And they told me I had nothin' to worry

about and that it would be easy as cake. And they drove off. And I was standing at the curb, with nothin' to do but to open the door and go in. And I did that. It was dark in there, and I stood at the door while my eyes adjusted. There was a radio playin' in there. And there was seven men in there. Six of 'em was customers and there was the bartender. And they all looked like killers to me.

I walked up to the bar and I sat down. And there was these people sittin' in a stool and one guy sittin' by himself at the bar and the bartender was wiping the counter. He came over to me and asked me what I wanted to drink. I ordered somethin'. I can't remember what it was. And I emptied the glass pretty quick too, because the next thing I knew the bartender was back, asking me if I wanted a re-fill. And I figured I had to do it now or never. I had the gun in my coat pocket, and I worked it out and had it lyin' in my hand on my lap. And I said, "No, that isn't what I want. It's not a drink that I want." And I picked up the gun and laid it on the counter pointin' towards him with my finger on the trigger. And I said, "I think you know what I want." And I said, "This is a robbery. I don't plan on hurting anybody. Just go along with me and everything will be alright." I said, "I have information that you got a bookin' operation here and that you've got the money and it's not picked up yet. Well, I want it."

And he says, "It's not here. It's already been picked up."

And I picked up the gun off the counter and I pointed

it at him and I said, "You're lyin'."

He says, "I'm not. If I had it, I'd give it to you. You can go lookin' for it if you don't believe me. There's no cash box or nothin' like that. Just what's in the cash register."

I looked behind the counter. I thought there might be a cigar box where money might be kept, something like that. There wasn't anything back there, and all this time I'm lookin' at the customers, lookin' at the door, lookin' at the bartender. I knew I had to do something. I didn't know what. Well, I got up off the stool. And I walked back until I was standin' in the middle of the room, and I shouted so they could all hear me, "This is a robbery. Just keep quiet and don't move and nobody'll get hurt." I said, "I don't want to hurt this man but I will if I have to." I had the gun pointed at the bartender, at first, but while I was talkin', I swung it around, and pointed it at this one and then at that one.

And I had a paper bag with me, and I threw it to the bartender, and I said, "Okay, empty out the cash register and give me that." And he did that, and I kept lookin' around me and lookin' over at the door and swingin' my gun around, and sayin' things like, "Don't nobody move" or "I got some friends outside coverin' for me so don't give me any trouble."

The bartender emptied the cash register. There wasn't much in there. I told him to put his wallet in there. He said, "There's cards and things in there I want to keep.

Let me have it. I'll give you the money." And I told him to just go along with what I said and he'd get his wallet back. And then I told the others to get up one after another and drop their wallets and jewelry into the bag. I pointed to 'em one after another with the gun. And all the time I kept lookin' around at the rest of 'em and the door. And one guy tried to slip his wallet under his seat. I saw it out of the corner of my eye and I turned real fast and pointed my gun at him. And I shouted at 'em, "Pick up your wallet and put your hands on the table." It turned out that he had the most money of all of 'em, more than was in the register. He had about two hundred dollars, and he tried to hide it from me.

I took the bag and got out of there. I backed up to the door and told 'em not to call the police or make any noise or anything for five minutes. I left the place. They told the police I acted like a madman. They said I was screamin' the whole time and wavin' my gun all over. I don't know. Maybe I did. I suppose I was scared. They said they thought I was on drugs. They said I pistol-whipped 'em. I don't know why they said that. I definitely did not do that. I don't know why people have to make things worse than they are.

I ran down the alley, across a yard, and over a little fence, like I was supposed to, to get to the car. There they were. They were waitin' for me. They were really excited. They pushed open the door for me and they said, "Get in. Get in. Get in." And I jumped in and sank



back in the side. And Vince pulled away, not drivin' too fast, so we wouldn't attract attention. And, right away, they wanted to know what it was like. I described it to 'em, and they couldn't believe that there was seven people in there and I went ahead and robbed the place anyway. They kept sayin', "You sure there was seven people in there?" And I says, "Yes, six customers and the bartender."

And Vince says, "Well, you're okay. You've got the nerve that it takes."

And I told them that the money we expected just wasn't there, the bartender said it had been already picked up, all I got was the money from the cash register and from the customers. It turned out to be about three hundred dollars. It wasn't big money. I said, "What happened? You said that would be a big haul."

Joey was furious. He started cussin', said he couldn't wait to get his hands on the guy that gave them the information. Joey was swearin' and cussin', sayin' he had expected a lot of money. And I was too relieved just to get out of there to be mad, but I was disappointed. I thought it would be a big job. But Vince says, "Well, it's too bad we missed because that should have been good for over five thousand dollars. It'll be better next time." And he says, "But it was a good job, anyway. Any job that you come out of is a good job." That's the kind of influence that Vince had. He'd calm Joey down.

I told them those people were very concerned about their wallets, the cards and things; and I said, "I told the

bartender I'd get the wallets back to them." Vince said he'd take care of it.

And I was pretty elated because I had done my first job. It was something I had never done before. I was on my way.

When they dropped me off that night, Vince said, "We'll keep in touch."

I said, "Sure. You bet."

He said, "Let us know if you need anything." Then he said, "Don't worry about it. We'll do better next time. We'll make a good one the next time."

Three days later, I believe it was a Thursday, I got a call from Joey. He said, "Come on down. We got some work." We agreed to meet in front of a post office.

I met them at the agreed time. There was Vince and Joey in the car and another guy I had never seen before. They were really friendly, as they always were. "How you doin', Carl?" Good to see you again." Then they introduced me to the other guy. They told me his name was Sammy.

Vince said, "Sammy, you won't believe this guy." He was talkin' about me. He said, "He's terrific. He's a natural. He did that job in the bar down in Haverhill I told you about. All by himself. He was as cool as a cucumber. There was seven guys in there, SEVEN GUYS, and he went ahead with the thing anyway. Jeez, I wouldn't a done that. He's got a lot of balls. Balls like grapefruit. He's really

a natural." Vince was carryin' on like that. I don't know if it was for my benefit or for Sammy's.

Vince said, "Carl, Sammy here's given us some information about a nightclub. He wants to participate in the robbery, take an active part in it, and get a percentage of the take. We told him that was okay with us. How do you feel?"

"Sure," I said. "That's fine."

I didn't drive that time. Joey drove. And there was a large nightclub, a very huge place. It was a restaurant as well as a drinking place. According to Sammy, they didn't deposit any money over the weekend. Thursday, Friday, and Saturday, the money was there, and over Sunday. And he didn't go to the bank until Monday. And they said, "Well, we're goin' to do it."

And we rode around and looked at it. It was a big place.

Vince said, "We're goin' to do it Sunday mornin'. That's when he makes his payroll, and he pays cash.

He said, "The safe'll be open. There's very few people around." And Vince said, "Carl, you and Sammy'll go in. And Joey and I'll wait in the car, with the guns. We'll cover you. Sammy already's got the hot box. And everything's all ready to go.

He said I wouldn't be driving and so I wouldn't have to know the route or anything.

The plan was for Sammy to drive the car into the parking lot, next to the side door, with the motor running.

And we'd just go in and get the payroll and leave, with the receipts. And we'd meet Joey and Vince further down the road, and then we'd abandon the stolen car, and drive off with them.

Vince said to me on the way back to our meeting point that night, "You know, Carl, we'd like to go in. Joey and I would really like to go in. But we're so well known that we're easily identified." And what he said made sense. And it's probably true. I guess they'd been in so much trouble around in those areas that the police had a pretty good work-up on them.

So I went down Sunday morning as was planned. We met in a side street, an apartment parking lot, down where they lived. And I met them, locked the cars, and we picked up the stolen car. And we made the final plans. Joey and Vince were to cruise back and forth down the highway and if there was any trouble, they was to come in from behind and straighten the trouble out.

I got in the stolen car with Sammy. And we drove down to the night club. Sammy pulled into the parking lot, over by the door, just like he was supposed to. And I had my hand on the car door, just startin' to get out of the car. And Sammy said, "Oh, Jesus!"

I thought there was cops all around us the way he said it.

He said, "We can't do it. We just can't do it." He was almost shaking.

I said, "What are you talking about?" I said,

"Everything's all ready to go."

He said, "I know that guy that just walked into the place." That's the bartender. He's there. He knows me. He knows me. I can't do it." And he screamed out of that parking lot. The tires was smoking. And the guy's lookin' at him like he's some kind of a fool. And Sammy was bent over the wheel, all stiff and tight, rushing to get out of there. So we never did do that one.

Joey and Vince were angry. They were very much upset. They said, "What happened?" Sammy told 'em. Joey said, "It don't make no damn difference. We ought to go back." But Sammy wouldn't do it. He was all broke up.

Vince said, "It don't make no difference who's there. There's always gonna be people around."

They was yellin' at Sammy, chewin' him out. They was a little bit upset because the robbery wasn't goin' to take place.

Finally, though, they dumped the hot box. Sammy wanted to keep it and do a job later that night by himself. They wouldn't let him. They said, "We've had it too long. They're goin' to be lookin' for it. The hell with you, we're gonna dump the thing." So they made Sammy dump it, and we all got in their car, and drove off. We dropped Sammy off, in some city, somewhere, I don't remember.

And they was grumblin' after they let him off. Joey said, "What a jerk that guy is." And Vince said, "We won't listen to him again." And Vince said Sammy couldn't go on no more jobs with them.

I said, "We don't seem to be gettin' much done. We talked about bein' busy. We talked about scores. We talked about big money." I said, "We've had one flop and two that we didn't even touch. Is it always gonna be like this?"

Vince said, "Oh, no, no, this is just wierd. I've never seen nothin' like it before."

I said, "Well, I hope so, 'cause the risk is still the same." I said, "The penalty is still the same if you come out with a dollar or a hundred thousand dollars."

We had a rap about that. They said, "Don't worry about that. We'll get into it. We'll get into the good stuff. Just keep gettin' out of them the way you do and you'll be alright. And don't worry about gettin' grabbed. If you get grabbed, you won't be in too much trouble because you've never been arrested before. And we'll come down with the money and make sure you get a good lawyer, and a bail bondsman, and you'll be right out, so don't let that worry you."

I said, "It's not worryin' me. I don't plan on bein' caught." And I didn't think I would.

A supper club was the next one. They called me down. Joey called, said, "We got a good one this time."

I said, "When is it?"

He said, "Right now. We can do it easy. It's a piece of cake." That's what they called 'em. Somethin' they thought was easy was a piece of cake. I think they saw

it on TV or somethin'.

So I come down, and we went over to the supper club. They're drivin'. We don't even have a stolen car this time. This was another deal like the first one where I was supposed to come out the door and go down the alley and across to the next block where the people there couldn't see the car. So I asked 'em what that was.

Vince said, "Well, it's not a great amount of money but we ought to come out with a couple grand apiece. We figure there's probably five, six thousand dollars in there."

I don't know why they would have thought that. It was a small place. If I was walkin' down the street, lookin' for a place to rob, I'd go right by there. And the only reason I went in is because they said this'd probably be good.

It was the early evening, probably 4:30 or 5 o'clock in the evening. I went into the club, and there was a man and a woman sittin' at the bar. And they were way down at the end, and they were juke boxing, sittin' there.

I had a paper bag with me and my gun. I sat at the bar, and the owner came over. I ordered a drink, while I just looked the place over, to see if there was any people out back. I was tryin' to get an idea of the place.

I finished the drink and the owner came over again and asked me if I wanted another one.

I said, "No, but I'll take all the money." And I showed him the gun. Then, I gave him the bag.

The guy and the girl down the bar didn't even look

up. They quit talkin', and they didn' say a word and they just kept their heads right straight aforward. They didn't even want to see me. They knew what was goin' on. They just sat right there.

The bartender says, "Okay, okay, no problem." He said, "There ain't much here. All I got's the bank from the night's business."

I said, "I don't want to hear it, just put the money in." I said, "You got anything out back? You got anything stashed? You got a safe?" And I looked around; I didn't see anything that looked like a cash box. I raised up, you know, and I looked down on the counters underneath the cash register, and I didn't see anything. And I didn't know how much money was there. It looked like a decent amount of bills. I said, "Just dump everything in there."

I left. And on the way out, I pulled the phone. I said, "Don't follow me. No, don't try to follow me."

He said, "Oh, no, no. I won't do anything. I'll just do what you say."

I said, "Well, just stay in here five minutes. That's all." I said, "Just don't try to follow me." I asked him if that was the only phone.

He says, "Yes."

I said, "Are you sure you don't have a safe?"

He said, "No. No, that's all the money. You got it all."

So I left.

Joey said, "How'd you do, kid?"



I said, "Good. Good. I had no problems. Right in and out."

He said, "Tell me about it. Who was there?"

I described the guy. He said, "Yeh, that's the owner. That's the owner." I guess he knew him. He said, "Did you get the money?"

I said, "Yeh, it's in the bag. I got everything he had.

He said, "Well, let me see it. Was anybody else there?"

I told him about the guy and the girl. And he laughed about that 'cause the guy didn't look up. He said, "He's probably a crook himself. That's why he knew better than to look at you."

Vince was drivin'. Joey counted the money. He said, "I don't believe it. I don't believe it." He said, "That's all he gave you?"

I said, "Yah." I said, "There's the bag. I just come right out with it, jumped in the car. Where the hell you think I'd put it? That's all."

He said, "There's nothing here. Just a lousy couple hundred bucks. That was supposed to be a five grand hit. That score was supposed to be worth five thousand dollars."

I said, "I don't know who's givin' you your information. But somethin's wrong." I said, "You're gettin' bum information or we're hittin' it wrong or we're doin' somethin'. 'Cause each time it's like this."

He said, "Well, we ain't gonna get a big one every

time. But I figured this time we'd each get a buck, buck and a half apiece."

I said, "Well, he didn't have it, and I don't think he was lyin'."

He said, "Did you take him out back and look for a safe?"

I said, "No, I didn't take him out back and look for no safe. I ain't goin' out there, out back, and leave that customer out there. I don't care if he had a safe full of money. You didn't tell me there was no safe. I just done what you said and where the money was supposed to be."

He said, "I'll bet it's in the safe. I'll bet there's a safe there, and we missed it."

I said, "Alright. Maybe so. If you had told me that, I'd have got it. But I don't think there's any safe."

I told them, "I want to get in on something good. I don't care what it is. If we're gonna do it, we might as well go for some money."

Vince said, "Well, we agree. Both of these was supposed to be good. And them other ones. Too bad we missed that night club. That would have been some big money. Too bad we didn't get that bank. That would have been good. We'd have been fat now."

This was coming into the fall of the year. Vince said, "Look, we'll get some good scores between now and Christmas. Then we'll ease up. And after Christmas, I tell you, we'll have all kinds of money. And we'll all go to Bermuda, take the families, for a vacation."

I said, "Alright."

The next one was a market. It was supposed to be a bookie station, but it was a market. It was in a market-place, in Boston, a little Italian guy had it.

Vince was gonna circle. And Joey went over in a bakery store window, to watch me from across the street. I could see his eyes peekin' out the window. Silly lookin'. I didn't laugh 'cause I figured he didn't know how stupid he looked, peekin' out that window. And he kept bouncin' up and down. And he kept stretchin' his neck and his eyes looked like they was balls, lookin' out the window.

So I went in the market. It was mornin'. And there was this guy, real Italian guy. He even talked like this: "Whats-a this and whats-a that." Real accent. And he had on an athletic shirt, with a great big belly, and a black pair of pants. His belly hung way out over his belt. His athletic shirt was dirty. He wasn't clean-shaven. He was an ornery cuss, a wiseguy.

I was lookin' around. There wasn't any customers in there. I was watchin' the door, and I went over to look at some things. I asked if he had, I don't know, some foolish thing.

"Nah, I don't got that." He's growlin'. He was a strange kind of person to be in business. Until I stepped around the corner and put the gun on him and then he melted right there. He changed his whole attitude. He got sweet.

He got real sweet. I said, "Alright wisemouth."

He said, "No, no, no, no."

I said, "Don't make any funny moves. You know what I'm here for." I said, "You're in the business. Get the money out."

He said, "No. No, no, no, no." He said, "What are you-a doin' this to me for. I'm a-one of you. I'm a-one of you guys."

And he's layin' a rap. I said, "I don't want to hear your rap." I said, "I want the money."

He said, "The money ain't here. It ain't here. You're early."

I said, "Look, you're supposed to have five thousand dollars. I ain't gonna screw around with you. You're supposed to have five thousand dollars. You're carryin' it today. For the book. And you're gonna get off it."

He said, "No, no, don't shoot me."

I said, "I ain't gonna shoot you. I ain't gonna do nothing. Either you're gonna get the money or I'm leavin', and I'm gonna send somebody else back and beat your head in."

I said, "How is that?" And I said, "You ain't gotta be worried about this gun 'cause I ain't gonna shoot you unless you do somethin' stupid, like tryin' to jump me. I ain't gonna shoot you if I don't get the money. I'm gonna send them guys back and that's worse. You'd rather I shoot ya." I said, "I'm leavin'."

He said, "Wait. Wait, wait, wait. What are you a-doin' this to me for. I'm a-one of you guys."

I said, "I don't know what you are. I was sent here."

He says, "Look, there ain't no pay-off money here. It's not here."

I said, "If you're lyin', they'll know you're lyin'. I'm gonna tell 'em what you said." I said, "What have you got in the cash register?"

He had some change in there. I got mad. I said, "Stick it." I said, "Give me your wallet."

He said, "I need them papers. I need the photographs. What do they matter to a-you?"

I said, "You'll get it back. Unless you're lyin', and then you won't need it. If you're lyin'; you won't need the wallet. You'll be in the hospital for a while, I imagine." I said, "I think you're lyin'."

He said, "I swear I ain't lyin'. I ain't lyin'. I'll a-tell you a-what I'll do. You think I'm a-lyin', huh?" He says, "I know where there is some money. Down the street, so and so." And he said some name.

I said, "I don't know the guy."

He said, "It don't make no difference. He's carryin' the book. And I know he's got the money on him right now. And I know it is five thousand dollars. You go and get your guys, and you a-go and a-get him. And come back and give me ten per cent."

I said, "Yah, I'll do that for sure. Thanks for the tip."

He said, "You're pretty good, man. You're pretty good at this." As I went out the door, he said, "Don't

forget to bring me back the ten per cent." He was talkin' like a buddy.

There was seven dollars in the wallet. Joey almost went insane. And I was furious. I was really furious.

So Vince said, "That's okay. That's okay. We'll get another one this afternoon. We'll get him later. We'll get him. Joey was so mad he couldn't even see straight. He wanted to go in there and punch him all over the place.

Vince said, "Look. These things happen. It ain't anyone's fault. It ain't the guy's fault. For sure, it's our fault for not checking it out better. What're you mad about?"

Joey said, "I'm gettin' sick of this nickel and dime stuff."

Vince said, "Well, cool off. Beatin' the guy won't do any good. We'll just wait and get him later when he is carryin' somethin'. We know he carries."

Joey said, "He's got the money in there. I know he does. He's slippery."

I said, "Well, maybe so, but what do you want me to do, go through all the shelves in the store. I told him if he didn't get it up that you guys'd hunt him down, you guys'd come down and needle him."

Vince said, "Well, that's good. Then he'd have given it to you if he'd of had it. Anyway, we've got this other thing this afternoon that we can do. And that should be pretty good pickin's up there."

After that stupid thing at the market, we drove around, rapping, had something to eat. They talked about what they had in mind for the afternoon. It was a jewelry outfit. And the way they talked you'd think there were diamond mines. This guy was supposed to be loaded, really loaded. All kinds of art work in his home, collections; they really laid it on. I thought, "Well, this is gonna be a million dollar heist."

The friggin' place is in a great big buildin' in Lowell. It's up on maybe the twelfth floor. And it's a dinky one-man operation, and it's right over the sheriff's office.

Well, they parked on the other side of a commons. Vince says, "This won't take you long and it oughtta be a good score. We oughtta get a nice piece of change out of this."

So I goes up. I walked up the stairs. And I sees this County Sheriff's office and I think, "What the hell is a sheriff's office doin' here?" I didn't think anyone was there, though, but I didn't know if anyone was there. And I kept thinkin' about it in the back of my mind, the whole time I was there.

And I went in and I looked around, and this guy didn't have much, on display, there.

I said to the guy, "I'm here to rob you." I didn't

even take my gun out. I told him I had a gun. I says, "Just don't pull anything funny and you won't get hurt. I'm just after the money. Some people sent me down and they said you had diamonds and cash here, and I'm to pick it up and rob you."

He started laughin'. He says, "Who sent you?"

I says to myself, "Another one." Cause he's laughin'. The guy laughed.

He says, "Who sent you?"

I says, "It don't matter who sent me."

He says, "Well they sure don't know much, robbin' me." He says, "I don't have nothin'. If you took the whole place, it wouldn't be worth your time."

And I looked around and I think the most expensive watch he had on display was \$29.95. There wasn't any Omega watches. There wasn't any Benrus. There wasn't anything high priced, or solid gold, or nothing in the place. And I was mad, I was really mad. I was so mad, I didn't take nothin'. I didn't rob him, I didn't do nothin'.

I says, "I think you're tellin' me the truth."

He says, "I am tellin' you the truth. Whoever sent you, don't know what the hell they're doin'. You know what this is? I'm retired." He says, "This is a hobby with me. I got a few customers, and they like little trinkets and things for gifts and stuff." He says, "I don't have any high-priced customers and things like that."

I says, "Keep it. Just keep it." And I got out of there. I thought the guy would press the alarm, so after I



got past the sheriff's office I hurried. But the door I planned to use was locked and barred. I thought, "Jesus, this is it." I had to walk all the way around the building to find a door.

I got to the car and I says, "This one was the worst of all. The guy didn't have nothin'. And I'm not gonna go on like this no more. If you don't come up with somethin', then I will, on my own. I don't want to do no more jobs like these, just come up with nothin', or fifty or a hundred dollars. That's ridiculous. Kids get more than that out of candy stores."

Vince said, "Don't do that. Don't go off. We'll come up with somethin'." They wanted to know if there was anythin' up my way.

I says, "Yeh, there might be. I'll look around."

He says, "Okay, don't do anything foolish. Don't do anything until you hear from us. And we'll get somethin' goin'."

Saturday, Joey called me up. He wanted to know if I was doin' anything. He wanted to come up. Could I meet him somewhere? Did I know Exeter?

I said, "Sure I do."

He said, "Okay, can you meet me over there?"

I said, "Yah, I'll meet you in the parking lot, near the Town Hall."

I was late. I was having trouble with my car. When

I got there, he says, "Where you been? Where you been?"  
They didn't like me to be late, or anybody to be late.

I told him I was havin' trouble with my car. And he says, "Well you got to get it fixed. That's bad. You'll get stranded on the highway. Someday you'll need to count on it. You don't want it to let you down."

I said, "What do you want?"

He said, "Well, let's take a ride. Hop in. Leave your car here."

And we rode around. He says, "We got somethin' good comin' up. We got somethin' good." And he says, "I feel it's good, and I'm told it's good. And it oughtta be real easy."

I said, "What is it?"

And he says, "A bank."

I said, "Where's it at?"

He says, "Right over here. I'm gonna drive by it now."

It was in Epping. The Epping Bank. It's a tiny town, the main highway goes right by it. I had played music in Epping, jam sessions.

He drove through the town. And I said, "A bank, huh?" I hadn't done a bank before. And I always thought there's always money in every bank. I just figured that a bank was the place to rob, which isn't so. But I thought that at the time. And I was pretty excited. I was gonna get some money. It was pretty foolish messin' around with somethin' like that, so close to home. But I didn't think

of that either at the time. I just didn't think of gettin' caught. I didn't plan on gettin' caught and I didn't even think I would.

So he says, "Look at that. There's the bank."

And it was a real old thing, it looked like somethin' out of a western movie, the bank is so old.

And he said, "There's an owner or manager that's sometimes in the bank and, at the most, a teller. He says, "There won't be nothing to it. You can handle it very easy." He says, "What do you say we do it?"

I said, "Alright."

Now, I don't think Vince knew anything about this. He wasn't in the car. And we set it up for the next week, Joey and I. I was supposed to find somebody, to go in with me.

I said, "I don't want to mess around. I want to get it done, get the money." That was December. It was gettin' late.

He says, "Well, we'll get that next week then."

I couldn't find nobody--somebody I thought could do that, keep their mouth shut, somebody I could trust. I kept lookin' around for guys that might be interested in some money. But they didn't want to do anything big.

So I called Joey up, told him to call me back. So he went out and called me back and said, "What's up?"

I said, "I don't know. I want to come down and rap about the thing, doin' the bank." And I says, "You got anything else we can do now?"

He says, "I think so. I think we can do one this afternoon. Come on down." He says, "It's gettin' late in the season. We gotta get movin'. We've been goofin' off long enough. We gotta start movin'."

I says, "Alright."

So I went down. He showed me a place they had robbed, before, and got a large amount of money out of it. It was an amusement center, you know, a lot of pinball machines, cigarette machines, jukeboxes, stuff like that. He showed me that.

We drove through Haverhill, Mass., out to Western Products. He says, "Here's the place. I've got some information on it, but we was gonna do it later, but we need the loot, and we're behind schedule, and things ain't been turnin' out right." He says, "They got a payroll. They pay today. They pay cash."

I says, "Are you serious?"

He says, "Yeh, they do."

I said, "Well, we're gonna get that."

He says, "Yah, but we ain't ready, we ain't done nothin' to get ready for it."

I said, "The hell with it. I'm ready now. I got my gun."

He says, "You sure?"

I says, "Yes, I'm sure. Drive by it a few times."

He decided where he wanted to drive, to circle, waitin' to pick me up.

So I went in and I looked the place over. There was

a couple of people there, and a woman asked if she could help me. She was sittin' at a desk. All the main offices was upstairs, and she was sittin' in the reception area, with a phone. She's doin' the payroll. There was other people there, and I didn't want to get involved with them. So I told her I wanted an application for work.

I walked out. I went to the car. Joey was waitin', he said everything seemed to be good. He said, "Did you get it?"

I said, "No. No. I got an application."

He said, "Well, why?"

I said, "There was some people there. They came in."

He says, "Well, how does it look?"

I said, "The money's sittin' right on the desk top."

"Are you SERIOUS!" He's goin' crazy, now, he's gettin' all excited.

I says, "I'm tellin' you. I've never seen nothin' like it. Her desk is covered with pay envelopes. The whole top is covered, and she's the only one there when them people leave."

He almost went off the road, he was so excited. So he spun around, we saw the people leave. He pulled in the parking lot, drove off, and I walked in again.

She says, "What do you want?"

I says, "I don't want nothin'. I don't want no noise out of you or nothin'. This is a hold-up."

And she started screamin'. Yellin' at the top of her lungs. She says, "No, you're not gettin' the money."

He's robbin' us! He's robbin' us!" And a whole bunch of people start runnin' downstairs from the offices upstairs above us.

I held the gun up and I told 'em to get back. And they ran back, out of sight, out of my vision, up the stairwell. And the boss or somebody yelled down, "Give him the money. Just give him the money."

She says, "I will not!"

I says, "Don't be stupid lady." I guess she went into shock or somethin' 'cause here I am standing with a gun; she don't know if I'm a drug addict, she don't know if I'm a killer, she don't know what. She's actin' real stupid. She could get herself shot doin' that.

So I starts takin' the money off the top of the desk. I says, "Just shut up."

She starts fightin' me, grabbin' me, scratchin' my hands, clawin' on me. And the money's flyin' all over the floor. I'm sweepin' what I can in the bag I got, and I says, "You're crazy."

And she kept gettin' braver 'cause I didn't do nothin' when she attacked me.

When I was pickin' up the money on the corner of the desk top, I saw the cash box, lyin' in an open drawer. And I reached down to get that, and she kicked the drawer closed on my hand. Yah, she did, squashed my hand. I pulled it out, said, "You're wierd." Crazy bitch.

So I just settled for what I had and took off. It was either that or hit her or shoot her or somethin'. No,

I couldn't put up with her no longer. She was gettin' ready to jump right on my back. That's all I gotta be doin', wrestlin' her, and have somebody come in the door after their pay, and there'd be two of 'em.

She was a vicious, vicious person. She is dangerous. She is. She's a threat to society more than I am. If people knew what she was like, they'd have her investigated.

I ran out. I said, "That's it." The money was spread all over the floor. It was wiped off the desk top. But I had quite a few pay envelopes. I got out, while the gettin' was good. I knew that she was flippin' right out. She knew I wasn't gonna hurt her. She knew that after the first few times 'cause I would have slapped her or somethin', knocked her on the floor or back in the chair. Yah, that would have probably ended her. But I never, just never intended to use that gun to hurt people, or to hurt people in any way. I just couldn't, any more than I could rob somebody that was poor. I guess I did rob some people that was poor but I was told that they had all kinds of money, that they had bookie money, that they had this, that they had that. Like when I was robbin' that payroll, I knew that the company was obligated for that. I wasn't stealin' off the working man. They gotta give them their weekly salary. You don't get out of paying a man his salary just 'cause you got robbed.

I got back to the car and we drove off. Joey said, "How d'you do?"

I said, "Oh, man, you won't believe it."

He said, "Didn't you get it?"

I said, "I got it. I got it. Just keep goin'. Let me rest, calm down." So I ducked down in the seat in case she had given a description and the cops were lookin' for me. I said, "I'm gonna jump in the back and lay down." I said, "Just drive, will ya?"

He said, "Okay, okay. Good boy."

So I jumped in the back and lay down on the seat. I was angry and excited, scared, and, you know, everything. But I calmed down.

He says, "It looks pretty good." He had opened the bag. He says, "You got quite a bit there."

I said, "I don't know if I do or not."

He said, "What happened, anyway?"

I said, "I told her it's gonna be a robbery. I told her no one's gonna be hurt, I just wanted the money. I wasn't there to hurt anybody. And she started screamin' and hollerin', 'He's robbin' me! He's robbin' me!' And people comin' down the stairs."

He says, "No kiddin'?"

I says, "Yeh."

He says, "I heard of stuff like that before, women doin' stuff like that." He says, "Go on. Tell me about it."

So I told him what happened. He starts laughin'. He says, "Too bad." He says, "Not too much money fell on the floor, did it?"

I says, "I don't know. And I don't care. She was gettin' ready to jump right up on my shoulders and pick my



eyes out."

He says, "I once heard a story of a robbery at a supermarket. A couple of guys were involved in it. One of 'em is standing by the door, with a submachine gun or some-  
thin' and a woman comes in. So he points the gun at her and tells her to get into a phone booth which was there. Then, he closes the door on her. Well, he's waitin' for his buddy to come with the money and he hears the sound of a dial turnin'. She's standin' in that phone booth, practically right next to him, callin' the police." He says, "That's why, if you ask any robber, he'll tell you, 'Don't ever hold up a woman.' They just aren't afraid of bein' hurt like a man would be."

I says, "Now you tell me."

We didn't come out of that one poor. There was twelve or fifteen hundred dollars in that robbery. And he was tickled. He says, "Vince gets his part, right?" He says, "We always was partners."

I says, "Sure. I feel that way about it."

He says, "Yeh, well that'll make Vince feel good if you feel that way."

Well we split the money up. Each of us got about 400 dollars. And I felt pretty good 'cause that was a pretty solid piece of spendin' money. I figured I finally did somethin' that did amount to somethin' in the way of a robbery.

We didn't get to the bank in Epping until December twelfth or fifteenth, I think. I went in alone. Joey waited in the car, near the place. There was only one person there, a lady. The bank was very old, and I didn't know where anything was, so I told her I wanted some change, a roll of quarters, and she said, "I'll have to go out back and get that." And she went out back where the safe was, and she came back.

And I said, "Okay. This is a hold-up." I showed her the gun, I leaned over the counter. I said, "Just come back here and sit down." And I went back and I emptied the safe, and then I emptied the front cash drawers. Another person came in, and I didn't let that person know there was a robbery in progress. I guess she thought I worked there or was a delivery man or somethin'. She didn't pay much attention to me, didn't even hardly look at me. I said to her, "The lady would like to see you out back, back in the office."

She said, "Oh, alright, thank you."

I held the gateway for her to go through. And she went back, and I finished emptyin' the cash drawers out front, and by then she knew it was a robbery.

I told them, "Just stay there for five minutes." And I threatened them, you know, sounding tough. "There's people outside, one of 'em's got a machine gun." The whole

bit, you know. I said, "You don't want to be shot up. It's comin' Christmas time and you want to be with your kids. Let the insurance worry about this money. Don't risk your life for it." And I left.

We got out of there. Joey said, "We gotta get hold of Vince. He'll be tickled when he hears about this." So we stopped and Joey called him. He told him we were going to pick him up, that we got the money, and it was a good job. Vince was all excited.

We picked up Vince and drove to a friend or maybe a relative's house of theirs. We counted out the money. It was good. About six thousand dollars. We divided it up. They gave me, along with my share, the Canadian bills, the odd change, and things like that. They said we should give some money to the guy whose house we was using. They said we should give him some money for letting us use his place to count up the money. They told me he needed some money pretty bad, anyways. I said, "Sure."

The money was there. The job was completed. And they were really excited. Vince said, "Hey, you're doin' all the work. You're doin' good. But we'll get into some big stuff. We'll do our part. We know you're doin' all the work. You're the one that's always goin' in. But we got some stuff comin' up out of state. We'll take an active part. You can lay back for a little bit. We'll make it right with you." They said, "You're a champ. You're really beautiful." And all that stuff. And I was pretty pleased to get the money.

They had a meal cooked up and I ate. They wanted to go celebrate and I told them, "I don't mess around much that way." I said, "I gotta get back." I didn't feel much like celebratin'.

They said, "Sure. Sure. Anything you want. Everything's fine. And you know you're welcome anytime. We're gonna throw a party sometime that'll amaze you."

So I left. I had about eighteen or nineteen hundred dollars.

When we were counting the money, Joey found a deposit slip for twenty five thousand dollars for the parent bank in Exeter. The slip was dated the day before the robbery. If we had hit it one day sooner, we'd have gotten more than thirty thousand.

We hit a slack period after that. We went and looked at a couple of things and they didn't prove out. Things didn't work. For a period of a few days, anyway, it went dull. It was Christmas time and I took a trip with the family, to New York, to visit relatives. They had said that we'll cool it and then after Christmas do a couple of big ones and then lay low for a while. One of the newspapers down there had printed a warning to someone they called the phantom robber. That was me. The newspaper said, "We predict that if you keep it up you'll be dead or in prison within six months." I didn't know it but the police had a shoot on sight on me.

It sounds crazy now but I didn't know, for example, that I could get shot. I always pictured police detective work and, maybe, someone sayin', 'Okay, you're wanted for arrest,' or someone knockin' on the door and sayin', 'We got a warrant for you.' I just never thought of bein' shot down in the street and not given a chance to surrender or be taken into custody. I think the thing was I just didn't visualize my being a danger to anyone else or the guys I was with shooting somebody. Even if they had ran over somebody with a car, gettin' away, it would have been murder 1, 'cause it would happen in the commission of a felony. Even if somebody had ran a stop light and hit us. I know those things now. But strange as it seems, I didn't take all those things into consideration. Things were developin' so fast, I probably didn't take the time to sit and think and realize the potential for violence that was there, the impact there would be, if I was caught, on my life and on everybody else's--my family, my friends, the band. It seems like the actions of a real thoughtless, selfish, careless person. And they would have been if I had known all the danger in these things and just went ahead with them anyway. But I didn't speculate on it at all. I just thought I'd never get caught and I'd quit when I got the amount of money I wanted. I'd have quit at 80 or a hundred thousand dollars and, really, I done enough work and I took enough risks to get that much. You see, I had some things that I wanted to get done. I knew that I was gonna hafta hire counsel, here, in New Hampshire and in California, to keep my sons from bein'

sent back to California through the efforts of a social worker out there. The social worker was interested in the rehabilitation of their mother. He wasn't interested in the boys' welfare. But I was. That would have cost thousands of dollars, and that's one of the reasons for the high figure. I had visions of maybe outfitting the band, properly, with clothing and equipment and gettin' a good bookin' agent and puttin' the band on the road. And I was lookin' further ahead to real estate, in some part of the country where I'd want to settle down in, a ranch type place, invest in that. So I figured that eighty or a hundred thousand dollars was all I needed for working capital for the things that I felt I wanted to get done at the time. And I didn't see any honest way of comin' by that money.

It was at this time that I introduced my family to my religion. I saw two elders on the street one day. Whenever I see two Mormon elders walkin', I know exactly who they are. I don't know how. It isn't that they dress peculiar. They're not dressed up in robes or a bead on their forehead. No, they're dressed up in suits. But I can spot Mormon elders, anywhere. I don't know why this is. But I saw them, and they were tracting, out on their mission. They don't stand on the corner and throw pieces of paper at people, like some of the religions do; they go door to door and introduce themselves and say they have a message about God and ask people if they'd be willin' to listen.

I stopped them on the street, and I asked 'em if they were Mormons. And they said, "Yes, we are." And I

said, "You are the elders in your mission?" And they said, "Yes." And I asked 'em to go to my house. In fact, I took 'em home with me and I introduced 'em to Donna and the family. And I told the family that they were missionaries from my church and they had a message and I felt like it would help them if they listened to it and I'd like them to listen to it. Maybe out of respect for me or whatever, Donna said that she would be willing to and the boys were too. So they were given their lesson in the home. They were prepared, and they embraced the faith and became baptized.

You see, I knew I was doin' wrong and I still felt that that was right. It may be alright for me to go to hell, but I don't want my kids goin' there. It's not a double standard, either. It's genuine concern. I wasn't carin' about myself before. Unselfishness isn't always a virtue. Quite often, it's a virtue to be selfish.

Between Christmas and New Years, 1969, I called Joey to let him know I got back from vacation.

He said, "Well, if you're not doin' anythin', why don't you come down? We haven't seen you for a while." We had become pretty good friends. A friendship had developed. I felt like I could rely on them quite a bit, even though we hadn't known each other for a very long time, there was a lot of trust. Has to be.

I went down to see him, to talk to him, and he said

he thought we might do one more big one, and get a lot of money. He told me he and Vince had discussed maybe all of us gettin' our families together and goin' to Bermuda for a few weeks in January. And I liked the thought of doin' that. You know, things had been tough: Gettin' the boys from California, movin' up here from Nashville, settin' up the band. All that had been tough. It had taken a lot of money. Things had been nip and tuck. My parents and anyone that could help me contributed money. So things had been pretty rough. And it had been rough for Donna. And I thought it would be nice to take her and the kids to Bermuda, with Vince and Joey and their families, for a couple of weeks. It would kinda make things up to her.

So I readily consented to do another robbery, which I would of done probably anyway, though I did feel we was being probably too active, and we had drawn a lot of attention to ourselves.

We rode around and looked at several places: small banks. We saw one that Joey liked the looks of. And that was in Merrimack, Massachusetts. It's a little town, on the New Hampshire line, on the outskirts of Haverhill, Massachusetts. We zeroed in on that one and checked it out for several days. We cased it and got as much information as we could. The manager, or the owner, had a habit pattern, we found out. Like every day, he'd go to lunch at a certain time and stay gone for a certain length of time, which was good for us. There was only two other employees in there while he was gone. They were female employees. And there



was only, I think, one police cruiser in town.

Vince, for some reason, wasn't available at that time, and Joey felt like I shouldn't go in alone, I should have somebody with me. He says, "You always should, really. Especially in a bank." He says, "Try to get somebody to go."

I told him I didn't know anybody I could depend on, and I didn't, in fact, find anybody.

He had some people he thought would come in. They kept fallin' through, makin' excuses, one thing and another. They'd say they'd make it and then the last minute they couldn't make it. He was gettin' fed up and I was too. I was gettin' very angry at the delay 'cause I felt that we had cased the thing quite sufficiently. And I didn't want a repeat of what had happened at the other bank where they made a large deposit.

So I called Joey finally and asked to meet him. I told him I was ready if he was and that I'd go it alone.

Joey did find somebody to drive the good car and he left him stationed several miles away from the bank. And he was gonna wait or drive around the town in the stolen car.

So we drove down to the town of Merrimack. Joey and I checked to see if the good car was stationed right. Then we went over to the bank. Joey said, "Don't stay too long. Get right out." They didn't like to stay in a bank more than three minutes. Then he drove off. We was to meet about two blocks away.

So I went in. It's like an old-fashioned bank you can see in a western movie. The counters was high. There

were bars like you see in the windows of a prison, clean up to the ceiling. From the floor to the ceiling it was barred, like prison bars. And the windows were like prison cell windows, with just an open space in the bottom for transacting business in the bank. The rest of it was all barred. It was like a fort type of thing, just like in a western movie. It was a very old bank.

There was only two elderly ladies working there, so far as I could see. They had white hair. They kind of reminded me of my grandmother. This was the time of day when the guy who owned or managed the place was gone. And we had created a diversion to get the police out of town. Or Joey did. He called the police and told them he was a resident, about six miles out of town. He said he had been hearin' a lot of shooting and wanted them to check on it. So the police left. The town had no police. I didn't figure on havin' any trouble. I figured I would be out of there in five minutes, if that long.

I had two shopping bags with me, paper shopping bags. And I put one on the counter. And the two ladies was sittin' at the desks. They hadn't even got up to wait on me. It was that fast. I told 'em, I says, "This is a robbery." I says, "Don't get nervous. Don't panic. And don't press no alarms. Nobody's gonna get hurt. I'm just here for the money. That's all I want. And as soon as I get the money I'll leave. And the more you cooperate, the faster I'll be gone." I was talkin' to them like that.

They said they didn't want to get hurt and they'd

give me the money.

I said, "That's all I want."

So the first lady did, and then she went and sat down. It seemed like they didn't even bother to look at me very much. I found out afterwards that one of 'em was the wife of the ex- police chief of the town, and I guess he had schooled her, instructed her in those kind of things. But, for whatever reason, the ladies were very calm during the robbery.

I went to the second window, had the lady come over. I gave her a second bag. Now the second window must have been set up for a different kind of business, or a big business, or somethin' because there was big bills there. In the first window, I didn't notice any twenties or fifties, just small bills, but in the second window, I did notice large denomination bills and a large number of 'em. Quite a few. In fact, that's what caused me the trouble. The bag filled right up. She had to stuff the bag. It was a shopping bag full of large denomination bills. And she started to slide the thing under the window. It was not a very big openin' and the bag jammed in it. I'm holdin' the money that I got from the first window under my arm, I had my gun in my right hand, and I was pullin' on the bag she had, tryin' to get it out from the window. I says, "Give it to me. Give it to me." 'Cause I had been in the bank too long now. I says, "Hurry it up."

She says, "I'm goin' as fast as I can. Don't be nervous."

And we're rappin' back and forth like that. I am gettin' nervous, I'm gettin' VERY nervous, 'cause I had been in there a long time. And I said, "Give it to me." She's pushin' on the bag and I'm pullin' on it. And I had the gun in my hand, and I'm tryin' to get the bag out of there but it's stuck, there's too much money in the thing. And I'm sayin', "Give it to me."

And I heard a man's voice say, "I'll give it to you." And he's not supposed to be there. There's not supposed to be a man anywhere around.

And I just froze. It seemed like I froze. I got prickly feeling, like people say your hair raises up. Well, it doesn't. But you get that feeling. A cold chill. Tingles. 'Cause somethin's wrong, you know. That male voice.

I looked up and I couldn't have clear vision of him 'cause I was lookin' at an angle. He was way to my right. But I looked up and there was this man standin' there, broadside, and he's got a gun, and he's levellin' it right at my head, right at the side of my head. This pistol. Maybe twelve or fifteen feet away. Couldn't miss at that range. He was the owner or the manager of that bank. And he was pullin' the gun out of a holster on his side when he said, I'll give it to you. And I looked up and the gun was being pulled right down at the side of my head. He didn't say, "Stop or I'll shoot." He didn't say, "Freeze." He didn't say no more. He just said, "I'll give it to you." And that's exactly what he was doin'.

I saw the gun. I threw my arm up. Not aiming the

gun at him, just sort of a ducking, reflex motion, and I turned my head. I thought I was dead. I threw my gun up and it was covering the side of my head, my hand was.

The gun went off and the bullet went through my finger and into the stock of my gun. A miracle saved me. He was aimin' for the side of my head and he's a marksman. He shoots with the police out on the range all the time. If I hadn't reflexed just like that, if I hadn't turned my head and put my hand up like wardin' off a blow, I'd a been dead. The bullet would a smacked me just above the ear.

I dropped down, below the counter. It was a high counter, way above the waist. Not like the modern banks, with the low counters. I left the bag, stuck under the window.

I don't know what he thought but one of the women said, "Oh my God." And it sounded like she was faintin'. It seemed like she was sayin' that as the air was comin' out of her lungs. And I think that she really thought that I had been shot dead and that she had witnessed a pretty bad thing. But I wasn't thinking about her much right then 'cause that gun was the loudest thing I ever heard. It seemed like it went off right in my face. And I knew I was wounded. It burned pretty bad. And it seemed to hurt too much for just a finger. I had gloves on so I didn't know how bad it was. I couldn't see it. I could see the hole and I knew I'd been hit. And there was blood.

Now the length of that bank from where I was hidin' to the door was probably twenty, twenty-five feet so I come

and duck-walked, stayin' down way below the counter as best as I could to get to the door and get out a there.

And at one point between the counter and the door I had to go out into the room of the bank, and I came into his vision again and I guess he heard me, walkin', so he knew I wasn't dead. And he still had his weapon in his hand, and he tried to shoot me in the back, goin' out the door. I saw the bullets hitting the door on either side of me. Now that was one point where I thought I might shoot this guy. In the process of the robbery I didn't even think about returning fire or defending myself or anything, just gettin' down. I just wanted out of there. But when he tried to shoot me in the back, I thought of turning and returning the fire and shootin' that guy. 'Cause I felt like he deserved it. 'Cause I was no longer a threat to him. I was leaving. The robbery was over. He wasn't saying, "Stop." He wasn't sayin' a word. He was just shootin'. Now, why he missed me, I don't know. He didn't miss me by very much. By then, I was maybe thirty feet away from him, which wasn't too far. And he came close to hittin' me, close enough so that I was sure he was tryin' to hit me. And it angered me that somebody was tryin' to shoot me in the back after I was leavin'. And I thought about turnin' around and shootin' him but as soon as I thought that I knew that if I hit him and did, in fact, kill him I'd have to kill them women so I kept goin'. I couldn't shoot them. They hadn't done anything wrong to me. I felt that he had done a very severe wrong to me. If they hadn't a been there, I probably would have shot him.

But if they hadn't a been there, I'd have been robbin' him and he wouldn't have had a chance to pull a gun on me like that. And if somebody else had gone with me, he wouldn't have had a chance to pull a gun. That's another thing.

I grabbed hold of the handle of the door. I hated to do that. I could imagine a bullet going right through my back. But somehow I made it out of there.

Because of the money being stuck in the window, because of the shooting, and because of having to stay low and duck-walk out of there, I'd been in there a long time.

I come out and I looked, and the car wasn't there. The getaway car was gone. And I figured Joey had heard the shooting and I had been in there a long time, he was circling.

So I turned around and I was headin' back to the bank. I was on the city streets then. I don't even know if I put the gun away. I don't even know if I was on the streets with the gun in my hand or if I had put it in my pocket or what.

I was in complete panic. The car was gone! I figured he'd be looking for me, I don't know what happened. I didn't see him. I don't know what happened to him. With him havin' a record and havin' a lot of suspicion for committing crimes, I suppose he heard the shootin'. He may have assumed that when I didn't come right out that I was in fact wounded bad and captured or maybe even dead. Perhaps he just took off right after that. He knew that if the police had come, he'd have had a hard time explainin' his

presence in an area where a bank had been robbed, especially in a stolen vehicle.

So I was running and running and running. I couldn't find the car. It was gone. And it being the winter time, I thought that perhaps I'll be able to steal a car. Somebody'll have the motor running to keep the car warm. There wasn't nothin' movin' in that town. There wasn't a bicycle. There wasn't nothin'. And everywhere I looked and I couldn't believe it. I thought, well, if I could get out of the bank, I could get in the car and get away. There wasn't a taxi. There wasn't nothin'. There wasn't a car I could have jumped in and captured if I'd wanted to. There was no traffic. And I ran through the back yards and alleys and streets and things. And I'm runnin'. It seems like I was out of the bank twenty minutes. Then the police started comin'. I started hearin' sirens and seein' police activity and stuff. The alarm had gone out to off-duty police. The town was suddenly filled with police.

And I got down near some shrubbery. A cruiser went by. I got out and started runnin' up through a woodlot. It was snow and ice, and it was hard goin', and my lungs was burning from running so hard and tryin' to get away and the nervous excitement, I suppose. And I felt like I was gonna drop, but I knew I couldn't. I had to keep goin'. My finger hurt bad. My hand hurt bad. I didn't know how bad that was. I thought that maybe the bullet had cut the finger off. I didn't know. There was plenty of blood. It was runnin' out of the hole in the glove. I kept it jammed up



tight. I tried to close it, into a fist, to try to reduce any bleedin'. I didn't know how serious the wound was. And I jammed it down in my coat pocket. And I was runnin' that way.

## CHAPTER IV

## THE PUNISHMENT

I crossed a road off a main street. A policeman just happened to be goin' by that intersection at the time I crossed. He saw me. He jammed on the brakes. I heard his brakes go on. And he started backin' up real fast. I knew he saw me. And I ran hard as I could. I got up into that ice and snow and stuff. And he jumped out of the cruiser and fired some shots at me. And I kept runnin'. And he's gettin' up over the bank. I don't know how many shots he fired. He kept running, shooting. And I wasn't makin' no progress, so I stopped, to surrender.

And he came runnin' up. That was a terrible experience, 'cause he was shakin' like a leaf. The gun was right on my stomach. I think it was a .357 magnum. It was a big gun. It didn't matter what it was. He was scared and agitated and the gun was on me and was shakin'. He told me not to move and I didn't move. He said, "Where's your gun?"

I said, "It's in my pocket."

He says, "Take it out slow and drop it on the ground. Take it out with your fingertips."

I says, "I'm wounded."

He says, "Drop your gun." He was real gruff.

I says, "Alright. I ain't gonna pull nothin'. I surrender." I dropped the gun on the ground.

And he was shakin', really shakin'. And his finger was tight on the trigger, and I thought he was gonna kill me. I really believed it.

I asked him to point the gun away. I said, "Man, the thing's gonna go off. The condition your in." I says, "Look at it. The gun's shakin'." I says, "Just point it off to the side. I ain't gonna do nothin'."

He says, "Just shut up. I'll shoot you right there."

I said, "You're gonna anyway." I said, "If you don't move that gun, it's gonna go off." He wouldn't move it.

Then, some other people came, were chargin' up into the woodlot, dressed in civilian clothes. And the bank manager came runnin' up, in a little while. Four of the people were police, off-duty police. And the manager was insane, angry, full a hatred. I don't know what possessed him to be that way. He was sayin' all kinds of savage remarks. He called me a bastard. He called me a lousy son of a bitch. He said, "I wished I had shot ya." And I was standin' there, wounded, with guns on me. There were five or six guns on me then.

They handcuffed me, with my hands behind my back. I told 'em I was wounded and asked 'em if they could kind a take it easy. And they weren't takin' it easy. In fact, after I got my hands handcuffed behind my back and four of the officers had guns in the back of my head, this arresting officer took a claw--it's a police persuader, it grips you, it's a vice and they can grab you by the arm or the leg, the collarbone or shoulder, it's a crippling thing, clampin' the

flesh right to the bone. And he cranked that thing up on me with my hands handcuffed behind me and me wounded and four fellow officers with guns on me. With my hands behind my back, he put the claw on my left wrist, cranked it down, and he had me right up on my toes and tears comin' out a my eyes.

I said, "What in the hell are you doin'?" I said, "Are you people insane?" I said, "I gave up. I surrendered. You've got me." I said, "What in the hell's with you?"

He said, "Shut up." He was playin' a role, puttin' on a show for the bank manager, I don't know.

One of the other cops says, "Why don't you knock it off?" The other cop had to finally tell him to cut it out 'cause it was gettin' too bad.

And they took me over to the police station. They took my wallet. I had three hundred and twenty two dollars of my own money with me that I never got back. They gave it to the bank manager. They said it was his money. And I said, "It's not so. It was in my wallet." They took that, and I had that to pay some bills for the restaurant. The bank manager probably figured I deserved to lose my money. Maybe I did. But he didn't deserve to get it. By law, it should have come back to me, but it never did. He kept it.

And I didn't want to give 'em my name 'cause, as soon as I stopped to surrender, I thought of my kids and what they were gonna think, that their dad had been caught in a robbery. And that's the first time I thought about

anything like that. And my mind was on other things, besides the police, like what would happen now, I knew I'd go to jail, I worried about California really makin' a move and takin' the kids away. And those things were hittin' me.

The fact I was wounded, I was worried about that, 'cause I am a musician and that hand I play with, and I was worried I might be crippled for the rest of my life and not be able to play my music.

They got the bag of money off me that did belong to the bank. And they took my wallet, my money, my address book, my telephone book, which I've never recovered. There's all kinds of valuable contacts and legitimate business--show business--people, bookin' and talent agencies and entertainers, their home phone numbers and office phone numbers, which are very hard for me to replace.

They got me at the police station and they wanted to know my name and I gave 'em a fake name, which was useless to do 'cause it didn't take them long to go through my wallet and find my driver's license.

They said, "Okay, we're gonna book ya for armed robbery."

I wasn't payin' much attention. All of them other things was goin' through my head: family matters, and the fact that I was wounded.

So they took me from there down to the next town. They didn't keep me in the jail in Merrimack. They took me to Amesbury and put me in jail.

And apparently Joey called my home and told my wife

that I had been arrested. Anyway, I think it was Joey. I always thought it was. She said, "This is some mistake. Are you kiddin' me?" Or, "This is some kind of joke." She said, "If it is a joke, it's not funny." She said, "I don't believe ya." She didn't know that I was engaged in that activity. So she called the Amesbury police station and asked if I was there.

And they said, "Yes, he is. And who is callin'?"

She says, "This is his wife." And she said, "Well, how is he?"

And they said, "Well, he's been arrested for armed robbery and he's wounded. At least, he's alright. It's not serious. He's not in any danger from the wound."

I don't know if they told me she was on the phone or what they wanted her to do or what. I don't know. But she called a lawyer or Joey had her call him back and he gave her the number of a lawyer. I don't know how all that happened. But she contacted a lawyer and gave him my location, where I was. And I don't know what must of entered her mind. It must of been terrible. And I don't know when my mother and father found out. She must of called them right away. They've told me all these things since then but I don't know. I know it was just hell for them.

And there was a lot of police activity. And the state police came. And a representative out of the state prosecutor's office come up and he wanted to talk to me. He was all dressed up and he was bein' real slick. He wanted information. He wanted me to cooperate. He told me that I

should, that they could probably help me if I'd help them. He said, "You shouldn't mind talkin' 'cause a lot of big guys are talkin' now. And if they can do it, there's no reason why you can't." He says, "Don't be dumb. Don't take the whole rap alone."

I says, "Look, I don't want to talk about nothin' right now. I want this hand taken care of. It hurts." I was in agony. It was really hurtin'. 'Cause it wasn't a flesh wound. It hit the bone too.

A state trooper finally took me up to a doctor who had a clinic. And the doctor didn't think it was a bullet wound, because my gun had rosewood handles and when the bullet went through my finger and into the handle on the gun, it splintered the handle, and wood splinters had gone into the wound from the back side. The bullet went in, mushroomed and blew back. And that's another reason it might have hurt so much too.

Well, the doctor looked it over and he didn't seem to think it was a bullet wound.

And I said, "Well, I don't know. I thought it was." Then, I wasn't sure. My mind wasn't clear then. Well, running, I could have fell against something, a sharp rock or something. I was confused. I was confused. I knew that I thought I had been shot. I thought that I remembered lookin' after the gunshot and seein' the hole in the glove and blood and stuff. Then I couldn't remember, maybe I did fall and hit somethin' and in the excitement and panic and everythin' I didn't feel it. It didn't make sense to me. Then the

x-rays showed the shattering of the bone and all that. It was apparently a bullet wound.

Well, he treated it and he said he was worried about infection. The doctor said I should have a lot of care on that. And I guess he gave me antibiotics and he gave me pain pills.

And they took me back to the Amesbury jail. And this detective, or whatever he was, from the state prosecutor's office come down and he wanted to talk some more. And I told him that I wasn't gonna talk. I wanted my lawyer and he could talk to the lawyer and the lawyer would tell him everything he wanted to know, after I saw the lawyer.

And I stayed in that jail. The police in Amesbury were pretty nice guys. I had got a bad opinion of police. I had developed it, even though a lot of my friends were law enforcement people, out west and down south. But these guys, at the Amesbury station, were really good guys. They were concerned that I was in pain and havin' difficulty and in real serious trouble with the law. And these men told me that my wife had called. And they told me that the lawyer had called up and told me not to say anything and for me to take it easy and they'd see me in the morning. I was gonna be arraigned upstairs in the mornin'. They have a court right over the jail in Amesbury. They take you up the back stairs, all chained together.

I was feelin' pretty bad and I spent a rough night with a wounded hand, and they brought in some drunk and put him the cell behind me, and he kept kickin' the wall all



night long.

And I screamed at him. I told him if he kept it up, I was goin' to try to get the police to open the doors and I'd come over there and smack him 'cause he was just bein' obnoxious and screamin' and hollerin' and threatenin'.

He told me he was gonna cut my head off, the drunk did. He was antagonizin' me.

I says, "You punk." I says, "Hey, I don't need any gaff from you. You creep." I says, "I just got shot in a friggin' bank and I'm not gonna listen to your shit."

He says, "Oh, I'm sorry. I'm sorry. I thought you was a drunk. I thought you was a wise guy." You see, he had found out. I guess he heard it on the news or somethin' that there had been a robbery. He cooled it when he found out that I was a suspect. He calmed right down, the drunk did. But he kept me awake most of the night, plus the pain from the hand.

Funny thing. The police got a crank call in Amesbury, while I was in their jail. Now, it was on the TV and radio and everything: my name and where I was from, there'd been a shooting and, you know, an attempted bank robbery. It was on all the news. Somebody, some nut, called up the police station and said they were comin' down to bust me out. Now that wasn't Joey or Vince or any of my friends or anybody I knew. They wouldn't do somethin' stupid like that.

They had a bright light on. They went out back and chained the door closed, the back door to the police station was chained and locked with a padlock from the inside. And

I asked the cop why the light was left on. I said, "The light's awful bright." And he sat right there watchin' me, right in front of my cell. All night long, the cop was there. And I said, "How come the light? And why are you sittin' here like this?"

He says, "Well, we got a call that they're gonna come and bust you out, and we ain't takin' no chances."

So the cops stayed on me, twenty-four hours. And I think that call hurt me real bad, the way I was handled by the police after that and after I was arraigned. They took it serious. They probably realized it was a crank, but they weren't takin' no chances, like the cop said.

After arraignment, I saw the lawyer. He said, "Don't say nothin'. Don't talk to nobody. Tell 'em that you have a lawyer and to see your lawyer. If they want to talk to you, I want to be present. Don't say nothin' if I'm not present. It's vital to your defense." He instructed me in all them things. He said he'd be in touch with me. And he told me I'd probably be taken to one of the county jails, rather than keep me there. And he said they did in fact receive a threat the night before and they were uptight about me. They didn't know who I was, and they were checkin' me out, and that I'd probably have it a little bit rough for a while on account of that. And I did, in fact, have it rough.

They took me to Lawrence Jail, and they put me away in maximum security confinement and kept everybody away from me. I couldn't even move. I couldn't get phone calls. I couldn't do anythin'.

I think it was that afternoon that my dad, mother, wife came down to see me. I wanted to see the kids but I didn't wanta see them right then. They were concerned about my health, and my hand, and gettin' me out of that jail. They didn't ask me how I got there. No, they didn't go into that then. They have since. I think to this day my mother believes I was forced into it. She thinks that I was intimidated and coerced and all that stuff. You know how mothers are.

I talked about bail, and bail had been set at twenty thousand dollars. And my lawyer talked to the judge, at the time of the arraignment when they set bail, about no record. And he wanted it cut down to five thousand dollars bail. The judge wouldn't. He cut it to fifteen thousand dollars. He knocked five thousand off, from twenty to fifteen thousand, for bail.

I stayed in Lawrence Jail for three days. My father put up ten per cent, to get a bondsman to come down. That was more than a thousand dollars. Things moved slow. The bondsman came down on the third day, it was nighttime. And I think I got out at ten, ten thirty at night.

So after three days, I bailed out of Lawrence Jail. And I couldn't stand that jail. There was no toilets, no runnin' water. It looked like a horror movie that Alfred Hitchcock put together. I didn't believe things like that existed. All of these experiences were new to me. I think that if you're gonna lock a man up like an animal he should have a toilet and he should have water available to him

It was a terrible, terrible experience, that jail, and the whole thing was a terrible experience, before the jail. But on the third night my dad and my wife came down, with the bondsman, and I returned to my home in Portsmouth.

They had taken my personal money when I was arrested for the robbery in Merrimack, and I didn't have any money and the family didn't have any. And supplies and things were gettin' low in the house. So I went to work, which was difficult 'cause I was playin' the steel guitar and my hand was wounded. I took the heavy bandage off and wrapped my finger lightly so I could play. It was painful, but I did it.

We played one night, and it was a one night stand. The drummer didn't have an automobile. And I took him home. It was maybe 1:30 or 2:00 o'clock in the morning. And we was unloading his drums and things at his place out on the sidewalk. It was pretty still and quiet at that time of the day. And we was unloading his drums and things at his place out on the sidewalk. It was pretty still and quiet at that time of the day. And there was an all black car driving around. Something was strange about it, the way it was driving around and stuff. I got paranoid. I didn't know who it was. It was one person in the car, and I couldn't see who it was. And this black car was roaming around this block where we were unloading these drums. I didn't know what it might be. I didn't know if somebody might try to take revenge on me for the crimes.

The car pulled up several car spaces behind me, and

the person inside got out of the car and started to walk toward me. And I spun around. I told him to hold it. I said, "Don't bother comin' any closer. State your business."

And he says, "I'm a police officer."

I says, "You got some identification?"

He says, "Yeh."

I says, "Alright. Show it."

And he did identify himself. He says, "You're Carl Hoitt. I thought you was in jail."

I says, "You know better than that. You people aren't so distant that you don't know that I've been bailed out. You know very well that I was in and I've made bail and now I'm out and in the community. You know that. I'm back home." I said, "Let's not try to jive each other." I don't know how long he had been following me but I had been watching him for a few minutes. I said, "You're kind of stupid." And I told him he had made me nervous. I said, "You're car doesn't indicate at all that it's a police car. I don't know you from Adam. You're comin' up at me at 2 o'clock in the mornin' after the situation that I've been through." I said, "You're not dressed in some kind of a uniform; you're dressed in some kind of a suit. And I don't know if you mean me any harm or not." I said, "Somebody might shoot you some day for that."

He said, "I didn't think of that." And he said, "I just wanted to check. I thought you was in jail." And he drove off. I don't know where he picked up on me.

I was out on bail three days. I played a couple of the nights. My friends, the people I worked with, knew I had been shot, knew I had been arrested, and knew I was out on bail. They didn't ask about it. They're not that kind of people. They just told me that if there's any way they could help to let 'em know. And they probably thought it wasn't too serious if I had just been arrested and was right out. That seemed to be the attitude, that it couldn't be too serious.

Anyway, I was out the three days. And I went shopping with my wife and my little daughter. And this was in the wintertime so it got dark early, and I went up to J.M. Fields in the shopping center near my house. And I bought groceries from the money I had earned playing. And I was supposed to play that night. In fact, in a couple of nights, we planned to open in the Holiday Inn, with a big engagement and a lot of publicity. That was a big break for the band.

I came home from buying the groceries. My daughter was only two years old. She was just a baby, and my wife was carryin' her in her arms. I was carryin' two bags of groceries, and we stepped out of the car.

Across the street from our house was a parkin' lot. It was all dark. There was some cars over there. You couldn't see. And I had two big bags of groceries in my arms. And my wife is standin' beside me with the baby in her arms.

And a voice called out in the dark, "Carl Hoitt, don't move. You're under arrest. If you move, we'll shoot." And somebody started walkin' towards me. And I could see the gun first. And I was greatly concerned about my daughter and her mother.

And I told 'em I'm not movin'. I couldn't move if I wanted to.

And they come up to me and they said, "Don't make any quick moves. Put the groceries on the car."

And I told my wife to take the baby inside. I says, "She's goin' in, alright?"

And he says, "Yeh, don't you move 'til we tell you to."

And I said to her, "Just go in the house. It'll be alright." She was shocked. She was frightened. She had never seen nothing like that.

So I put the groceries up on the hood of the car. Then they searched me down. They told me they were there to arrest me for armed robbery.

And I got angry. I says, "Somebody's playin' games." I says, "I don't know what in the hell you guys are doin'. I just been arrested for robbery. In fact, I just got out on bail on \$15,000. Somebody better get their stuff together." I said, "Who the hell sent you up here anyway?"

He said, "Man, I don't know nothin' about it. All I got is an order that you're to be arrested. If we see you, we are to take you into custody."

I says, "Well, look, this is ridiculous. I'm out on

bail." I says, "Somebody's gonna be sued for it or somethin'. I'm not gonna fool around with this crap." I says, "I gotta family. You scared the hell out of my wife and my daughter who was there. You got your guns drawn, endangerin' them. I'm not armed, and I'm out on bail. You should know that. What's the matter with your police station? This is the second time that somebody's bugged me, from your department."

He said, "I don't know." He was a pretty nice guy. He knew me before, from playin', the restaurant, and on the street. I dove with some of the guys, scuba diving. He said, "I don't know nothin' about it."

I said, "Well, look, can we go inside?" It was wintertime. I said, "It's cold. I got to bring the groceries in. I got no gun. I'm out on bail. I'm clean." I said, "You call your department and find out if there is any chance of some mistake. And I definitely want to call my lawyer. And I'd just as soon call from home as from down at the police station, if that's where we're goin'."

He said, "I don't see nothin' wrong with that," and he asked his partner if he saw anything wrong with that. He said, "No." And they were pretty decent. And we went in the house. And the dogs were excited. I had a German shepherd, a big one, and a cock-a-poodle. And they were both excited. I calmed them down.

My wife was visibly shaken. She was in pretty bad shape. I told her, "It's a mistake. There must be some mistake. We made the bail. You come down with Dad and made the bail." I said, "They'll get it straightened out."



She said, "I hope so. I can't take much more of this."

So they called up, and they said there was definitely a warrant for my pickup. The New Hampshire State Police had a warrant for them to pick me up for bank robbery. So I called my lawyer, and he said, "What in the hell is goin' on?"

I said, "The police are here and they've just told me that they've got a warrant for my arrest for a robbery at a bank, and they want to take me in."

He says, "Well, go with 'em. Don't give 'em any trouble, if they got a signed warrant. I'll check to make sure it's legal. Don't give 'em any hassle." He says, "I'll be up to see you as soon as I can."

So they took me into custody. They took me down to the police station, and I asked 'em about the robbery. And they said, "Well, it wasn't a Mass. robbery, it was a bank in New Hampshire. It was another one."

I said, "Great."

Then I was in the cell, in the Portsmouth City Jail. And I told my wife to call my father, let him know what had happened, and if she needed anything, to make sure and let him know. And I knew I was gonna be in a hassle then. But I did expect the lawyers and my friends to come through and get me out, in a week. But I knew my wife and the kids would need grocery money and things like that, so I told her, "Don't worry. We'll get it straightened out. It's obviously

a mistake. If you do need anything before it's straightened out, call up the folks, or you stay with them, or have them bring you whatever you need." You see, all the money that I had was spent on the groceries.

They got me down to the police station. They put me in a stupid cell, with hardwood boards. That's all there was for a bunk in it. I was only there for three quarters of an hour and some detective wanted to talk to me upstairs. He had this big book. He opened it up and it was as big as a kitchen table, I guess, a big ledger book. The pages had red marks in 'em and blue ink and stuff. And he wanted me to confess to a whole bunch of crimes that had been committed in the area.

I said, "Man, you're crazy."

He says, "Well, these are crimes that have been committed in the last few months and they aren't solved yet and we're pretty sure you done it. And-uh-they're not all that serious, these crimes. Why don't you get it off your chest and confess?" He said, "You're facin' a pretty serious charge, armed robbery. Just get it all gathered up together in one package for the judge and it probably won't make much difference. And we can clean our books up. And you can have a clear conscience."

I said, "I don't even know what you're talkin' about. And if you think I'm gonna plead guilty to somethin' I didn't do, then you're insane." I said, "I wouldn't even plead guilty if I done it, to you." I said, "That's your job, to prove it. If you think I done it, prove it." I said, "But

some of those things you're accusin' me of, if you check it out, you'll find out that I couldn't possibly be there. Nobody can be in two places at the same time." I says, "One of the things you're tryin' to accuse me of, I was in the Lawrence Jail when it happened. How in the hell do you explain that if you got such good information?"

He said, "Well, I can be wrong about that."

I said, "You're wrong about the whole thing."

He said, "What's so-an-so got against you?" He named a guy's name, an informer, a rat. Somebody in the community that hung around. He was a kind of a bum and a sneak-thief and things like that. I knew him. I knew him in the community. And I knew he was no good, and I didn't associate with him. He knew some people that I knew and he might sit in a booth with us but not from my invitation and he'd have a cup of coffee or somethin'. I knew the guy. He was a creep. He said, "What's this guy got against you?"

I said, "What do you mean, what's he got against me? He's got nothin' against me."

He said, "Well he told us you done all this." He says, "Forget I said that."

I says, "Yeh, I'll forget it." I says, "I don't know. Maybe I went out with one of his girlfriends. How do I know? What better way to hurt a guy than with this kind of crap?" I says, "Why didn't you talk to me about this before?"

He says, "Well, that's the only thing we had. It wasn't very strong. We didn't have any evidence."

I says, "Well, you ain't got nothin' now. You got even less." I says, "You better check out your supply of information. You don't have very good informers." I said, "I don't want to talk any more about this crap. If you're gonna charge me with it, then charge me with it. And I want my lawyer. I ain't going to play no more games with you."

He says, "Well, you're going back downstairs anyway." He says, "Forget it." And that was the last I heard about that.

Then, I was in the cell about a half hour after that incident. And I don't know if they were settin' this up or what, just harrassin' me or playin' mind games or what. But in come some police in a uniform that was strange to me. I'd never seen the uniform before: different colors, like green and brown and I was used to blue. They come by my cell and they're lookin' me all over. They're turnin' their heads and lookin' at me like I'm some specimen on display. And I started swearin' at 'em. "Get the hell out of here. What do you guys want? Don't bug me." I didn't feel good. I was angry, and I was upset. I was nervous. My finger still hurt pretty bad. They said, "Well, he fits the description."

I said, "Oh, fuck you." I'm sayin', "Here we go again," to myself. But it wasn't funny.

They said, "Where were you between 5:30 and six o'clock tonight?"

I says, "Look, I don't have to talk to you at all. I don't know what kind of game you're playing. But I don't

have nothin' to worry about 'cause I was arrested tonight shortly after that time."

They said, "We know that. That's why were talkin' to you." They said, "Where were you between 5:30 and 6?" I was arrested about 6.

I says, "You know damn well where I was. I was grocery shoppin'."

They said, "Yeh. You were shoppin' alright, but it wasn't for groceries. You were robbin' some store down in Rye." Some grocery store got robbed, right at that time when I went to get groceries with my wife and daughter. And they said I fit the description.

I said, "Well, why don't you blame me for every friggin' crime that's happened in the whole state from the time I was born? You can't blame me for stuff before that, can you?" I says, "You're insane. I was up to the store. The cashier can identify me, probably. If she can't, that's not too surprising 'cause there's a million people there. I don't know the people up there personally, all of them. But I'll tell you, I was there. I went grocery shoppin'. The groceries are at home. The slip is probably still in the bag." I said, "Just keep away from my family, that's all. 'Cause I'm sick of you."

They said, "Well, you're goin' into a line-up."

I says, "I am, like hell."

They says, "Well, what have you got to hide?"

I says, "I ain't got nothin' to hide, but I ain't goin' into one of your phony line-ups."

They says, "You are, too."

I says, "Well, my lawyer's not here. Before I go into any line-up, I want to talk to him." And he had already told me to do that.

They said, "Get out of the cell. Come out here."

I went with 'em. And it was the stupidest thing you've ever seen. They had this line-up on the second floor. They didn't even have a line-up room or an ID room where the lights was on you and stuff. It was out like in the hallway, in a corridor or somethin', at the head of the stairs. And this lady that had been robbed was in another room, off the corridor.

They had me and some other people lined up. They had cops in trench coats and all kinds of stuff and I guess people they grabbed off the street. I don't know who they were. They had six or seven people, it seemed like, standin' up against the wall. And they told me to go over there and stand against the wall.

I says, "I'm not gonna stand there. I want my lawyer."

One of the policemen pointed at some strangers, observing. He says, "There's your lawyer."

I said, "You're out of your mind. I don't even know that guy." I says, "That's YOUR lawyer." I said, "He's gotta be your lawyer or he wouldn't be here. He's not here for me." I says, "This is bogus."

So they brought the woman out into the corridor. And they said, "Well, stand over there anyway. He is your

lawyer."

I says, "He ain't my lawyer. I'm not concedin' to that. I'm not allowing that. If you pursue this and it goes to court, I'm goin' to tell 'em exactly what's happened here." I said, "You guys are crazy. It's illegal as hell. I know that much."

They said, "Well, we're not gonna argue with you. Get over there. 'Cause we can make you get over there."

I says, "Okay. Under threat, I'll go over there. But I'm not goin' over there 'cause you're tellin' me he's my lawyer." So I went over there under threat, under protest.

They brought this woman out, and she was excited. And she come up and down the line. She was supposed to look us all over and see if the one that robbed her was there and point him out.

Well, she looked us all over and she says, "No. He's not there."

And I started to laugh, and they got mad. And they said, "Isn't that him?" And they kept pointin' right at me.

She come back and looked. She got right in front of my face, four inches away, and looked me all over.

I was shakin' my head. I says, "You guys are somethin'."

He says, "Shut up." And they said, "Repeat after me: 'This is a hold-up. Give me all the money'."

And I says, "I will like hell." I says, "You're crazy. Anyone sayin' them words is gonna sound like he's

guilty of somethin'. And I'm not gonna say it."

They says, "She just wants to hear your voice."

I said, "She can hear my voice now."

"Yeh, but you gotta say them words."

I said, "Yeh. You say them if you ever get grabbed."

So they took her back into the room, and I could hear 'em in there. She wouldn't identify me, and they were brow-beatin' her. They were intimidatin' her. And I could hear their voices. They said, "We're sure that's him. Can't you make an identification? That's all we need."

She said, "No, I can't be sure that's him." She says, "I'm not sure of anything right now. I'm awfully nervous." She says, "It may be him, but I can't say that it is with absolute certainty." And they were mad at her.

And they were mad at me and they yanked me off the corridor and dragged me back to the cell.

I says, "Are you guys done? Have you had your fun for the night? How about just leavin' me the hell alone?"

They said, "You think you're wise, don't you? You think you're smart?" They said, "We're goin' up to your house."

I said, "Well, don't take it out on the family 'cause you didn't get somebody to identify me for a crime I didn't do. Leave them the hell alone."

They said, "We're goin' up there, anyway. We got a warrant and we're gonna look for that bank money you stole."

I says, "Don't bug me. You just better stay within the law yourself or you'll be in court, that's all." I



says, "I ain't takin' no more of your crap."

And a couple of guys down there, they come in on duty, and they calmed it down. They said, "Leave him the hell alone. We've known him a long time. He ain't a bad guy. He never give us a bit of trouble." They got on them for hasslin' me like that, a couple of friends of mine that knew me. So that eased the situation a little bit.

Well, they went to the house. They went out with a warrant. They asked me for the keys to my car, and I said, "I ain't got none." I says, "I don't have nothin'. Anything I had on me, you guys took it." I had two cars. I had to park my Cadillac for the winter, in my garage, because there was water in the gasoline and some sand and stuff. It was givin' me trouble in the cold months, so I put it up and was gonna work on it in the spring. I had already transferred the plates. The plates were off it. And they said, "You got two cars. Where's the keys to the car you got parked?"

I said, "They're at home, as far as I know. My wife will give 'em to you."

They went up to the house, and they were gone for, maybe, a half, three quarters of an hour, and they come back. I didn't live far from town, only a few minutes away. And one of the cops says, "What in the hell have you got in that house?"

I said, "What do you mean?"

He said, "Well, when we knocked on the door, it sounded like some five hundred pound gorilla in there or something, screamin' and tryin' to get at us and everythin'."

They said, "We wouldn't go in. We asked for the keys to the car and your wife started to open the door but we wouldn't let her open it. We had her pass the keys through the mail slot in the door." They said, "What have you got in that house?"

I said, "It's only a German Shepherd. He'll sit in your lap."

He says, "Like Hell." He says, "I wouldn't go in that house for a million dollars. I'd quit my job first." What it was was the cock-a-poodle. It was worse than the German Shepherd. Both of 'em were barkin' and carryin' on. They probably sensed that my wife was nervous and maybe they knew that earlier the police took me away. I don't know how intelligent animals are, but they aren't stupid. And they were barkin', and she couldn't quiet 'em down. The police wouldn't go in that house, and the house was never searched with that warrant. With an armed robbery, everything could have been sittin' in there in the living room coffee table and it would of been safe because they wouldn't go in there. That's true. And it's unusual. There wasn't anything in the house, but there could have been.

They got the keys, and they went over to my car, the Cadillac. Now some friends of mine had broke into a doctor's place or a dentist's office, somethin' to do with medical. And they didn't want to keep the stuff at their house, and they asked me, "Could we stash it somewhere? How about your car? Can we just leave this in your car for a few days until we can unload it?"

I said, "Look. I don't know nothin' about it. If you want to take the keys, if you want to fool around with my car, that's up to you. It's on you." I said, "If you're smart, you won't leave fingerprints and all that kind of stuff." I was in the robberies. I wasn't in that petty crap. They asked me a favor, and they were some friends of mine, people I considered friends. And if they asked a favor, I did it, because they would for me. They weren't low people in my mind. So it was theirs, it wasn't mine. And they had a plastic wastebasket, much bigger than five gallons. I don't know how big it was. Like a small trash can. It was large. And they had put it in the trunk of the car, and it was filled with all kinds of drug paraphernalia. Well, I guess the police about went out of their minds when they saw it, when they searched my car in connection with the robbery. I told them my car was off the road. But that didn't make no difference. They searched it anyway.

And they come back, and I knew they'd been in the car. I don't know why they didn't get a warrant and go right back down there and impound that stuff, but they didn't. They waited. And I can't remember if it was on the phone or in person, I told my wife, I says, "Look. Call this number and tell the people what's happened to me, that I've been arrested, in case they haven't read about it in the papers." I says, "Also tell 'em that the car has been searched and that they'd better get things taken care of." She says, "What do you mean?" I says, "That's enough. That's all you're gonna know. That's all you need to know." I says,

"Just deliver that message. They've still got time, so far as I know, to take care of things." She says, "Alright, I'll give the message." She didn't know what to do. She done what I told her. And that was the only message she delivered, but it was enough, 'cause the police did in fact go out there with a warrant against me for the possession of a bunch of drug paraphernalia. And I would of got hit with that. They went back out there and the car was empty, and they were hostile. They were really mad.

They come back down to me in the jail. They were concerned. They said, "We don't know how you done it but we know what was in that car."

I said, "I don't know what you're talkin' about. I don't know what was in that car. The car's been parked there for months. What're you talkin' about?"

They said, "You're pretty clever, ain't you?"

I said, "I don't know what you're talkin' about. You're gonna have to be more clear if we're gonna talk."

They said, "The night we went over there, and we couldn't get into the house because of the dogs and stuff, we went and we did search the car. And when we opened the trunk, we couldn't believe our eyes. And you know what was in there. It was your stuff."

I said, "I don't know what was in there."

He says, "I'll tell you what was in there. There was drugs and hypodermic needles. There was all kinds of stuff. You wouldn't believe what was in there. There was a basket full of it. And we want it."

I said, "I don't know what you're talkin' about." And I didn't know what was in there. I didn't know what they put in there. I didn't know what they'd stolen. I didn't care. As far as I was concerned, they asked if they could put somethin' in there and I said okay and that was the extent of all I wanted to know about it. And I didn't know what was in there.

They said, "Look, you. You're gonna get in serious trouble. This is worse than the other thing. And we're gonna come down on you hard. This is narcotics." You know how they were on narcotics in '70.

I says, "Man, I didn't put that in there." I says, "I don't know what you're talkin' about. If you say it was there, why the hell didn't you take it then?"

They said, "You know we can't without a warrant. And when we did get the warrant and go back, the car is empty. The car is clean. Now somebody removed that. You had somebody remove that out of there."

I said, "I've been in jail, you fool. In fact, I lost my keys to that car. I didn't have those keys, and the only set are home. The ones that are on my wife's ring. She has an extra set of keys for the Cadillac." I said, "I don't even have the house key; I got the keys to the Ford. My house key and the Cadillac key, I lost 'em. The only set of keys is the one she gave you so that you could get in the car." Well, my friends had the keys. That's how they got into the car.

Well, they didn't like it. They said, "Look. You're

clever. You're smart. We went out there to pull a bust on you, for the narcotics. We'd rather get you on that than on the armed robbery. But we'll make a deal with ya. If you'll get those things and give 'em to us, nothin' will be said about it."

I said, "You must think I'm very, very stupid, and you tell me I'm sharp. If I did have a bunch of drugs, get 'em away from you somehow while I'm in jail, locked up, and then turn around and give 'em back to you on just your word that you're not gonna do anything about it."

They said, "Look. It's important to us. It's more important than catching you to see those things destroyed."

I says, "Well, I don't know what I can tell you. I don't have 'em. I don't know where they are. And I can't give 'em to you." And they were very mad about that.

I spent four months in the Brentwood County Farm, awaitin' trial. I couldn't make bail. The bank that I robbed so happens to be owned by a board of directors and who's on the board of directors but the judge that set my bail and the chief of police of the town that the bank was robbed in. First, the bail was set at ten thousand dollars. I was already out on fifteen thousand dollars, but they wouldn't give me personal recognizance knowing that that bondsman in Mass. would come after me just as strong as if I got a bondsman in New Hampshire. They didn't give me a break at all. I didn't see my lawyer. Now, he was a Massachusetts

lawyer, and he had to associate with a lawyer in New Hampshire so that he could appear in courts in New Hampshire. And I wish I had never got him, 'cause he's a fireball lawyer. He's a good lawyer but he angered the court. The court was already angry with him before I got him.

I was up against it from the word go. You recall that six months earlier I went before that same courtroom, with the same judge, the same prosecutor, as an alibi witness for Tom. Now that judge should have disqualified himself, and that's grounds for reversal right there. That judge was prejudiced, and he showed it in many ways. The very fact that he sat on a case before where I was an alibi witness for a man that was convicted should automatically disqualify him. I didn't know these things until I came to prison. I didn't know nothin' about it. My lawyer should of, but he wasn't the lawyer that had been involved in Tom's trial and he didn't know that.

Another thing going against me: that very same lawyer, within that year, had successfully defended three people from out of state on a first degree murder charge and beat the State. They won the case and walked out of there free people, and he was the lawyer. Same court, same people involved, same bailiff. And they all knew him, and they hated him. He made 'em look foolish, and they hated his guts. I didn't know that. So I had it stacked against me pretty much the whole way.

And you show me one jury in this state, or any state,

that happens to be a jury of your peers. That is a joke. They're professional jurors. They hang around the courtroom. They loll around the corridors, waitin' for assignment to jury duty. They ain't hard-workin' men. Hard-workin' men don't hang around the courtroom, like vultures, panderin' to the judges, noddin' and bowin'. No, the ones who sit on juries are friends of the court. They're friends of the judge.

You know how I was identified? From the photograph of me, the mug shot, taken after arrest in Amesbury: Wounded, just been caught in that condition I described when the car was gone, I was frantic, wild, scared to death. And they had a photograph of me. And they put my photograph in with twelve others. And they took it to the teller at the bank in Epping, to her home, at night. My photograph, amongst twelve others. Now, in those thirteen photographs, I was the only one that had blond hair and sharp features. I was the only one that in any way resembled the person that was the bank robber. And, on the back of the picture, typed in red, of all things, my name, physical description, the date of arrest, and that I was a suspect for bank robbery. This is all in the back of the photograph. The person reads it and then identifies me. Then they let the jury see it, and they find me guilty. It's all illegal. That photograph done irreparable harm to me, and the way it was presented to the person. There should have been several people in there with my complexion, coloring, and build. No, they were



short, fat, dark, black-haired, Italians. I was the only one. It was illegal.

And there's other events during the trial that I want to talk about too, like bein' shoved around in handcuffs in front of the jury by the sheriffs. Like lettin' the door of the elevator slam in the face of one of the jurors when she was tryin' to enter the elevator with us. It was very rude. I was in handcuffs; I couldn't hold the door for her.

You should see what goes on behind closed doors and in the corridors and in back rooms. I can tell you more about that trial. How the witnesses were coached. It's a stage play. Whoever writes the best script wins.

Another thing that made it bad and made it impossible for justice is that I did have these things hangin' over me in Massachusetts.

My lawyer had me take the stand. Now how the hell are you gonna conduct yourself under cross-examination and not say somethin' that's gonna incriminate you on pending charges in a sister state, with their representatives possibly sittin' in the courtroom and who are gonna take it down as evidence, and not be evasive and not look bad to the judge and to the jury? The prosecutor knew that. He knew I was out on bail for charges in Massachusetts. He didn't bring it up. He was too smart for that. But he knew I couldn't answer questions. He knew I couldn't talk about guns too well, without gettin' tripped up, 'cause I did own guns. I've owned guns all my life, and I did use a gun in robberies. I couldn't say much. I couldn't really defend

myself, and I had to spend too much time thinkin' about what I said that wouldn't get me in trouble in Massachusetts, so that I looked real bad in New Hampshire. I'd had it. But there was no choice. If I didn't take the stand, what was the jury gonna think? And how can you stand up and tell the jury: Well, this man is wanted in Massachusetts for crimes and he can't speak without jeopardizing himself down there. I was had. They had me.

I pleaded not guilty 'cause the lawyer advised it and because I was scared and because I had never been through an experience like that before, personally, in my life. Today, if I done something wrong, I'd stand up and I'd say so and I'd take my punishment. It would have been the smart thing to do, as well as the right thing to do.

I got ten to twenty years at the N.H. State Prison, in Concord. That's what that judge gave me for a sentence after the jury decided that I was guilty. If you'd check it out, you'd probably see that, for that type of crime, I'm the most heavily punished of anybody in the history of the state.

You can't imagine what it was like in the courtroom when the judge announced the sentence. It was terrible. I couldn't say nothin'. I sank back. It was a death sentence to me.

A shudder ran through the room. My family was there, in the courtroom, and they started cryin'. It almost killed my father. He got weak. It was terrible. It was a terrible experience. I would never put nobody through that again. If

I wanted to rob the Chase Manhattan Bank in New York City and had a 99.9 percent chance of gettin' away with it, with all of their millions of dollars, I wouldn't do it if there was that one chance in a thousand of me bein' caught. Or I'd shoot somebody. And I don't want that. I know me. I escalate fast, because I don't believe in diggin' ditches by hand all your life when you got a tractor there.

Donna came over to visit me at the jail the next day, and I told her, I says, "Look," I says, "I don't believe what the lawyers say about the appeals and that I'll be out and all that. I've had it. That's way too much time." I says, "Why don't you just forget me?" I says, "It'll probably hurt you for a while. But you'll get over it." But here I am talkin' to a girl that I've been with for four or five years, as husband and wife, day and night, raisin' a family together, and I'm tellin' her to get out. And she just ain't listenin' to it. She just didn't want to hear no more of it. She says to me, "That's the same thing as you sayin' you don't trust me."

I says, "No, it ain't at all. I'm just bein' realistic." I says, "Ten to twenty years is an awful long time, and I still got Mass. to face. We don't know what's gonna happen down there."

She says, "I don't care." She says, "I don't want you to tell me to leave no more. I'm not gonna leave ya. I'm gonna stick by ya."

So I said, "Okay. It's up to you. I'm not askin' you to. I wouldn't ask nobody to do anythin' like that. That's too much."

You read about prison life and you see it on the movies and TV. It's called the slammer and there's always that steel door slammin' behind ya and the first time you hear it, it's shockin'. And you know you're not goin' out for a long, long time. And you look ahead and everythin's unknown. You don't know what's going to happen. You've heard stories about prisons and the violence and all kinds of things. A lot of it's fantasy and unreal. You're a street person still in your mind: in reality, you're a prisoner.

And my lawyer was supposed to see me. I was sentenced on a Wednesday. He says, "Well, you'll be goin' up to the joint. And I'll see ya on Friday." And I never seen him since, to this day. And that was wearin' away on my nerves, too, because I figured there would be an appeal, at least on the sentencing aspect because it was very, very severe. It was almost inhuman. And I didn't see the lawyer, and I kept tryin' to contact him and he wouldn't answer my letters even.

Visits were only one hour every two weeks then, and a good part of the visits were spent on a desperate attempt to find out if my family was aware of the importance of my gettin' in touch with the lawyer and appealin' the sentence. He wouldn't answer their phone calls. He wouldn't talk to them on the phone. He wouldn't respond to nobody. If I'd known then what I know now, I'd have put in a complaint through the grievance procedure of the American Bar Association or the state bar association, get him censured, get

somebody with authority to say, "Hey, what the hell you doin' with this guy?" But I didn't know those things. I was kind of a babe in the woods in a lot of areas. I had hopes of gettin' the sentence reduced for a long time, but after three years, I gave up on it. I became very bitter, fast. At the prison. At the law. At the whole system. At the invisible thing that surrounded me. In addition to the wall around the prison, there was something around me and it was pressing in on me. I wanted to kill the thing. I really wanted to kill the injustice, the unfairness, the hurt that was being perpetrated on my family, by my actions. Things that you couldn't put your finger on, I wanted to kill. I didn't want to kill people, although at one time I probably would of shot that foolish lawyer if I could've seen him, at least in the leg I would of shot him, because he lied to me and he hurt me and he hurt my family.

I was goin' insane. For eight months, I was goin' through pure hell. Like they had a Christmas tree down in the dinin' hall, and I wanted to tear that thing to shreds. I thought that was the most hideous, awful joke that anyone had ever perpetrated on a group of people, to put up a Christmas tree in the middle of a goddamn maximum security prison when you're gonna be away from your family. I still think it's hideous.

Donna helped me in a lot of ways. I was bitter and she would counsel me. She'd say, "Well, you're not gonna

help yourself by feelin' that way." And she says, "You're gonna have to just be strong and be patient. Everything will work out in the end." She says, "I do promise you that. No matter what happens. In the end, everything will work out."

Oh, sometimes, maybe, when she was in a bad mood or things were goin' rough or maybe finances were rough for her or she was extra lonesome or somethin', she might say, in passing, "Why did you ever have to do that? We shouldn't have to live like this. The kids need ya. I need ya." But she didn't punish me. I knew she was hurtin'. She just would talk like that when she was in a real bad mood, and then I'd pick her up. It was pretty nice too because, if I was in a particularly good mood, then she could let herself go and I'd strengthen her. If I was in a bad mood, she'd be the one who was strong and strengthen me. It worked out pretty good.

And, we'd meet in our thoughts, maybe at eleven o'clock, the night of a visit. We'd set this up. And pretty soon it was almost like you'd be right together. I am not one to say that there isn't such a thing as astral projection because sometimes you'd feel a person's presence and influence just as much as if they were sitting right beside you. She'd write and say, "Gee, I had the strongest feeling about you last night at suppertime. What were you doing?" And I had her picture down at that time and I was looking at it. And there was a strong concentration on my part, focused on her, and she felt it.

And she had to work. She didn't have much success with the welfare. She didn't get welfare. She went for some assistance of food at one of the offices in the town and some worker there gave her a bad time and insulted her. She felt insulted, and she felt demeaned by it and less of a person. She told me, she said, "I'm not goin' back." She said, "I don't care if I have to work my fingers to the bone. I'm not gonna put up with those insults, makes you feel like a dog beggin' for a bone."

And I said, "Well, look, those kids are my kids, and they got a right to be taken care of." I says, "It's up to you."

She says, "I'll take care of 'em. But I'm not gonna go through any more of that kind of thing and be insulted by people like that." And she didn't. And I was real proud of her. She did go to work, and she was only gettin' a dollar sixty-five an hour, workin' in a nursing home. There ain't nothin' about that girl that I ain't proud of her for.

And I began to think more seriously about my religion than I had ever done before. I told Donna I realized that if I had honored my priesthood and had been living my life the way I should, none of this would have happened. And I told her I was sorry because I knew very well that's what I should of been doin'. I more or less apologized to her for causin' the trouble that I did cause by not practicing the religion.

I've never lied to Donna. One of the hardest things

I've ever done is when she come up one time and we was visitin' and she asked me if I ever cheated on her during the time we was together. And I had, not that much, but I had. When I was committing the crimes, that's when I was kinda wild. Well, when I felt like my sexual needs had to be fulfilled, she might have to be preparin' the boys' lunch comin' home from school. There was all kinds of interference that way because of my erratic hours. Sometimes I'd be insistent and after a while I felt like it was rejection, which it wasn't 'cause she loved me, she almost worshipped me. And it was just an impossible situation, so I started to look elsewhere for that fulfillment and I found it. But I still loved her. You see, a man can do that, much easier than a woman can. I think a man can go out, once he starts along those lines, can go out and sleep around all over the country and still go home and he wouldn't meet a woman that could make him divorce his wife and leave home. But it's not that easy for a woman. They have to attach love and some kind of emotional entanglement in it, where for a man, it's just the sex act and the sex act alone. As far as a man callin' it love, he's much more reluctant to call it love than a woman is.



The first job that I had in the prison was in the print shop. They had a print shop there where the inmates printed booklets and things for state agencies, and I was one of the inmates workin' there. And there was a series of little fires in the building, nuisance things, nothing serious. They were either detected and put out before they became troublesome or they were so small that they went out by themselves. Somebody just wanted to harrass or they didn't know how to set the building on fire. It was just a bunch of little things, aggravatin'. And after a dozen or fifteen of those things, they took ten of us out of the print shop automatically, because--with our attitudes and things--ten of us were suspects. But not accusin' us of anything, just yankin' us out of there, in the middle of winter. And they put me in the bull gang, in the north yard. But they defeated themselves by puttin' us on the bull gang. We became an elite crew in the eyes of the other inmates, and they wanted to keep it as punishment.

I was out on the north yard, and, like I've said, I never hesitated to voice my opinions and I don't today. We'd shovel snow, we'd empty railroad cars with hoppers full of coal--frozen coal. It was a tough, miserable, mean job, but the guys were solid guys and we were close and had become highly respected by the inmate population and that's where the tough guys were. And, in December, a week or two before Christmas, first Christmas away from home, we had a north-east blizzard. Now, for some reason, the overseer, or the guard out there, wanted us to shovel snow, in the middle of

the friggin' blizzard. And I said, "You must be out of your fuckin' mind." This fool wanted us to go out there and shovel snow and I said, "No way." And I didn't care what anybody else said. I said, "No." And that was it. I wasn't shovelin' snow, absent a good cause. I said, "It's snowin' faster than we can shovel it. It don't make any sense. Why don't we wait until it stops or lets up a little bit?" He wasn't having any part of reasonin' with us. He said, "You'll shovel or else." We said, "Well, show us your 'or else'." He said, "Well, I'll send for the Captain." I said, "Well, you'll have to send for him 'cause I ain't shovelin'." That's it."

He said, "Well, what about the rest of them?"

I said, "I don't care about the rest of the guys." I said, "I'm not shovelin'." And all of us said we weren't goin' to shovel. This was a good lesson for me too because they were all gonna stick together. And these were the toughest, best guys in the joint, solidest guys, closest friends, involved in the worst punishments that the place felt they could inflict on them and get away with it. They said, "Yeh, we're stickin' together. That's it. We're not shovelin' this crap."

And he sent for the Captain, and the man comes out, and he says, "Alright, you guys get out there and shovel that snow." And he come right up to my face.

I said, "Hey. I'm not gonna get out there and shovel that snow."

He says, "Alright. The rest of you feel the same way?"

They started to get mealy-mouthed, some of 'em. "Well, we don't want to shovel if we can't...." Blah. Blah.

He said, "Hey. Forget it. That's it." He says, "All of you who don't want to shovel come over here." He formed a line. "Step over the line if you don't want to shovel." And I jumped over it. I was the first one over. Me and five other guys came out from the whole crew.

So that's it. I was locked up for about six weeks. They red-tagged me, disciplinary lock-up. This was the first time I met the Warden, to talk to him. He called me up on the disciplinary thing. He used to handle that. This was 1970, 1971. The Warden at that time was very paternalistic in his operation of the prison. If you went to him with tears in your eyes and said that he was the only one in the world that could help you, you could bet your boots you'd get all the help he could give ya 'cause he loved that. But that's bootlickin'. I don't think people should have to do that. What about the people that don't know how? He's left out in the shuffle. That's not fair. Anyway, I got called into his office. It just so happened that the guy that would succeed him as Warden was there. He had come from Illinois. Well, that was quite a unique experience. They questioned me on it. And I honestly told 'em why I didn't want to shovel snow during a northeast blizzard, and I wasn't tryin' to be smart about it or arrogant or anything else. I just said, "Well, for cryin' out loud. It was a Northeast

blizzard."

He said, "Well, we'll decide that. We'll decide where you work and when you work."

I said, "Well, you didn't in that case. I decided."

He says, "Well, we gotta get the snow out of there and get the oil trucks in."

I says, "Look, I told the Captain when he come out there if there was an emergency, I'd shovel snow around the clock, I'd be the last one to complain or quit if it was necessary. If there was an emergency, I'd go out there and stay until I dropped."

He says, "Well, you seem to do a lot of thinkin' on your own." He says, "I'll have you know that as long as you're here, we'll do your thinkin' for you."

I says, "You think so, huh?" I says, "Well, I'm tellin' you right now that that's where you and I part company. The day you think for me is the day I'll die." I says, "I'll never give into that. If it's gonna cause us trouble, then so be it. It can start today." I says, "Because you are dead wrong about that. You might be the Warden, the keeper of my body, but you got nothin' to do with my mind and my soul. You can't have that."

He says, "Well, you ought to submit a little bit. You'd kinda like to be with your family now. It's comin' Christmas." He started to throw in the low blows.

Then the Deputy said somethin' about, "Well, he oughtta go in the hole."

I said, "Well, I'd like to see the day you see me inside your hole." I said, "You'll never catch me at anything you'll get me inside your hole for. You can get a bunch of goons and grab me and throw me in there, overpower me and do it. But as far as gettin' me according to your own rules, you'll never do it."

He said, "I bet I will." He never did. I never went to the hole.

He said, "You can go back to your cell now."

I was in prison in New Hampshire a year without hearing anything from Massachusetts, about the charges pending against me there. In fact, I was in technical violation of bail from there, 'cause I was arrested in New Hampshire and couldn't meet my trial date which I think was May 25. And I didn't like that hanging over me so long. I was worried I'd get another severe sentence. So I filed for disposition of the charges against me, and they had 180 days to come up and get me or forget about it for all time. So they waited almost the 180 days, 'til it almost expired, and they brought me down to Massachusetts in 1971 to answer the charges. There was something like fourteen warrants, involving six armed robberies and related gun charges and one thing and another.

I was down there about a month, in the Lawrence Jail, before they got all their charges accumulated. I wasn't arraigned on all of 'em, and I had to be arraigned. They

were consolidating them for one court, for their benefit, to save money and time. And I was kept in the Lawrence Jail all that time.

I had a public defender, Massachusetts public defender, who was appointed to take care of the case for me. And he come and told me that the district attorney was gonna recommend somethin' like fifteen to thirty years if I plead guilty. And I told him, "He's crazy. No way. That's nothing. That's no deal at all." I says, "I'm not gonna plead guilty if he's gonna be that ridiculous." I says, "I'll just hold out for a trial and a separate trial on each and every charge. They'll have to empanel fourteen juries, and they'll have to hold fourteen separate trials. If they want to get stinkin' about it, I'm not gonna cooperate and I'll make it as rough for 'em as I can."

"Well," he says, "it looks like they got ya pretty cold turkey on some of 'em. They can make it rough for you."

I said, "I'm doin' ten to twenty years in New Hampshire. I know what rough is. And I'm not gonna fool around with 'em."

He says, "I'll go back and tell 'em."

So he come back down a few days later, and he says, "Well, the very least that they'll recommend if you plead guilty to the charges is seven to ten years."

And I says, "Man, they're just tryin' to kill me, you know, bury me."

He says, "That's the very least they'll agree to." He says, "I agree with you that it's rough. We'll do what

we can in court. But I recommend that you go in and plead guilty. Let me talk things over with the judge." And he took the information down about the things I accomplished since I'd been in the N. H. Prison, like being on the original board of directors of the Jaycees, involved in some school work and different things. He felt that might make a difference to the judge and that in fact the court might not go along with the district attorney's recommendation. He says, "But you're kind of at their mercy."

Well, when the time came, I went into the courtroom and the judge had the bailiff read the charges against me. It took about twenty minutes to read the charges. I was in chains all this time, you know. And the judge didn't like that too much. They brought me in in the cattle line, everybody chained together, with other people that were there for court business that day. And the judge says, "Take those chains off him." This was a real beautiful judge, real nice guy. And he says to me, "Come forward. Come on up to the bench. Approach the bench."

So I went up and I stood up on the little paddock beside his bench. They had already read the charges against me, the state read the charges, for the benefit of the court and the spectators or for the stenographer or whatever. So he said, "Well, we got a lot of work to do here, don't we?"

I said, "Yeh, I'd say so."

So he says, "On this warrant..." And he starts readin' off the number and what the charge was. "How do you

plead?"

I pleaded guilty. And we're goin' on down the line. I was pleadin' guilty to all of 'em. I didn't have no choice. They had me. They had me.

It was takin' an awful long time, 'cause he had to read 'em, and he had to ask me if I understood the charges and if I knew what I was doin' and all of those type things. And, I don't know, somethin' about it started to strike him funny 'cause there was so much of it. And he come to one warrant where I was charged with assault and battery with a deadly weapon. And I said, "Not guilty." This was my first robbery, at the bar, where they claimed that I pistol-whipped 'em, and I pleaded not guilty.

He says, "What do you mean, not guilty?"

I said, "I'm pleadin' guilty to everything that's sensible, where I actually had anything to do with any of the crimes involved."

He says, "Well, these people said that you hit 'em with a weapon. Two of the people, of the seven involved, said you hit 'em with a weapon."

I said, "Your honor, that's a lie, and I'm not pleadin' guilty to it." I says, "I'm not here to anger the court or the prosecution or anybody else, but can you see me goin' in there and committin' that kind of crime and takin' the time to pistol-whip two of the people when any one of 'em could have shot me in the back if I tried it." I says, "They cooperated. I got what I was after. They gave me the



money and I left." I says, "That's all there is to it and I'm not pleadin' guilty to that charge."

He says, "The court finds you not guilty of that charge."

And he's reading along about some more things. And part of the charges against me were possession of a firearm, usin' a firearm in the commission of a crime and things like that. And he questioned me, "Did you, in fact, have a gun in your hand?" I was pleadin' guilty to the whole thing, except that assault thing.

Then he come to that one in Haverhill, that payroll robbery. And he read the charge, robbery, assault and battery with a deadly weapon. I said, "Not guilty." I said, "I didn't assault nobody. In fact, I was assaulted. The assault was on me."

He says, "What do you mean?"

So I told him what happened there, how the woman resisted me, slammed the drawer on my hand and scratched me. I told him I had to get out of there before she jumped on my back and scratched my eyes out.

Well, he started laughin'. He turned his head away, I suppose, to maintain the decorum of the court. He says, "If you so much as touch her, even rest your hand against her arm, during a robbery, that satisfies the legal definition of assault and battery with a deadly weapon. That's the law."

I says, "Look. The way you just described it, I'll

have to plead guilty, but I want the record to be very clear that I never did hurt anybody. I never took the initiative and inflict bodily harm or injury on a single soul." I says, "If I touched that woman, it was to protect myself."

He says, "Alright. That may be in the record, and it probably should be." He says, "I just want you to know what the law says on it."

I said, "I can just picture somebody readin' that I pleaded guilty to such a crime years from now and thinkin' that I'm some kind of monster. And I want the record to clearly show that that's not the case. In fact, I was the one who was attacked."

And he went on and on. Ultimately we came to the end of it. And he filed all of the gun charges. He found me not guilty on the one assault on the two guys that claimed they were pistol-whipped 'cause that was, in fact, a lie. I don't know why they did such a thing, maybe just lookin' for sympathy with the police or tryin' to make themselves spectacular in the news or with their buddies. I don't know why people lie when somethin's already bad enough. He filed the one where she had charged me with assault and battery with a deadly weapon. Everything was filed except the actual six armed robberies. And he started readin' those off. He says, "On this one does the state have anything to say before I pass sentence?"

And they got up and they run a big rap about, "Well, these are very serious crimes, your honor. We know the man is incarcerated, serving a lengthy sentence in a sister

state, but these are serious crimes and the state does ask for cumulative time of seven to fifteen years."

He asked my attorney, if the defense had anything to say. He stood up and he was very, very good. He was eloquent, and he had all of the facts at hand. He says, "Well, the defense understands that these are serious charges and there is a number of them." He says, "But I don't think the Court can fail to recognize that the man is already serving a very large sentence. And he's been incarcerated for approximately a year and a half, and he has shown every sign of rehabilitation, responding to treatment and being actively engaged in positive things where he's at." He laid down a pretty good rap for the judge, and it was all true. He also said, "He is contrite. I don't think your honor has missed the fact that he is contrite. If any time has to be imposed at all," he says, "I think three to five years would be more than enough."

And the judge says, "So ordered." He says, "On the first charge, I find the defendant guilty, three to five years, to commence after completion of the term currently served in New Hampshire." And then he read off the remaining five charges and they were, each one, three to five years to run concurrent with the first one. So it come out that I had six three to five year sentences, runnin' together, to commence after I was free to leave New Hampshire on parole.

After a couple of years, somethin' was wrong, and

Donna come up and she couldn't look me in the eye. She cried when she left, and I knew what it was: She'd had a boyfriend or somebody. And she wrote me a letter and said she knew that I knew and she'd send my folks up to explain. And she was gettin' married and she hoped that I didn't hold it against her but she just couldn't go on lonely like she was. This was after two and a half years. And I told her I understood. And I wrote her probably seven letters and it wasn't beggin' and it wasn't pleadin' and it wasn't threatenin'. It was just askin' her to weigh every situation and the religious aspect of the thing. You see, when Mormons marry, it's not for time only, it's for time and all eternity. And when you have a family, it's for time and all eternity. Death doesn't end the family relationship, and I reminded her of that. I said, "If you got to do somethin', I'd much rather see you go out and take an occasional date somewhere, satisfy your needs and keep it away from the home and not get entangled in a long-term situation that could prove troublesome in the future." What I was doin' was givin' her license to go out. But it's rare and it's hard for a woman to do that, most women and especially that kind of a woman. That's too cheap. She just wasn't brought up that way and she's not that way. And to me, I think it speaks well of her although it would have been better for our relationship if she had just gone out and had an occasional affair once in a while when she felt she had to and not have any emotional attachments to the people. But she's not that kind of person.

She's not happy. I know she's not happy. Our daughter, for instance, is a daddy's girl and she's always visiting me. She'll come down with my parents when she can, and she was always layin' a rap on her mother, talkin' about me, about daddy.

There's no forgiveness needed. If she feels like she needs to be forgiven, then I forgive her but I understand and that's more important than forgiving. Forgiving, you might harbor grudges, but you forgive. But when you understand, there's no grudges. Forgiveness is just part of understanding. That's just automatic. And I do understand. I'd of been a lot worse than her if it was her incapacitated in some way, in a hospital or a prison or somethin'. I'd of done as much as she did and more. I'd of done worse things than she did. I'd of probably destroyed the relationship completely so that there'd never be any hope for it, in my man ways of doin' things. But she hasn't done that. She hasn't destroyed it.

Even after she got married, she came back, and we had a good relationship for quite a while, maybe a year. We corresponded, and she'd visit when she could. It was really beautiful. And she knew then that I had gotten involved in my religion and studying what the priesthood is and what my responsibility is in it. And that really pleased her very much, and she saw a different person in me than what she had ever known before. And she was pleased, and she was very much impressed, and she told me so. And at the same time,

she was keepin' up her activities in the Church too. I told her, I says, "You know the marriage that you're involved in now is not good for our daughter." I says, "You know it can't go any further than the grave if you stay together with him all your life unless he becomes a member of the priesthood and makes himself worthy and you and him can go to the temple."

She says, "I know all that." She says, "When I done that, I was away from the Church. I done it out of spite. I done it for my own convenience." And she says, "It was wrong for me to do it." And she says, "It's not a lasting relationship. I know that. It's more of a convenience type thing." She said, "I had to do somethin'. I couldn't handle it much longer all alone."

I says, "Look. I'm not condemning you. I'm just talkin' to you." I says, "With your knowledge of the doctrine, the Gospel doctrine, I'm sure you don't want to be involved in a relationship with a man for time only. I know you think about the family unit more than that."

She said, "Well, I'd rather not get into that right now until you're out of here, and maybe we can make some plans."

And that's pretty much the way it stayed, but then she got to feelin' guilty about seein' me while she was married to him and she begun to wonder if it wasn't an adulteress-type thing, which I disagreed with 'cause talking doesn't constitute adultery. I said, "It's what's in your

mind that might constitute adultery."

She said, "Well, I can't stand bein' there and comin' to see you too. I can't do both." And she says, "If I do break up that situation, what if I get weak again?" She says, "I might become a worse person than I am now."

And I saw the wisdom in that. So I agreed to it. And I fully intend to provide for her an opportunity to have a marriage for all time and eternity, if she wants it. I intend to become worthy and, in fact, to be active in my priesthood, and then it'll be up to her to make the decision about what she wants: does she want a lifetime situation or somethin' that could go on for all time and eternity?

So she felt guilty and that guilt forced her to stop comin' to see me. And it's been about a year now since I've seen her. My sister'll tell her that I'm fine and doin' well, and my sister'll come and visit and say she saw her. She still speaks of me. She still thinks of me. She lives in Sanford, Maine.

I was having these headaches again, the migraine headaches. As part of the prescribed treatment for that, I was supposed to go lay down, when I felt an attack comin' on. I had a slip from the medical department that I could go lay down. And I was workin' in the hall then, and I had access to my cell without bein' a problem to anyone. I was on the tier, cleaning the tier, and part of my work was to feed the people who were idled in on green tag or red tag, for disciplinary reasons. And I took care of these duties. I made sure that the people were fed and the trays were picked up and returned. And I felt bad. I had felt bad for a couple days. It was comin' on. And I told the officer I wanted to go lay down. He said, "Sure." There was no discussion on the thing. I just asked him and he told me okay. And I went and laid down. I didn't go to dinner. I was feelin' sick. And during the noon hour, when the inmates are locked in their cells, another officer, a young one who hadn't been there very long, come up and changed my tag on my cell door. He put a red tag on it. And I looked up and I asked him what he was doing. I thought he had made a mistake, got a wrong number or somethin'. He says, "I'm red-tagging you." And I said, "What's the story? You got the right cell?"

He says, "Yes. It's you. They told me to come up and put a red tag on ya."

I said, "Who told ya?" He gave me the guy's name. And I said, "Did he say what for?"

He said, "No."



I said, "Well I'll be damned." So I laid back down, and I knew this guy would be comin' around on the count after the guys were supposed to go out for the afternoon work, he comes around and checks the cells to find out if anyone is idled in or what, make a count. So he came by. And I says, "Hey? What the hell's the story on the red tag on the door?" He says, "I red-tagged you." I said, "Oh. You red-tagged me." And we'd just been over the disciplinary procedure for red-taggin' and everything else with the Warden. I was part of a committee that was meetin' with the Warden and representatives from the legislature and from the governor's office to discuss these things, so I was very well aware of what was required in the disciplinary procedures and one of the requirements was that a person wouldn't be red-tagged unless it was absolutely necessary for the security of the prison or the safety of the man himself or other inmates. And I had done nothing that I could think of.

He says, "I red-tagged you."

I said, "What do you mean, you red-tagged me?" I says, "To begin with, you don't have any authority to put on a red tag." I said, "Do you know the rules? The rules clearly state that if you're gonna lock a guy up, you have to get the officer in charge of custody to affix it. You can't put a red tag on anybody."

And he hemmed and hawed.

I says, "Hey. I know what I'm talkin' about. I'm tellin' you." I says, "You're gonna be in trouble." I said,

"I advise you to take it off."

He said, "Well, I'm not going to."

I said, "Well, I'm tellin' you, I think you'd better. You're wrong."

So he went down to get the Captain to okay him leavin' the red tag on, so he thought he was safe.

Then he come back around. I says, "Hey, look, I don't know what you're up to, you're goofin' off, you're playin' a joke, or what. I don't understand it. I don't know where you're comin' from. I haven't done a thing, to warrant disciplinary action, especially bein' red-tagged." I said, "That's reserved for pretty violent things." He was used to the old ways where you could get red-tagged for not shovelin' snow in a blizzard or for no reason at all, just if the officer wanted arbitrarily to do it. And he was goin' by the old way.

He said, "You refused to work."

I said, "You're crazy. I never refused to work in my life but once and that was in a northeast blizzard, when I first came here." I said, "No way did I refuse to work." I said, "I asked you to open my door so I could go to my cell and you said sure." He didn't warn me not to; he didn't tell me not to, or give me an argument. I said, "Man, this is a real bum deal. You're really tryin' to set me up for some reason. But it's not gonna work. I know how to get to the federal courts and I won't hesitate to have you down there."

And they left me in there ten days, without bein' found guilty of doin' any wrong and usually that's the maximum punishment in red-tag. So I got the punishment before I even had a hearin' or anything. Then, about the tenth day, I'd already completed my action for a civil rights case in federal court and I had that all in a manila envelope, and an officer came down to get me to go up to the Warden's office for a so-called hearing. And the Deputy was in there and the Warden--the one who was Warden at that time--and the Captain.

You see, they weren't used to this kind of stuff. Like he asked me where I was goin' with that green notebook. I said, "I'm takin' that into the hearin'." He said, "What for?" I said, "Well, this might develop into a federal case and I want to know who's here and what's said and I want to make notes from it." He said, "You can't do that."

I said, "Who said I couldn't? There's nothin' in the rules about it."

He said, "Well, I've never seen the likes of this in all the time I've been a guard in the prison." He said, "I don't know what this place is comin' to." He said, "I've never heard of such a thing." That was their attitude.

The Warden started out the hearin'. And I had a lot of experience with the Warden, from when the Jaycee's come in and I was a charter member and on the original board of directors of the prison chapter. He started in an official way. "Well, well, well...I got this...I got that."

I says, "Hold it. Before we even get started, I want to tell you somethin'. This whole thing is illegal.

It's contrary to the disciplinary rules that we've just straightened out." I says, "This whole thing is wrong. It's based on a lie. Your officer's lyin'. I don't even care to discuss it." I says, "As far as I'm concerned, it's goin' into the courts, on a civil rights action." And right away, the Warden was visibly disturbed by what I said, not in an angry way, but in sort of a fearful way. His immediate remark was, "Well, you're not suing me, are you?" He became defensive. And this kind of surprised me and it gave me a clue that he had been in trouble before, through a civil rights action in a court, and he knew that it could get pretty hairy. And I found out later that it was true, he had been in trouble like that before, in Illinois, but I didn't know that for sure at the time. I said, "No, I'm not suin' you. You didn't have nothin' to do with it--yet." I says, "If it's straightened out now, there's no need of it goin' into the courts, even though I've already done ten days' punishment for somethin' I didn't do and without benefit of a hearin' or anythin' else." I said, "I've been punished before I was even heard."

He says, "Well, the officer says you refused to work."

I said, "He's a liar. He's an out-an-out liar." I says, "You can bring him right up here, right now, and I'll tell him to his face he's a liar. I don't know what his motives are and I don't care, but it's a lie." I says, "I only refused to work one time and that's when I first saw you, if you recall when you first come in here, and that was

in a northeast blizzard."

He said, "Well, that's not what we're here for today."

I said, "I don't care why I'm here." I said, "You do what you want. I know what I'm goin' to do."

He said, "Well, there must be somethin' we can do."

And the Deputy wouldn't even look at me, the old Deputy that wanted me in the hole, he wouldn't even look at me. And the Captain was sittin' there, fidgetin' and gettin' nervous. He asked the Deputy if he had anything to say. He says, "No, I ain't got nothin' to say, for him or against him." He wouldn't even look at me, kept lookin' out the window.

They sent me out of the room and called me back about five minutes later. And the Warden says, "Well." He says, "Ah, perhaps, it would be best for a work change, a change in assignment." He says, "I think what I'll do is....You're out of red tag. I'll order the red tag removed. And we'll have you see the work board tomorrow for a change in classification, a reassignment."

I says, "Good. What about the discipline report?"

He says, "Well, there is some question." He says, "It won't be counted against ya. Just forget about it. It's void."

So rather than make a big case out of it and argue about the ten days that I'd been locked up that I couldn't recover, I didn't file a writ, for the action in the court. And I went into the work board, and I had a hell of a time with them. The work board then was a classification board

and there was twelve to fourteen people in it, a priest, a guy from voc rehab, a guy from industries, and everything else. And I had been there about three years at the time, and I'd done all my testing with voc rehab: my college entrance exams, my psych tests, a full set of tests, and I'd passed all of 'em with flying colors. And I had obtained my G.E.D.; I'd done a lot of things in the time I had been there.

I got up before the work board, and they start runnin' a little game. Like they set me in a chair way away from 'em so I'd feel like I'm on trial and I'm isolated. So they're tryin' to play it like it's a very routine change of classification, like I had put in an application for a job change. And I didn't like what they were doin'. It wasn't based on anything except their own personal and selfish interests.

The guy who was chairin' the thing, the classification officer, asked me where I wanted to go. They expected me to say, "Well, it doesn't really matter." And they were talkin' about all kinds of stuff. And they didn't like me being particular about work assignments. So the classification officer made the mistake of sayin', "Hey, wait a minute." He says, "You're not in here as a result of good behavior or anything. You happen to be here as a result of a disciplinary action." He says, "Let's just put the cards right up on the table."

I says, "Good." I says, "That's just what I want. All the cards right on the table." I says, "I'm glad you said that." And I moved my chair right up to the table and

joined them. I says, "It's about time we got the cards on the table. Let's keep 'em there." And I told 'em that this wasn't disciplinary, that the red-taggin' was based on a lie, that it's all straightened out, and that I was ready to take the thing to court, I had the thing all prepared, I spent ten days of punishment for somethin' I didn't do. I said, "There's your cards on the table." The priest told me afterwards, he said his hair rose right on the back of his neck. He says, "Finally, you did impress me."

I've developed a lot in prison. I've had some time to do some thinking, about religion, and the law, and other things. But still I think that prison is a crime. The prisons should be turned into museums, so that people can see how people can degrade their fellow human beings: instead of tryin' to help them and treat them, you make people feel that they're less than human.

I don't think we need any prisons. That's my philosophy, 'cause if you harm me and if your harm a hundred people, sooner or later you're gonna get yours. We don't need man interferin' in it, with his phony courts and his phony police and his phony prisons, makin' it worse. If you didn't tamper with it, there is such a thing as natural justice. Think back when you was a kid in school and there was the bullies. What ultimately happened to 'em? They didn't do too much damage 'fore they got tuckered down a peg or two. All by itself. I can't hurt nobody without payin' for it. I believe

that. And I don't think that I can do good without bein' rewarded for it. I think that is natural, perfect, eternal justice; and that's come to me since I've been here in prison. My eyes have been opened to that. Look at all things on the earth and see if there isn't some kind of natural balance that is far superior to anything that man can devise. So society, in fact, would be doin' itself a great service to tear down its prisons and not interfere so much with natural justice. Some of these people in here, in prison, are bein' treated far better than they should be, better than they would be if natural justice came down on 'em. You're preventing that, but you're also punishing far greater than you should be, more than is necessary, with this system.

At the point that I went into the prison, it seemed like something very dear, almost like a loved one, had died. Something had died, but I never went to its funeral. It's hard to explain. Maybe it's the closeness with the wife, the family, bein' with the kids and, when they are hurt, cuddle them and then treat them, take 'em to bed at night, the visits with the family to the beach. It seemed like all that kind of thing and all the beautiful things, died. I can't have a feelin' in me now about them comin' back.



I am co-writer on four songs, which is two records. They're commercial, country and western songs. Jimmy Woods is the other writer. We both did something on all of the songs, either musical arrangement or rewriting the words or something like that. But really two of 'em are mine and two of 'em are his as far as gettin' the idea and putting it in writing. And my two were, one of 'em was "Each Tip of the Bottle" and the other one was "Hush, Achin' Heart." And they're just standard, commercial country and western. "Each Tip of the Bottle" is a drinkin' song. "Each tip of the bottle, each somebody new, takes me one step farther from memories of you." The guy's out drinkin' and chasin' the girls, tryin' to forget somebody he's lost. And "Hush Achin' Heart" is about an entertainer that's somewhere along the lines of "Laugh, Clown, Laugh." "Hush achin' heart, the whole world won't know...." He's gotta go on. He's talkin' to parts of his body and he's tellin' the tears to not fall on his cheeks because they'll show. People'll know that he's hurtin', and the show must go on. He can cry when they're alone, when him and his heart and his tears are all alone. But when they're out on the stage, he gotta keep 'em quiet or everybody'll know. And I wrote another one. It's pretty strange that I wrote it too because I had no reason to write it. It was prophetic of what happened to me and Donna. The title of that is, "I've Already Lost More than I'll Ever Find." It's about a guy foolin' around; and what in the hell's he doin' it for? Why did I do it? Why's a man so foolish as doin' it, 'cause in the process I lost

more than I could ever hope to find. That song's not been published. I think it has some potential. And I wrote that before I was foolin' around or involved in any criminal activity or anything. There was some prophecy to it. If you heard the song now, it would fit in with what happened. But I wrote it before. It's strange.

Some people write a poem first and then try to get some music to put to it. I like to get my song first, my melody pattern, and then insert the words. Mine are usually ballad type. I don't go into that fast stuff. My preference on the steel guitar is to bring out all of its voicability and its way of setting moods. It can become very sad, the steel guitar, and you can put people to sleep with it. And it's not borin'. By putting people to sleep, I mean it's like a lullaby. It's not somethin' that people resent. Although I've had people say, "Hey, Christ, step it up. You guys are puttin' us to sleep." They wanted to dance. They wanted to party. They didn't want to go to sleep. Really, you can put people to sleep with that instrument. It's strange.

I had some specific ideas I wanted to do by way of arrangements, what the musical arrangement would be on the thing, and neither one of my songs have a steel guitar on 'em. They were recorded when I was in prison, so I didn't have any way to influence it or participate in it or contribute to it. I'd of done it differently and I think it would have enhanced it somewhat, because it was written by a

steel guitarist and a steel guitar should of definitely been there, and I had some ideas of what I wanted for an introduction and what I wanted the instrument to do in between the words. It's not a bad record, but there should of been a steel guitar in it.

PART TWO

THE PUBLIC ISSUES

## CHAPTER I

## THE AMERICAN DREAM OF SUCCESS

And I said, "Give it to me." She's pushin' on the bag, and I'm pullin' on it. And I had the gun in my hand, and I'm tryin' to get the bag out of there but it's stuck. There's too much money in the thing. And I'm sayin', "Give it to me."

Carl Hoitt

Lately in a wreck of a California ship, one of the passengers fastened a belt about him with two hundred pounds of gold in it, with which he was afterwards found at the bottom. Now, as he was sinking--had he the gold? Or had the gold him?

John Ruskin

Success--"the bitch-goddess, Success" in William James phrase--demands strange sacrifices from those who worship her.

Aldous Huxley

### Introduction

Significant, through most of the life history, is Carl Hoitt's ambition. He wanted to get ahead; to be better off at the end of his life than at the beginning; to be envied and admired; to have wealth, power, even fame. His ambition was the engine of his life for a long time. It gave him energy and determination, but also it gave him a great deal of pain and bitterness. He wound up, because of it, a pained and desperate man, a small-time criminal, doomed.

Time and time again, throughout the story, Carl Hoitt had a chance to "settle down" and live a "normal"

life, but he refused to do that. He was not content with that kind of a life.

The first time he had a chance to settle down was after dropping out of high school. He could have worked in one of the factories in his hometown, like many of the people in his situation did. But, as he explains, there was no opportunity in that for advancement:

We went to California 'cause there wasn't much opportunity in the east coast, especially the Dover area, unless you wanted to work in the shoe shops or the tanneries. And that wasn't for me because I could see guys goin' into tanneries and startin' out at a dollar-forty-seven an hour and somebody who'd been there fifteen years only earning ten cents an hour more. So that's not much incentive or much to look forward to. You didn't have to be much of a financial expert to see that there wasn't much of a future in that.

Carl Hoitt left New Hampshire for California, with a group of friends. California, at that time (in the 1950's), was the destination of thousands of people, hopeful for a better life. As many as 1600 persons came into California each day during that decade, according to census figures (Burdick, 1963). Hoitt joined that human tide.

Much of the reason for the influx of people into California during the fifties were the defense jobs which could be found there. The government spent more of its defense budget in California than in any other state, by a wide margin; so there were jobs in the defense industries. This is what gave Carl Hoitt his second opportunity to settle down. He got a job with North American Aviation in 1954, and eventually worked his way into the planning department. Here was his

chance to live a comfortable and relatively secure life. He was married. He had children. He could have simply settled down and enjoyed the routines of his life. He could have looked forward to retirement and vacation trips to Disneyland and Yosemite. He had a chance to live a comfortable middle class existence: "You gotta remember I was makin' pretty good money. I had triple-A credit ratings all over the place. I had open accounts at Sears and all those big places." But again he resisted. He had gotten about as far as he could go with North American Aviation, considering his education. He wanted success, not security. Still, he might have stayed with that job in California. He might be there now, far away from his prison cell in New Hampshire. Perhaps, he would have tried to get education enough to get a few rungs higher in the corporate hierarchy. Perhaps he would simply have contained his ambition and lived a Walter Mitty-like dream life and pushed his ambition onto his children. But Carl Hoitt thought he saw a chance for success on a grand scale. He thought, because of the contacts he had established as a labor union activist, he could begin a career in politics:

I figured that, because of my connections in labor, I could go pretty far in politics, at least as far as United States Senator from California. After that, who knows? It seems far-fetched now, sittin' in prison and talkin' about somethin' like that, but it wasn't far-fetched at the time. It was entirely possible. I had good contacts.

He began to take law courses in night school because he thought a law degree was a prerequisite to a political career. He actually expected to become a U. S. Senator or President;

So I had political aspirations. I had talent. I had contacts. I lacked education, but I was getting that and doing good at it. I was inspired and I had high aspiration. I could see clearly the way to go and the plan was pretty well formulated.

It was not too long before his plans began to fall apart. He began to have trouble with his wife. The pressures of school, work, and his marital troubles made him sick with migraine headaches. He began to miss work and was fired. His grades in school suffered and, after he lost his job, he had no choice but to discontinue the schooling.

He next became a musician. He had many chances to settle down, work regularly for a club, and make a decent income. He had these chances in the Northwest, Colorado, and North Carolina. But he moved around from place to place for several years. Maybe he did not really know what he was looking for during much of that time; maybe he always carried around a vision of success. In any case, he finally saw his chance. He had gotten married to a woman who he thought had great talent as a singer. He decided they should go to Nashville, where they could start a band or he could be her manager; and they could cash in on the immense national popularity, beginning in the 1960's, of country music. Hoitt and his wife joined, in Hemphill's words (1970:84-85),

the thousands who have come piling into Nashville in search of the brass ring....And once they reach The Row they start knocking on doors, and everybody is cordial to them and they just missed Mr. Bradley and why not try Pamper music down the street? And so, getting absolutely nowhere, they scurry back to the flophouse and lay awake all night and wonder why it didn't work for them.



Carl Hoitt explained his hopes to Joanne, his wife at that time:

I said, "Look, I'm not afraid of work. I don't mind puttin' up the guitar for a while and doin' other things until we do make it." And I says, "You know I think you're good enough. And I think that's the only place to go and really rough it out and find out if we can make it."

Joanne had written a song about a girl finding out her boyfriend had been killed in Vietnam. Hoitt rearranged the song. They both thought that the song had to become a hit and, if so, it would not only earn them ninety or a hundred thousand dollars but it would also establish Joanne as a star. Hoitt said: "It's somethin' that if Joanne had done it, everything that we'd worked for would of been obtained."

These hopes too fell through. Time passed without any of their possibilities materializing. Finally, Joanne left him. Then the song was stolen.

Hoitt returned to New Hampshire. He was living with his third wife Donna. He had his two sons from his first marriage with him. He had a band that was doing well playing out of Portsmouth. Again, he had a chance to settle down and live the normal life. But, still, the idea of success obsessed him. He was haunted by it, maybe more than before. So when he had a chance to manage a restaurant in Portsmouth, he seized on that and began to dream his big dreams again:

I wanted to do some advertising, but I never had the money to put into it. Little gimmicks. I thought too of later on gettin' Nashville stars in once a month and the overflow from the lounge would

support the restaurant. And I'd put their pictures up in the restaurant and talkin' to the customers. The place would of been packed twenty-four hours a day if we'd of developed that kind of business. But I didn't have the capital.

This idea too was failing. The restaurant was losing money, He was putting both time and money in it, and the restaurant consumed everything he had without showing any signs of making a profit. He was afraid he would not be able to pay his employees, and they would sue him. He was afraid of going bankrupt. He was desperate to succeed. He was probably afraid of becoming a three-time loser without prospects.

Then, Hoitt's partner in the restaurant, Tom Walker, was arrested for armed robbery. Hoitt visited him at the county jail and, as a result, became friendly with two professional criminals, Vince and Joey. Hoitt saw a new opportunity. He decided to ask Vince and Joey if he could join them as their partner once they got out of jail. When they agreed, he was elated: he would make the restaurant as popular as he had imagined it could be; he would tour with his band; he would work his way into organized crime; he would become a political power and enable his sons to become senators; he and his family could take expensive trips and live in several homes.

Crime was Carl Hoitt's last desperate try at success. Crime would make all his old dreams come true for him and it made new dreams possible. He went out on a forty-five day crime spree with two men who no doubt were happy to let him take all the risks for them. He looked for money where

there was none. He pointed a gun at his victims and they simply shrugged or laughed at him or tricked him; a woman beat him up; finally a banker shot and almost killed him. His capture meant the loss, not only of his freedom, but also of all his dreams for success. None of his gambles paid off. He said to me, "The people who read this must think I'm the all-time born loser."

Ironically, Hoitt contributed to his failure by trying so hard. His single-minded determination, and eventual desperation for success, contributed to the migraine headaches, the breakup of his first marriage (which eventuated in the abuse of his children) and his other marriages, the crimes, and even, as will be explained in a later chapter, the unusually harsh sentence he received. His life really was a series of gambles. Instead of taking the middle road, he aimed high and fell low. He was an Icarus.

#### The American Dream

The conventional wisdom is that Hoitt's ambition to succeed is typically American. After all, the ambition to succeed is called the "American Dream." And there have always been observers commenting on the prevalence of the ambition to succeed in America. A typical comment is this one by a nineteenth century sage (in Wyllie, 1954:9): "Success is identified to some extent with fame; still more with power; most of all, with wealth." This and other comments on the prevalent American idea of success suggests this definition: success means wealth, power, or status--

the more, the better. In other words, success is a process. There are milestones more than culminations. Thus, being promoted is a sign of success but only so long as it is temporary, eventually to be superseded by still another promotion. Success is upward mobility. The millionaire, born a millionaire, is not a success. He must become a multimillionaire; the star must become a superstar; the President must become a great President; etc. To the extent that success can be achieved in America, its achievement comes only when someone is the "best" or has the "most" of wealth, power, or fame with reference to that person's community of orientation. Success, therefore, implies competition. To the extent that Americans cease to value or identify with the local community of residence (because of mobility, the mass media, the concentration of business, etc.), then success--in the conventional sense--only has meaning if one succeeds in relation to a larger--regional or national--community. To be totally successful, therefore, one must be a movie star, star athlete, superstar musician, national politician, or a high executive or entrepreneur of a business serving a regional or national clientele. And this is what success meant for Hoitt.\*

How did Hoitt acquire his ambition to succeed?

Why did he become so single-minded and desperate in the pur-

\*Part of the definition of success, traditionally, is that succeeding is a male's responsibility, and Hoitt assumed that this was true. The woman, therefore, succeeds only through her marriage--by marrying the right man and "standing behind him." This idea, of course, is now changing.

suit of it? He had confidence in himself. He had opportunities to break away from the humble destinies offered by any of the miscellaneous jobs that he held at one time or another. He had talent enough to begin to do well at many of his activities. And, once, in California, working in the labor union, he came tantalizingly close to success, at least by association with the successful. But how was the yearning for success aroused in him in the first place? Why did his opportunities and talents reinforce this particular appetite? If his parents or other relatives influenced him along these lines, he does not remember it.

One could speculate that he had an unresolved Oedipus complex. He was the oldest son. His father was an alcoholic, sometimes violent: "my father would hit my mother, and I didn't like that. And, when I was a youngster growin' up, I hated him for it." This might have caused him to become protective of his mother and always afterwards to want to please and protect her and, in that way, to take the place of his father. This being so, he would be especially sensitive to the wishes of his mother. But there is no evidence that Hoitt's mother urged him to succeed. When asked, he said he could not recall any such pressure. He said, "They only wanted me to live a little better than they did. That's all they wanted."

He could not remember his mother or father holding out in front of him fantasies of being famous or wealthy. It is possible that they did pressure him, possibly in very subtle ways, possibly very infrequently but effectively. But, if so, he cannot remember that.

The source of Hoitt's ambition cannot be explained by referring to the details of his life story. Human nature is not a sufficient explanation either, since many people, even those with opportunities and talents like his, never become so interested in success. However, since it appears that the ambition to succeed has been widespread in America, then it is possible to assume that certainly the importance of success was communicated to Hoitt during his childhood from some direction, probably from many directions. He probably found the idea in his school books, on the radio, from friends, and (though he does not recall) from his parents. Some of the ways the idea of success is communicated will be shown later in this chapter.

And why did these others value success? Ultimately the explanation of people's, including Hoitt's, attachment to success must refer to social and economic circumstances, as well as conventional ideas. And circumstances in America have been conducive to the idea of success, for several reasons: rich natural resources and (before the late nineteenth century) an open frontier; successive waves of immigration that had the effect of putting earlier immigrants at an advantage; a technological momentum; and a government both stable and friendly to business.

#### Influences to Succeed: The Techniques

No doubt Hoitt was influenced to value success. And, if so, he learned techniques for achieving success. Because, always, the importance of success and ideas on how to achieve

it are combined. This is always true, in pamphlets, sermons, books, plays, and songs, because Americans have always assumed not only that success is valuable but also that everyone can achieve it. This makes it incumbent on those who encourage others to succeed to explain how success can be accomplished.

There are, of course, many ways to conceive technique. At one level, however, there are techniques general enough to be useful virtually to everyone who desires to succeed. These techniques concern very general styles of conduct, or qualities of mind. Four types of technique of this kind can be discerned from a review of the literature on the American idea of success. These techniques have been widely practiced, widely taught. There has been, in fact, a whole class of American entrepreneurs who have made a business out of teaching these techniques. And for many this has been a very lucrative business indeed.

Each of the techniques that have been popular in America will now be described, through the career and writings of a famous teacher and also through the behavior of Carl Hoitt. Hoitt exhibits at least three of the four techniques.

The Character Ethic:  
Horatio Alger, Jr.

The character ethic has the oldest credentials of the philosophies of success. This is the idea that hard work, thrift, and honesty lead to success. Because hard work is considered an important virtue, this is sometimes called the work ethic. Besides hard work, thrift, and honesty, Irvin Wyllie (1954) discovered in his exam-

ination of the writings on success emphasizes on a number of closely related virtues: perseverance, punctuality, initiative, obedience to superiors, religiosity, and (beginning in the twentieth century) education.\* Benjamin Franklin was one of the earliest spokesmen of the character ethic and the most popular during his own time and for a long time to come. His list of virtues, explained in his Autobiography, was industry, frugality, temperance, silence, order, resolution, sincerity, justice, moderation, cleanliness, tranquility, chastity, and humility. Franklin conveyed his ideas in two ways, both of them effective: through homilies and by telling the story of his own life. His autobiography is the most popular autobiography in American history; that and his other writings have always been included in public school textbooks. That can give one an idea of his influence. Wyllie (1954:125) writes: "We shall never know how many students read Franklin's Autobiography, or his maxims, but their number must have been legion." Huber (1971:21) calls Franklin "the Johnny Appleseed of the idea of success." An example of Franklin's influence comes from the story of Thomas Mellon, founder of a great banking fortune, who read a copy of Franklin's Autobiography in 1828 when he was fourteen and living on a farm. Mellon said:

\*The writers on success who preached these virtues did not seem to worry very much about contradictions among them. Each was a rousing theme, to be considered in isolation from the others. Let the audience make its way between the Scylla of initiative and the Charybdis of obedience.



I had not before imagined any other course of life superior to farming, but the reading of Franklin's life led me to question this view. For so poor and friendless a boy to be able to become a merchant or a professional man had before seemed an impossibility; but here was Franklin, poorer than myself, who by industry, thrift, and frugality had become learned and wise and elevated to wealth and fame. The maxims of 'Poor Richard' exactly suited my sentiments.... I regard the reading of Franklin's Autobiography as the turning point of my life. (quoted in Wyllie, 1954:15)

There are a long list of writers who preached the character ethic after Franklin and who were celebrities in their day. They are: William Holmes McGuffey, Henry Ward Beecher, Timothy Shay Arthur, Edwin T. Freedley, Freeman Hunt, Horace Greeley, William Makepiece Thayer, Lyman Abbott, and Horatio Alger, Jr. (19th century); and Russell Conwell, Elbert Hubbard, Bruce Barton, and B. C. Forbes (20th century). To make a complete list, you would have to add countless high school graduation speakers and Fourth of July orators.

Many of the people who became prominent by their advocacy of the work ethic were Protestant clergymen. This is more than coincidence. Clergymen are, of course, counted on to speak out on themes of work, success, and ambition; their comments stand a good chance of being recorded; and they are under a certain amount of pressure to tell their congregations what they want to hear. But these paeans to success and hard work probably cannot entirely be explained in those ways. Max Weber has argued that Protestantism has traditionally been sympathetic to the idea of success through hard work, honesty, and frugality; or, in Weber's words, it has been sympathetic to "rational asceticism in pursuit of

a calling" which was considered a sign of divine grace (1958, first published in 1904-5). If so, the clergymen were responsive not only to secular pressures but also to the traditions of their faith. Weber believed that the religious foundation of the success syndrome had tapered off by Franklin's time; however, the continuing importance of Protestant clergymen in promulgating the idea of success and the work ethic suggests that Weber might not have been correct about this. Even the Mormon religion, founded by disenchanted Protestants, seems to have retained the idea of the importance of succeeding at an occupation through hard work. Brigham Young wrote: "Each will find that happiness in this world mainly depends on the work he does and the way in which he does it." And Elder Franklin D. Richards, an official of the Mormon Church, said in 1974:

The aspirations, dreams, and plans of the prophets Joseph Smith and Brigham Young to bring the Saints to the Rocky Mountains matured through faith, prayer, sacrifice, and hard work. This is the way your aspirations, dreams, and plans will likewise become realities....Let me assure you that the maximum joy and satisfaction out of life, the maximum in material rewards as well, will come almost automatically to those who choose the right and remember that success is a journey, not a destination.

Hoitt, who seems to have strongly believed that diligence was a sure road to success, might have, at one time, been attracted to that part of the Mormon philosophy.

Horatio Alger, Jr. (1832-1899) has been the most popular spokesman for the character ethic since Benjamin Franklin. Alger filled more than a hundred novels with his message, most of them written between 1868 and 1899. Most of

his books told the story of a boy's journey from poverty to the beginnings of success. His books were extremely popular during his lifetime and immediately after his death. Estimates of their sale vary widely (between sixteen million and four hundred million) but the exact sales do not really matter too much because no one denies that his books were much more widely read than publication figures would indicate: his books were passed from boy to boy and from generation to generation; libraries filled whole shelves with his books; many of his stories were serialized in magazines; and books were written in imitation of his. Though Alger's popularity began to wane by the 1920's, his popularity prior to that time was sufficient to ensure that his name and influence would linger. It has become a cliché to speak of the "Horatio Alger hero," even today; and Alger's books continue to be published (1974, 1975). When Cast upon the Breakers was resurrected in 1975, one critic wrote: "What a capital idea!" Another critic wrote that there was a "great deal of the marvelous in Alger's novels."

A typical book by Alger is Struggling Upward, or Luke Larkin's Luck, first published in 1890 (1974b). This book is typical of all his books in the way that it shows the ritualistic efficacy\* of the character ethic. The hero, Luke Larkin, undergoes a series of tests and responds decently every time. Fate rewards him after each test in a way that assures or makes possible his eventual success. His first

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\*Benjamin Franklin considered hard work, honesty, etc., to be rational techniques for succeeding at work; Alger added a magical quality: a kind of natural justice.

test is an ice skating race. Luke's opponent is a local rich boy, Randolph Duncan, an arrogant character. Duncan and another boy conspire to cheat Luke out of the prize, a pocket watch. The other boy then collides with Luke on purpose but Luke has such speed that the other boy is thrown back on his head. This is Luke's first test. Rather than going on to win the race, he stops and helps the boy. Then, later, he does not insist that the race be run again. He says to the referee who sympathized with him: "I am reconciled to the disappointment, sir. I can get along for the present without a watch." Luke's reward is that he meets a mysterious stranger that evening who hands him a tin box and tells him to keep it hidden for a while. The tin box represents a great opportunity for Luke. The stranger also gives Luke ten dollars; Luke gives the money to his widowed mother.

Luke and his mother hide the tin box, but a neighbor notices it accidentally and becomes suspicious. When the local bank is reported robbed, the neighbor notifies the authorities about the box and Luke is arrested. This is his second test. He endures the injustice cheerfully; for example, he voluntarily chops wood for the constable. He is rewarded when the stranger appears at the trial, exonerates Luke, and then takes him to New York where he buys him suits and a watch.

The stranger, a Roland Reed, suspects that Randolph Duncan's father, the banker, is the one who stole the money from the bank. The money belonged to a Mr. Armstrong.

Mr. Armstrong returns from a trip to Europe, and he and Mr. Reed, who also had at one time suffered because of the treachery of the banker, send Luke on an errand to the West to locate evidence that would prove the banker's guilt. This trip is Luke's third test. He does his job, showing all the appropriate virtues and now is rewarded handsomely with money and a job. Mr. Reed, who just happened to be a lost relative of Luke, builds a new house for Luke's mother.

The hero always has patrons in Alger's books. In this book, Reed and Armstrong are the patrons. They want to do everything they can for Luke after discovering his strength of character. For example, Armstrong once made this comment to himself: "A thoroughly good boy, and a smart boy, too! I must see if I can't give him a chance to rise. He seems absolutely reliable." Another time, Armstrong tries to encourage Luke with these words:

"When I was a boy of thirteen and fourteen I ran around in overalls and bare-footed. But I don't think it did me any harm....It kept me from squandering money on foolish pleasures, for I had none to spend; it made me industrious and self-reliant, and when I obtained employment it made me anxious to please my employer."

Alger's books encouraged generations of boys to expect that hard work, honesty, and thrift would always be rewarded and to count as the chief reward in life material success. His influence was dangerous. No doubt many of his readers sacrificed themselves and others only to fail in the end or to find out that success was not worth the sacrifice.

Ironically, even Alger's publisher, Frank Munsey--a Horatio Alger hero in his own right, eventually discovered how cruelly misleading Alger's stories were. Munsey discovered that Fate is not so just and kind, not even if--as in his case--it rewards hard work with wealth. He is recorded as having confided to a colleague, apparently when he was at a low ebb, this: "Today is my birthday. I've no family. My only relative is a sister who is older than I am. I wonder is it worth while" (quoted by R. Richard Wohl in Bendix and Lipset, 1966:501-506).

Alger's own life belied his moral. The son of a Unitarian minister determined to make him the spiritual leader of America, Horatio Alger was forced to sacrifice his childhood for success. It was a sad, lonely, and strictly regimented childhood. He spent most of his waking hours alone with his father--eating alone with him before the rest of the family ate, going on long walks with him, going alone to church with him. He had to sit beside his father while the latter wrote his sermons and then he had to listen to his father read the sermons. He was compelled constantly to study the Bible and the classics.

Because of the life he was forced to lead, Horatio lacked confidence and was eccentric as a child. He was lonely, and his father encouraged him to be aloof. It was not until his college years, at Harvard, that he achieved a measure of independence from his father to the point where he

was willing to defy him in order to marry the girl who was to be the only love of his life. He wrote to her: "My father is convinced we ought to wait, my darling Patience. That is not what I want to do even if the suggestion is sound. What is the value of love if lovers allow business to come between? I am ready to withstand the displeasure of my father if you are willing to be satisfied with the meager living I can earn because I suppose I will be a clergyman" (Tebbel, 1963:39). Unfortunately for Horatio, his father had secretly been writing to Horatio's fiancée and had convinced her that, if she really loved Horatio, she would not interfere with his career. She broke off with him but, as it turns out, she, like Horatio, never married. He was heartbroken when, years later, she asked him to come to her at her deathbed.

Horatio always resented his upbringing. Years later (1877), he gave vent to his feelings when he addressed the annual convention of the Northeast Conference of Ministers in New York City. He told the ministers that a child needed loving understanding and freedom to develop more than a child needed religious training. (His father wrote to him and rebuked him for making that speech.) Also, Horatio always had a great deal of sympathy and compassion for boys. Some say that he even expressed these feelings sexually (Huber, 1971:45-46) but this is questionable. In any case he lived most of his adult life in the Newsboys' Lodging House where he helped and befriended poor, orphaned boys and coincidentally acquired the material for his novels.

Horatio Alger revealed all his regrets and resentments about his past in his books. His heroes were what he wished he had been. Where he had been dominated by his father, his heroes were fatherless and so they were free of that burden and fortunate enough to find good men as father-substitutes, men whose expectations suited the character of the child. Alger's books were all wish-fulfillment and fantasy. He realized that himself. He never believed his books were significant as literature. While turning out his books, sometimes spending only a couple of weeks on a book, he always hoped to write someday the Great American Novel. He was going to title it Tomorrow. As he lay dying, he explained to his sister Olive that he had to write a great book before he died. "You've written enough, Horatio," his sister said (Tebbel, 1963: 135).

Just as the life of Alger's publisher and Alger's own life showed the fallacies of Alger's fallacy, its cruel unreality, so also did Carl Hoitt's life.

Carl Hoitt evidently, for a long time, assumed that hard work was the magic key to success. When he lived in California, there was a time when he worked by day and, by night, studied law in order to become a success in politics. Later, when he got into music, he maintained the same hectic pace: "I was always business-minded and keepin' things together and counsellin' people...." He said about the music, "You gotta be good, but you gotta be more than that. You gotta be dependable...." Later, in New Hampshire, he had a band and managed a restaurant. At this time, he was hoping that both the band



and restaurant would work out well for him. He said about this period of his life:

I had to buy the raw materials, the supplies. I didn't know anything about it, but I had to go out and beat the brush and find vendors that sold wholesale. I had to go down to the meat distributors. I had to go to vegetable people. I was busy all the time. I always had something on my mind to do, connected with the restaurant. And I played with the band at night, so I didn't get much sleep. I was takin' naps mostly.

What good did the hard work do him? He was constantly denied the achievement. Something always happened--the band members would desert him, his wife would let him down, a song would be stolen, the customers would not come into the restaurant, he would be incapacitated by migraine headaches. This would happen to him time and time again. The message would dawn on him: "I was doin' too much, too fast." But then he would try again, fail again.\*

Alger tested his heroes. Depending on how they responded, they would be rewarded. There is an irony in looking at Carl Hoitt's story in that light. There was the

\*It could be argued that Hoitt, though he was industrious, lacked perseverance, an equally important virtue according to the character ethic. After all, his life was constant motion, from one place to another, from one career to another. But that is debatable and probably unfair. After all, he did work hard for some time at each of his careers, against odds so great that failure was the likely outcome. He left each pursuit only in the face of adversity (sickness, bad grades in law school, dismissal from a job, the abuse of his children, etc.). Furthermore, though he changed jobs and locale, he persevered in his efforts to succeed. And, eventually, when managing the restaurant and committing the crimes, he persevered even when perseverance became foolhardy and absurd, probably because he did not want to admit to defeat any longer.

It remains a matter of judgment whether or not he was too quick to surrender. But, still, for the above reasons, it would not be inappropriate to credit him with perseverance.

abuse of his children and his need to accept the fact of the abuse and then to care for the children--consider that his test. He responded decently. He took care of his children. He protected them against the threat of their removal, of their being sent back to their mother. But what was his reward? Were this an Alger story, he would meet patrons, and the patrons would help him start out on the road to wealth. Well, Carl Hoitt did find patrons. His patrons were Vince and Joey, the two hoods. All the story needs for an ultimate irony is for one of them to say: "A thoroughly good boy, and a smart boy, too! I must see if I can give him a chance to rise. He seems absolutely reliable." Actually, they came very close to saying those words.

The moral Mark Twain drew in a book that was a parody of Alger's stories becomes an appropriate moral for this story of Carl Hoitt's life. Twain wrote (1903:XIX, 61-62):

....thus perished the good little boy who did the best he could, but didn't come out according to the books. Every boy who ever did as he did prospered except him. His case is truly remarkable. It will probably never be accounted for.

If a recent Harris Poll (1971:368) is to be believed, the character ethic remains vital in America, even now. Of his national sample of respondents, 61% agreed that "hard work still leads to success and wealth in America." For college students and respondents from the West, the total who agreed was less than the national average, but still greater than 50%.

The Personality Ethic:  
Dale Carnegie

Dale Carnegie (1888-1955) once asked someone the secret of his success. The man said, "Hard work." And Carnegie replied, "Don't be funny" (1964:73). That gives an idea of the difference between Carnegie's philosophy and the philosophy of writers who believed in the character ethic.

Carnegie believed that the secret in getting ahead lay in one's ability to relate to people. Personality is the important thing. He writes this about Andrew Carnegie (no relation): "he knew how to handle men--and that is what made him rich" (1964:75). He writes this about Andrew Carnegie's assistant, Charles Schwab: "Why did Andrew Carnegie pay Schwab a million dollars a year, or more than three thousand dollars a day? Why?....Because Schwab is a genius? No. Because he knew more about the manufacture of steel than other people? Nonsense....Schwab says that he was paid this salary largely because of his ability to deal with people" (1964:34).

Writers who believed in the character ethic also believed that an agreeable personality was important to success, but they considered it one of a number of qualities and not the most important of these. Benjamin Franklin, for example, ("wise old Ben Franklin", to quote Carnegie) added "humility" to his list of virtues when a Quaker friend told him he was too arrogant in his conversations with others (Carnegie, 1964:114-115). Personality began to be emphasized in the twentieth century. This emphasis

did not just have to do with manners but also with appearance (impressive clothes, white teeth, agreeable odor) and vocabulary. Much of advertising therefore pushes the personality ethic. One typical example is the mouth-wash advertisement where the daughter tells her father, a grocer, that his breath is driving the customers away.

Carnegie spread the gospel of the personality ethic in two ways: his courses on public speaking and his book, How to Win Friends and Influence People (first published in 1936), which began as a lecture for his course on public speaking. His book is divided into short chapters, each devoted to a principle that can help the reader "win friends" and "influence people". Each of the chapters is filled with examples. Some of these examples are stories his students have told him about their problems before the course and achievements after the course. Other examples come from Carnegie's and an assistant's exhaustive reading: "We read the biographies of the great men of all ages. We read the life stories of all great leaders from Julius Caesar to Thomas Edison. I recall that we read over one hundred biographies of Theodore Roosevelt alone" (1964:14).

While Carnegie's book is not concerned solely with success in business, much of it is, as one can see from the examples he used to illustrate his "Six Ways to Make People Like You:"

1. "Become genuinely interested in other people."

He writes that Howard Thurston, a popular magician, told

him that one secret of his success was his habit to say to himself before each performance: "I love my audience. I love my audience" (1964:60). Another story he tells is his own practice of remembering birthdays (1964:63):

If he says November 24, for example, I keep repeating to myself, 'November 24, November 24.' The minute his back is turned, I write down his name and birthday and later transfer it to a birthday book....When the natal day arrives, there is my letter or telegram.

Another story he tells is about how a Mr. Knaphle, Jr., finally succeeded, after years of trying, to sell coal to a chain-store organization. He succeeded by asking an executive to help him defend chain stores for a debate in a Carnegie course. The man was not only happy to help him but also asked to buy coal. Observes Mr. Knaphle:

To me that was almost a miracle. Here he was offering to buy coal without my even suggesting it. I had made more headway in two hours by becoming genuinely interested in him and his problems than I could have made in ten years by trying to get him interested in me and my coal. (1964:66)

2. "Smile."

He quotes a Mr. Steinhardt, who says, "I find that smiles are bringing me dollars, many dollars every day" (1964:69). He tells how Franklin Bettger explains his success in selling insurance (1964:71).

So, before entering a man's office, he always pauses for an instant and thinks of the many things he has to be thankful for, works up a great big honest-to-goodness smile, and then enters the room with the smile just vanishing from his face.

3. "Remember that a man's name is to him the sweetest and most important sound in any language."

He tells how Napoleon the Third took pains to remember the name of every person he met, even to the point where he would write the person's name down and stare at it until he had it fixed in his mind (1964:78-79). He writes that Jim Farley, a businessman and politician, "discovered early in life that the average man is more interested in his own name than he is in all the other names on earth put together" (1964:74).

4. "Be a good listener. Encourage others to talk about themselves."

He tells several stories about businessmen soothing irate customers simply by letting them talk themselves out. These businessmen find that listening is better than arguing. And then Carnegie concludes this section with this remarkable paragraph:

Remember that the man you are talking to is a hundred times more interested in himself and his wants and his problems than he is in you and your problems. His toothache means more to him than a famine in China that kills a million people. A boil on his neck interests him more than forty earthquakes in Africa. Think of that the next time you start a conversation. (1964:88)

5. "Talk in terms of the other man's interests."

He tells the story of a Mr. Duvernoy who had tried for four years to sell bread to the manager of a hotel in New York. The manager wasn't interested in bread, however; he was interested in the Hotel Greeters of America, of which he was president. When Mr. Duvernoy started talking to him about the Greeters, guess what happened?

6. "Make the other person feel important--and do it sincerely." Carnegie's examples seem to fit any principle; they are

interchangeable. This time, a Mr. Adamson sells theater chairs to George Eastman, of Kodak fame, by complimenting him on his choice of wood paneling for his office. Carnegie concludes this section by quoting Disraeli: "Talk to a man about himself and he will listen for hours"(1964:102).

Carnegie's book has been extraordinarily popular. Immediately after it was published, it appeared on the New York Times best-seller list and remained there for ten years. The clothbound edition is in its 109th printing and has sold more than 2,500,000 copies. The paperbound edition is in its 102nd printing and sells 250,000 copies a year, a total of 7,500,000 copies to date. And these figures are only for books printed in English: a total of about 10 million books! Meanwhile, his courses have enrolled more than a million people since 1912. Carnegie's course is now taught in 1,077 cities in the U.S. and Canada, as well as in 45 other countries.

Carnegie's philosophy suited his time. Success at work in the bureaucratic settings which have come to dominate the American economy depend as much on getting along with colleagues and supervisors as on technical competence, maybe more so. The physical mobility that the corporations require of their management and research staffs also must make these people conscious of the importance of personality. They have to make friends with people--colleagues and neighbors--who were total strangers to them. This is the world of the "organization man" that William H. Whyte (1956) described, where the ability to get along with virtual strangers

is a prime requisite of success and well-being. Whyte also notices how important it was for the ambitious organization man that his wife be an asset. As one man said, "A lot of business is done weekends." Another said, "Sure I want her to read good books and magazines. I don't want her to make a fool of herself in conversation" (1952: 172-173). This part about the wife is interesting in relation to Hoitt's story. If there was ever a time when Hoitt was guided by the personality ethic, it was during the time he lived in California and worked for Rockwell Aviation and had ambitions to go into politics. Like the executives whom Whyte interviewed, Hoitt wanted his wife to be an asset. The fact that she was not frustrated him greatly. David Riesman (1950) also explored the post-war society and discovered how the organization men were training their children to have the one characteristic which they had discovered was most valuable: to be agreeable.

Another explanation for the popularity of the personality ethic in the twentieth century has to do with the sheer efficiency of the American economy, due mostly to the increasing sophistication of the machines. More was being produced than could easily be consumed. The increasing frequency and seriousness of business slumps, culminating in the Depression and continuing in what we now call recessions, are partly due to that fact. One response of the corporations was to hire an army of salesmen. These had the responsibility to take products of dubious distinction and to convince people to buy. They had to do it with



their personalities. It was a strange life. Arthur Miller (1957:221) described it this way:

there is no rock bottom to the life. He don't put a bolt to a nut, he don't tell you the law or give you medicine. He's a man way out there in the blue, riding on a smile and a shoeshine. And when they start not smiling back--that's an earthquake. And then you get yourself a couple of spots on your hat, and you're finished.

These are the people whom Carnegie especially identified with because of his own experiences as a salesman; they people his books.

Carnegie insists that the techniques he describes help in the transformation of character: "I am talking about a new way of life. Let me repeat. I am talking about a new way of life" (1936:37). Carnegie believed that, if a person acted in a certain way, he would come to feel in a way that conformed to his behavior. "Act as if you were already happy, and that will tend to make you happy" (1936:70). But such a philosophy, though it has some merit, is weak. It does not offer enough assistance for the creation of a new way of life. And thus what Carnegie writes lends itself easily to the interpretation that friendliness can be manufactured wherever and whenever it is useful to gain a promotion, sell a product, increase prestige, and so forth.

If a personality is manufactured, the person on the other end of it--the one who is supposed to be manipulated by it--can be very much hurt by the relationship. If the manufactured personality is transparently manufactured, then the other person can not relate to a person

but instead to some fiction created by the person. If many people abide by these devices, everybody can be very lonely as a consequence, because no one is being really true or really human. J. D. Salinger captured that predicament in his book The Catcher in the Rye (1964). Salinger's hero, Holden Caulfield, feels that everyone--the adults--are "phony". His loneliness eventually becomes unbearable to him. He remarks at one point: "I'm always saying 'Glad to've met you' to somebody I'm not at all glad I met. If you want to stay alive you have to say that stuff though" (1964:87). And, if you do not see through the artificiality of the personalities that surround you, that can be very damaging too; because the time comes when you cease to be useful to these others and then they simply withdraw their friendliness as if it never existed. This is what Arthur Miller's salesman, Willy Loman, discovered. There is a poignant passage where Willy Loman is denied a chance to work in the home office and must either continue as a travelling salesman or be dismissed. He complains to the boss (1957:181):

You mustn't tell me you've got people to see--I put thirty-four years into this firm, Howard, and now I can't pay my insurance! You can't eat the orange and throw the peel away--a man is not a piece of fruit.

And later he says to his neighbor (p. 193): "Charley, you're the only friend I got. Isn't that a remarkable thing?" Loman was destroyed when he realized that the friendship of the people he had been working with was simply self-serving--he had squandered his life without earning any lasting gratitude or affection. In a way

Hoitt made a similar discovery when he lost his job in California. He had worked for the organization for eight years, but his sickness made him expendable.

The people who tried to use "personality" to manipulate people even had trouble living with themselves. One psychiatrist (Schachtel, 1961) who worked with this clientele reported that they came to him complaining that they felt like "imposters"--in their work or in relation to their background, their past or some part of themselves. Schachtel concludes, "They do not really know who they are, what they want, or how they feel about other people." Two psychologists, James Bender and Lee Graham (1950: 11-12), summed up the common effect of the personality ethic in this way: "If you were to follow the advice in these books, you'd become unnatural, irritating, and insincere."

There were a number of others who thought along the same lines as Carnegie: Orison Swett Marden (who had once emphasized the virtues of the character ethic and then changed with the times); Elmer ("Mr. Sizzle") Wheeler; Frank Bettger, Gerard I. Nierenberg, and Henry Link. But recently there have been some new developments which perhaps reflect the problems of advice like Carnegie's. The new ideas all have to do with the fact that smiling, being obsequious, and being so-so nice to people may not be the way either to their hearts or to their wallets. The whole encounter group movement, for instance, emphasizes the importance of being direct and honest in relationships. Transactional analysis recognizes how diverse people's expectations can be in a

relationship (Berne, 1964) and Meininger recently (1973) applied the principles of transactional analysis to achieving success. Especially interesting is the assertiveness training movement, especially popular with women who want equal rights. The assumption behind this movement is that the way to get ahead is to be very demanding, very intimidating, very self-confident and in an obvious way, very self-consciously manipulative. Books along these lines include Your Perfect Right (Alberti, Emmons, 1970), Anger: How to Use It (Shifrin, 1976), Winning Through Intimidation (Ringer, 1976), Power! How to Get It, How to Use It (Korda, 1975) and The Organization Guerrilla (Weiss, 1975). This movement is really an inversion of Carnegie's philosophy. A good title for one of these books would be How to Lose Friends but Influence People.

There were times when Carl Hoitt thought that personality was necessary for success. As was pointed out earlier, the time he lived in California is an example of this. At that time, he had political ambitions and was active in union politics. He realized the importance of "contacts" in accomplishing what he wanted. In fact, only after he realized that he had acquired some important contacts through his union activities did he begin to see the possibility of making a career in politics. He said, "So I had political aspirations. I had talent. I had contacts. I lacked education, but I was getting that and doing good at it. I was inspired and I had high aspirations." He knew he had to please and to impress these contacts and even-

tually the public. This was why his marriage especially began to trouble him. He said, "I couldn't have people in the home because it was never cleaned up properly." On the other hand, he did not want a divorce: "I could see clearly the way to go and the plan was pretty well formulated. And the only flaw in it was the marriage, which is no small thing. I knew it wouldn't help my political career any to be a divorcee."

Another time when he recognized how important personality was in achieving success was when he arrived in Nashville. Once again, contacts were all important. He said, "There's cliques in every locality, and it takes a while to get known....Your name has to get around. And you have to be accepted. It doesn't matter just how good you are." He also said:

We knew a lot of people. We knew a lot of stars down there. We was there for some length of time. So we knew a lot of people and we knew 'em personally and some of 'em were friends. We went to places where we knew we would meet these people and associate with them for that prime purpose, to get into the business.

He also saw personality as an important entree into crime. There too, the contacts were necessary: professional criminals, like Vince and Joey. He had to be accepted by these people and, in order to be accepted, he had to be liked. He believed these men had come to like him:

They thought I was a solid dude. And I am, in prison vernacular, a stand-up guy, solid people, somebody you can depend on, somebody who'd keep his mouth shut, somebody who'd help you if he can and damned sure won't hurt you.

Robbery is a perfect example, as a matter of fact, of the

flaw in the personality ethic. Personality is turned on and off, according to how useful it is. The robber can be perfectly charming with his partners while regarding his victims as if they were mannequins with money.

Mind Power:  
Norman Vincent Peale

Mind power philosophers are not very much concerned with the way a person acts when he or she is on the job. More important is the general frame of mind of the individual. If a person has the proper frame of mind or outlook, then effective action follows automatically or, in some magical way, success simply comes to the individual in the way that iron filings are drawn towards a magnet.

Mind power, like the personality ethic, emerged because the changes in American society associated with industrialism--large corporations, urbanization, and the business cycle--made the character ethic a less effective technique for achieving success than it was. Mind power emerged earlier than the personality ethic, becoming popular in the 1880's and 1890's. It emerged at a time when people were looking desperately for a new, any new, philosophy of success.

The philosophy began as a religious movement, called New Thought, which flourished from the 1880's until about 1920, when it went into decline (Huber, 1971: 131,177). Huber quotes one member of the movement who explained its appeal in this way (1971:170):

the thing which most deeply stirred our suburb was

the frank and uncompromising way in which 'New Thought' addressed itself to our bread-and-butter problems.... 'New Thought' promised economic redemption in this world, and we were vastly more startled at that--really, I am measuring my words when I say this--we were vastly more startled at that than we were at the most lavish and specific assurances regarding salvation in the next.

And Griswold (1934) writes, "The very novelty of New Thought gave it popularity."

The New Thought movement consisted of a number of religious sects with names like Divine Science, Home of Truth, Church of the Truth, Unity, Institute of Religious Science, and Psychiana; most of these were loosely organized into a federation called the International New Thought Alliance. It has been estimated that, in the years around World War I, there were 300 to 400 New Thought centers operating in the United States and Canada, with as many as a million people being influenced by its doctrines in the United States. Since the decline of the movement formally identifying itself as New Thought, the philosophy has continued to be expressed by both religious and secular thinkers with such effect that leaders of the movement have estimated that, by World War II, from fifteen to twenty million people in America were being influenced by New Thought teachings (Huber, 1971:126). And that estimate preceded the work of some of the most influential of the philosophers of mind power, most notably Norman Vincent Peale.

Norman Vincent Peale (1898- ) is the son and grandson of Methodist ministers. He continued the family tradition after a brief career as a journalist. He began his

ministry in 1924 in Brooklyn and moved to the church with which he is still associated, New York's Marble Collegiate Church, in 1932. New York's Marble Collegiate was and is one of the most prestigious Methodist churches in the nation; the Church selected Peale because of his successes earlier in his career. Peale seemed, in 1932, to be a rising star, but no one at that time could possibly have foreseen just how far and how high that star would go. What did happen was that, in the 1950's, Peale became a national phenomenon. His message hit America in the 1950's and, from then on, hit the country continuously, pervasively, and, in general, to great applause. Huber writes that, by the mid-fifties, "his words, in one form or another, were reaching out to encircle some 30 million people a week" (1971:314). This is the way he did it: he had a daily radio program usually carried by about 100 stations; he had a weekly television program carried by 120 stations; he lectured constantly, usually three or four times a week and usually to businessman's organizations; he had a weekly newspaper column; he wrote a column for Look magazine which appeared once every other week; his weekly sermons were heard live by about 4000 persons and then were printed and distributed to 250,000 persons; he supervised and contributed to Guideposts, a monthly magazine of inspiration with a circulation of 750,000; he recorded long-playing records; he was the subject of a Hollywood movie, One Man's Way (1964); he was co-director of a psychiatric outpatient clinic in New York City; and he wrote several very popular books including The Power of Positive Thinking (1952).



After publication, The Power of Positive Thinking immediately became a best-seller and remained on the New York Times list of non-fiction best-sellers for several years. The book was serialized in more than 85 newspapers and 13 national magazines and translated into fourteen languages. The two millionth hardcover copy sold in 1956; by the late sixties, about four million copies had been sold in both hardbound and paperbound copies.

The Power of Positive Thinking earned Peale more than a million dollars. His wealth caused him new problems, unusual problems for a clergyman. A big one was whether or not to buy a Cadillac. His biographer (Gordon, 1958:233) writes that he bought a Cadillac one day out of resentment that another minister had been criticized simply for driving around in one.

So incensed was he that he went right out and ordered a Cadillac for himself. Instantly the familiar sequence of reactions set in. He was sticking his neck out. He was inviting criticism. People would say he was a show-off. People would say....

Then the defiant Peale inside of him would say to the timid Peale, "What's the matter with you? Are you a man or a mouse? You earned this car, you worked long and hard for it, didn't you? This is a free country, isn't it? Are you afraid to drive your own car for fear of what people will say?"

Then he would drive it. But he wouldn't fully enjoy driving it, because some people would be critical.

In The Power of Positive Thinking, Peale is not just concerned with helping people succeed in their business or profession. On the other hand, it is not fair to say as Peale did in a 1956 preface to the book that the book did not teach positive thinking as "a means to fame, riches, or

power." In fact, Peale offers a technique which he claims can help accomplish any goal. He writes about the importance of being happy, calm, healthy (he believes many illnesses are psychosomatic), and successful in marriage as well as being successful in business. But, surely, many of his readers must have picked up on that last aspect of his technique.

Peale's prescription can be summarized very easily: pray, read the Bible, think positively (expect the best, visualize or verbalize the goal), spend short periods daily in meditative silence, understand the relationship between past traumas and present difficulties, and relax physically ("feel your way into the essential rhythm of almighty God and all his work", p. 41).

Some of the success stories he describes illustrate how the technique works. One man was about to work on the "most important business deal" of his life, but did not have enough confidence in himself to carry it off. Peale tells him a cure potent enough to get him over his temporary predicament: he must recite the phrase "I can do all things through Christ which strengtheneth me" three times before going to bed, three times on awakening in the morning, and three times on the way to the important meeting (1956:2-3).

Another man, a salesman, told Peale, "I used to drive around all day between calls thinking fear and defeat thoughts, and incidentally that is one reason my sales were down" (p. 9). The secret of this man's success is that he began instead to concentrate on two phrases from the Bible:

"If ye have faith...nothing shall be impossible unto you", and, "If God be for us, who can be against us?"

Another story has Peale asking "an outstanding newspaper editor", "How did you get to be the editor of this important paper?" (pp. 117-118). The man answered, "I wanted to be." Then, the editor explained,

I believe that if you want to get somewhere, you must decide definitely where you want to be or what you want to accomplish. Be sure it is a right objective, then photograph this objective in your mind and hold it there. Work hard, believe in it, and the thought will become so powerful that it will tend to assure success. There is a deep tendency to become what your mind pictures, provided you hold the mental picture strongly enough and if the objective is sound.

A woman, in another story, fails at selling vacuum cleaners because of a lack of confidence, but then learns to repeat before every call, "If God be for me, who can be against me." Concludes Peale, "Now she declares, 'God helps me sell vacuum cleaners,' and who can dispute it?" (pp. 119-120).

To illustrate positive thinking, Peale at one point tells a story about Henry J. Kaiser (pp. 210-211). Kaiser was building a levee along a river bank but there was a flood and everything--all the machinery--was buried by mud. The workers were dismayed, but not Kaiser. He said to them, "Why are you so glum?" They told him that the machinery (Kaiser's machinery) was covered with mud. "What mud?" he asked brightly. Needless to say, his attitude confused them and they said, "Look around you, it's a sea of mud." He said he did not see any mud and laughs and then explains,

I am looking up at a clear blue sky, and there is no mud up there. There is only sunshine, and I

never saw any mud that could stand against sunshine. Soon it will be dried up, and then you will be able to move your machinery and start all over again.

One last story, an especially interesting one, was about friends of Peale, Maurice and Mary Alice Flint. The Flints were in debt and without bright prospects and they were full of resentment about it. Peale brought to their attention the Biblical phrase, "If ye have faith as a grain of mustard seed...nothing shall be impossible unto you." The phrase impressed Mr. Flint very much; he meditated on the phrase and began actually to acquire faith. It occurred to him that, if he actually carried a mustard seed around with him, it might be easier for him to contemplate the phrase. He tried doing that a couple of times but lost the seeds. Then he had an idea of enclosing a mustard seed in a plastic bubble and even marketing the product. He called it a "Mustard Seed Remembrancer" and he made various pieces of jewelry such as cuff links and necklaces utilizing the idea. The product took hold and the man's life was turned around. This is Peale's moral (p. 168).

Curious, isn't it--a failure goes to church and hears a text out of the Bible and creates a great business. Perhaps you, too, will get an idea that will rebuild not only your life but your business as well.

And he calls this "a thrilling demonstration of faith power."

Peale has been criticized for making impossible claims for his technique, for making God a servant of man, for putting little emphasis on honesty and morality, and for putting little emphasis on the ends to which his technique is to be put. The criticism was slight before 1955; in 1955 it reached

a crescendo, coming both from the religious and secular communities. Some of this was humorous, like Adlai Stevenson's comment, "I find Paul appealing and Peale appalling" (Huber, 1971:338). But some of the clergymen were very upset with him. A bishop from his own Methodist Church wrote: "I seriously question whether his message is a Christian message.... That kind of preaching is making Christianity a cult of success" (quoted in Gordon, 1958:265). Another critic said, "There is nothing humble or pious in the view this cult takes of God. The formulas and the constant reiteration of such themes as 'You and God can do anything' are very nearly blasphemous" (in Gordon, 1958:265). Another called his message a "parody of religion;" still another wrote, "There is nothing more sinister than the instrumentalization of religion--the use of God to accomplish a special aim..." (in Gordon: 266). Peale almost quit the ministry because of the criticism, according to his biographer (Gordon, 1958:267).

There have been many interesting statements of the mind power philosophy besides Peale's--extraordinary, pathetic statements that show in a very powerful way how obsessed some Americans have been with the idea of success. Statements like these: "TO THINK SUCCESS BRINGS SUCCESS" (Prentice Mulford, quoted by Huber, 1971:137). "Then suddenly it came to me one day that I was putting off my wealth to some future time. I must claim wealth NOW. Then I began to say, I AM wealth--I AM. I said it actually millions of times" (Elizabeth Towne in Huber, 1971:173). "You want a

better job? You'll get it when you give your subconscious mind a mental picture of yourself holding that job" (Claude Bristol, 1958:60-61). "My doodling was in the form of dollar signs like these '\$\$\$\$\$--\$\$\$\$--\$\$\$--\$\$' on every paper that came across my desk. The cardboard covers of all the files placed before me daily were scrawled with these markings, so were the covers of telephone directories, scratch-pads, and even the face of important correspondence" (Bristol, 1948:11).

Names associated with mind power besides Peale include (before 1920) Charles and Myrtle Fillmore, Helen Wilmans, Ralph Waldo Trine, Henry Harrison Brown, Elizabeth Towne, Frank Haddock, Prentice Mulford, Orison Swett Marden and (after 1920) Emile Coue, Eugene R. Dukette, Napoleon Hill, Robert H. Schuller, Harold Sherman, Nelson Boswell, Dorothea Brande, Og Mandingo, and W. Clement Stone. The last two are responsible for Success Unlimited, a magazine which is currently being published.

The popularity of mind power is not diminishing. It is very popular today, appearing like leaves of grass in the spring, appearing under a succession of new labels and being championed by a crowd of prophets. Now, in the seventies, this just might be the most popular of the philosophies of success. Two currently popular self-help books teaching mind power are Wayne Dyer's Your Erroneous Zones (1976) and Leon Tec's The Fear of Success (1976). The newspapers advertise a "Special Lecture on Mind Control and ESP: Over Half a Million Graduates." The advertisement makes the claim

that "mind control students report better control over health, memory, creativity, motivation, salesmanship," etc. Ruth Carter Stapleton, the sister of Jimmie Carter, recently wrote a book (1976); the book is advertised in these words:

Jimmie Carter credits his sister with giving him an inner assurance. Now, Mrs. Stapleton's book, The Gift of Inner Healing shows how you can have inner assurance through her exciting new approach to the unheeded lessons of the past. Already thousands have found relief from care, anxiety, fear, and depression.

Jimmie Carter is sure to popularize the message. Time magazine (June 28, 1976:19) relates an interesting incident:

During a colloquy with reporters last week, Carter observed that Lyndon Johnson had never been fully accepted by Eastern liberals. 'Why,' he was asked, 'would you think you could be?' Replied Carter: 'Because I'm sure of myself.'

There are a host of currently popular philosophies described as helping a person to acquire calm and self-control: transcendental meditation, yoga, est, biofeedback, gestalt and reality therapies, and scientology. All of these techniques can be categorized as mind power philosophies, the current manifestation of a type of philosophy that first became popular in America in the 1880's. Of course, not everyone who turns to these philosophies is trying to find some key to success in business or a profession--some are trying to free themselves of the drive to succeed. However, it would not be fair to assume, as was assumed in a recent NBC news special (1976), that all the people involved in these "self-awareness" movements have moved "beyond the American Dream." Some who practice these philosophies want to use them to achieve the American Dream: they want success

as it has been traditionally understood in America and they want to achieve it in a way that is, in a fundamental sense, not new to America. And the leaders and publicists of these movements do not necessarily discourage the motive to succeed. Take transcendental meditation, for example. Jerry Jarvis, an official of the movement, says frequently in his lectures: "Transcendental Meditation brings fulfillment to an individual in his own terms" (Forem, 1963:163). Forem includes, in his book about TM, testimonials like this one from a fifty-four year old aerospace executive: "I feel that my effectiveness in business has improved and has been reflected in increased ability and higher pay" (1973:164). Bloomfield and Cain (1975: 77) entice their readers to practice TM by pointing out that "astronauts, senators...a high-ranking China expert...a famous dietician, Wall Street brokers, scientists, artists, and businessmen practice TM."

Schur has reviewed many of the popular therapies including TM and concludes (1976:77): "To an extent then, the popularization of awareness is but another version of the quasi-religious dogma of optimistic individualism that has always sold so well in America."

Despite the popularity of mind power philosophies, there is no real evidence from the life history that Carl Hoitt ever applied this kind of philosophy in the pursuit of his own career ambitions. He never talks about wishing success or adopting a positive attitude before beginning anything or engaging in exercises of any sort that would be



conducive to success. Nevertheless, it is possible that he did apply mind power. For instance, it is possible that he felt a religious practice or attitude would bring success. There are several reasons why the mind power technique would not appear in the story even though he might have practiced it. Possibly, this kind of technique is soon forgotten if it does not work out. A person will feel ridiculous for having put faith in such magic. Or, possible, because mind power is not demonstrated in action as much as the other techniques, it will not emerge in the life history in the way that the other techniques would.

But if Hoitt actually did not use mind power, how might that be explained? The explanation might relate to geography, class, or religious affiliation.

Hoitt lived, during most of his life, either in New Hampshire or in the West, especially southern California. For some reason, the mind power philosophies seem to have been especially strong in the Midwest. That is where the philosophy, as a religious movement, originated in the 1880's (Huber, 1971:131, 177); also, Peale was born and raised in the Midwest. It is possible that Hoitt never used mind power because the philosophy was not popular where he lived.

Class and religious affiliation are, of course, closely related. And there probably is an association between these factors and mind power, as a technique for success. The lower classes practice a type of mind power when gambling (kissing dice, praying that a horse or a number is the winner) but there is no evidence that it is popular among the lower

classes to relate mind power and work. Mind power, as a religious movement, has always been associated with the middle classes--small businessmen, professional people, executives. Peale's congregations were prosperous people--middle class and upper middle class. Perhaps the lower classes, because their chances of success through work are not great, either accept the conventional wisdom (the character ethic), justify crime, or abandon the aspiration to succeed altogether. They are not so likely to find any new philosophy of success at an occupation appealing. Because Hoitt's associations during most of his life were lower class, Hoitt might therefore, for that reason, have been insulated from mind power philosophies. For example, coming into California as he did-- penniless--he was drawn to a pentecostal mission and joined that faith for a time. Yinger (1957:170) points out that membership in these sects typically were lower class, recent migrants into the cities. He found that the ideology of these churches was decidedly anti-materialistic and anti-worldly: "Their members look for their reward in heaven or in some apocalyptic transformation of the world....The solution of economic distress is a collective look to the future, beyond history." Religious affiliation was, for many people, an important source of information about mind power as a technique for success. But, by joining a pentecostal church, an act largely a function of his class origins, Hoitt was influenced, at a time when he was very impressionable, to be-- at most--ambivalent about success; he was insulated from a mind power philosophy.

It is possible that Hoitt will, in the future, practice this technique. He is now disillusioned with success, but, of course, prison is an environment where he has no alternative but to seek other goals if he is to retain his sanity. But, when he leaves prison and resumes a normal life, it is possible that the dream of success will revive in him. And, if so, he might practice mind power, for three reasons: First, as was pointed out earlier in this discussion, mind power is an extremely popular technique today, and so it is unlikely that anyone can be totally ignorant of it. Secondly, there are only four general kinds of techniques for success and this is one of the four; through sheer desperation or simply for the sake of variety, there is a chance he will discover mind power. Finally, prison has undoubtedly had the effect of making him more introspective than he was before. Thinking, reading, and hoping have become his chief sources of solace and pleasure. In prison, he began to believe in astral projection, as when he felt he could communicate with his wife telepathically:

And, we'd meet in our thoughts, maybe at eleven o'clock, the night of a visit. We'd set this up. And pretty soon it was almost like you'd be right together. I am not one to say that there isn't such a thing as astral projection because sometimes you'd feel a person's presence and influence just as much as if they were sitting right beside you. She'd write and say, "Gee, I had the strongest feeling about you last night at suppertime. What were you doing?" And I had her picture down at that time and I was looking at it. And there was a strong concentration on my part, focused on her, and she felt it.

Being in this frame of mind will make him very receptive to mind power as a technique for success, if the ambition to succeed ever revives in him.

### Crime

There have been no teacher-practitioners of crime who have achieved fame in any way comparable to a Horatio Alger, a Dale Carnegie, or a Norman Vincent Peale. This is because the practitioner, if he is committed to a career in crime, must keep his identity and tactics secret. Others find it hard to publish if they dare to extoll crime in a blatant way. Or, they prefer to relate their exploits, make heroes of themselves; they do not want to be considered skilled technicians. They do not want to teach; they want to be admired. For all of these reasons, crime, as a technique, has had primarily an oral tradition, not a literary one.

It makes sense to suppose that much crime is motivated by the dream of success. So long as wealth and power and fame are valued, then it is always possible to achieve that kind of success by cutting the corners outlined by the laws and the common sense of decency of the society. Success can be gotten by force and fraud. Means become unimportant. Failure becomes more of a problem than evil. Daniel Drew, the nineteenth century cattle baron and financier, put it this way: "A...man has got to get along somehow. Better that my hog should come dirty home, than no hog at all" (Wyllie, 1954:71). Robert Merton (1938,1957) explained crime in the way just indicated. He believed that the idea of achieving material success has come to be more important than ethics. Inevitably, there is a great deal of

criminality or, in his words, "innovation".\* He wrote (1938:675):

The extreme emphasis upon the accumulation of wealth as a symbol of success in our own society militates against the completely effective control of institutionally regulated modes of acquiring a fortune. Fraud, corruption, vice, crime, in short, the entire catalogue of proscribed behavior, becomes increasingly common when the emphasis on the culturally induced success-goal becomes divorced from a coordinated institutional emphasis.

Merton believed that the poor and the uneducated are especially unlikely to achieve success in legitimate ways. And, therefore, they are the people most likely to resort to crime.

Merton's idea that the emphasis on success in this culture produces crime is no longer controversial. As was pointed out earlier, Merton was not the first to advance the idea. He is one of those disillusioned with the idea of success; and there is a long tradition of this sort of disillusionment. The tradition is not fading, either. Jeb Stuart Magruder, the Watergate figure, in an autobiography echoes Merton (1974:318):

I think that I am a fairly representative member of my generation. And, looking back over my life, I think that I and many members of my generation placed far too much emphasis on our personal ambitions, on achieving success, as measured in materialistic terms, and far too little emphasis on moral and humanistic values.

What is questionable about Merton's thesis is his assumption that the poor and uneducated are the most frus-

\*"Innovation" is not adequately defined by Merton and possibly refers to other kinds of behavior as well as criminal behavior.

trated and therefore the most likely to engage in criminal behavior. A counterargument is that success is very open-ended, as it is conceived by Americans; therefore, everyone is always denied success. The rich man can be as frustrated as the poor man (Teevan, 1975);\* Merton refers to a study that shows that persons of all income levels want approximately a twenty-five percent increment to their income; it would seem that the data contradicts Merton's assumption that the poor are more likely to be the most frustrated.

Secondly, Merton supposed that the society is very homogeneous in terms of its morality. He assumed that all people share essentially the same ethics. Therefore, he assumed that those who turned to crime had assimilated the culture's emphasis on success but had been "inadequately socialized" in terms of a morality. He writes (1938:677): "Inadequate socialization will result in the innovation response whereby the conflict and frustration are eliminated by relinquishing the institutional means and retaining the success-aspiration." Merton seems to think that, if someone is unable to achieve success and has not learned the importance of right behavior, he automatically invents some sort of criminal response. The criminal is autonomous and ingenious, according to this theory.

\*In defense of Merton's idea, it could be argued that the upper classes can make more progress towards success, even though the ultimate achievement of it eludes them; therefore, they tend to be less frustrated.

In contrast to Merton, Edwin Sutherland, called the "dean of American criminology", did not tie criminality to the American idea of success; neither did he deny that many people were motivated to succeed. Sutherland did not speculate about motive at all. He simply believed that criminal norms were widespread, and, consequently, criminal behavior would occur, regardless of the specific purpose of the behavior or the intensity of frustration. He wrote: "Most communities are organized for both criminal and anticriminal behavior...." (1974:77). He believed that everyone encountered both legalistic and criminalistic influences. One became criminal if the latter dominated the former. Sutherland, like Merton, believed crime was most prevalent among the lower classes and the uneducated, living in urban neighborhoods. To Sutherland, the decisive cause of this concentration is the fact that crime is highly regarded in these neighborhoods and an individual is likely consistently to be influenced to engage in crime. Sutherland considered the kind and intensity of frustration suffered by people in these neighborhoods to be relatively unimportant.

The idea that people are influenced to engage in crime is not at all controversial. But Sutherland's thesis has been controversial because of the importance he gives to this influence and the apparent mathematical exactitude of the theory, as when he writes: "A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violations of law" (1974:75). It so happens that research is not able

to support the controversial aspects of Sutherland's theory. It is not possible to identify and then to measure all of a person's influences, in such a way as to test Sutherland's theory.

If it is not possible to verify Sutherland's assumption that the preponderance of influences determines behavior, then it is possible that influence is just one part of an explanation. It is possible that a person's motive determines one's susceptibility to be influenced in one way or another. The best explanation of crime, in other words, may be a combination of Merton's and Sutherland's ideas: both motive and influence explain crime.\*

Carl Hoitt's crime can be explained by combining the two ideas. Hoitt wanted very much to succeed, as has been

\*Many sociological theories of crime apply one or a combination of the two ideas. Cohen (1955), for example, combined the two ideas to explain lower class gang delinquency. Cohen suggested that lower class male delinquents were unable to achieve the respect of adults but could not, as individuals, muster either the courage or initiative necessary to generate an alternate life style. However, they were able to discover crime through interaction, each reinforcing and elaborating on the initiatives of others. It should be added that, though Cohen believed that frustration (related to success) motivated crime, he did not consider this crime a means of achieving success; instead, Cohen explained the delinquency, because of its nonutilitarian quality, as a rebellion against success.

Miller (1958) also combined the two ideas to explain lower class gang delinquency but not in the same way that Cohen did. Miller suggested that lower class culture sanctioned criminality (as "smartness") as a means to succeed, to acquire "material goods and personal status."

Labelling theorists also combine the two ideas. Lemert (1967), for example, recognized that social control processes both frustrate a person and cause that person to associate with others, also stigmatized and perhaps already disposed towards deviance, and that both the frustrations and the associations cause later (or "secondary") deviance.



shown. Money was an important part of his ambition. This comes out many times, but a good example of it is his explanation of why he first left his hometown of Dover, New Hampshire:

We went to California 'cause there wasn't much opportunity in the East Coast, especially the Dover area, unless you wanted to work in a shoe shop or the tanneries. And that wasn't for me because I could see guys goin' into tanneries and startin' out at a dollar-forty-seven an hour and somebody who'd been there fifteen years only earning ten cents an hour more. So that's not much incentive or much to look forward to. You didn't have to be much of a financial expert to see that there wasn't much of a future in that.

Clearly, then, Hoitt had, in Merton's terms, "assimilated the cultural emphasis on success." Furthermore, at the time he chose crime, he was greatly frustrated. He had tried one activity after another. Nothing seemed to work out for him, try though he might. His last venture prior to the crime, the restaurant business, threatened to bring him down in bankruptcy and disgrace. Symbolic of his situation at the time he was committing the crimes was the fact that he had a Cadillac, in disrepair, raised up on bricks, no license plates, locked in his garage.

Hoitt's lack of education had contributed to his frustration. And this, too, is consistent with Merton's thesis. After all, Hoitt's first failure came when he tried to acquire an education, on top of a full-time job and a family. He could not handle all the pressure and so he had to shelve his political ambitions.

But it would be unfair to say that Hoitt had not adequately been socialized in conventional morality. He

remembers his parents and relatives as always encouraging him to do right, and there is no reason to doubt the accuracy of his memory in this regard. Rather than being "inadequately socialized," Hoitt seems to have gone through a process of de- and resocialization. He had discovered that many successful people engaged in morally dubious and criminal acts. He discovered that this was so in the music business, where stars and their promoters would do anything to eliminate a competitor. He said:

I've seen record companies that will take a singer, a new singer, and sign a contract with him and put him on the shelf to protect one of their stars. It's vicious. It's a vicious business. You gotta know what you're doin', or you can get hurt.

His eyes were opened to this through reading also. When he explained to his partner in the restaurant, Tom Walker, his decision to enter crime, he said, "Look, the whole United States of America, its government, its business, and everything else is set up on criminal activity....people read about these things and they forget them. They forget the things Jack Anderson is telling them...."

Hoitt also became bitter at the law because of the way he felt his partner was framed and of the leniency given his wife and her lover for the abuse of the children. The latter would also have the effect of making him less afraid of the consequences of being caught and convicted of crime.

He also knew people who had criminal records and were engaging in crime. He mentions, at one point, that many of the people in the music business and the nightclub

business had criminal records, and, of course, these were his businesses for a long time. Some of his friends at the time he was involved in the robberies evidently were pushing drugs; they asked him if they could store some of their paraphernalia in his car. His partner, Tom Walker, had a prison record. And, of course, all the people he met at the Rockingham County Jail, while visiting Tom, were in trouble with the law, if not convicted. All of this, no doubt, made him look on crime as normal, if not right; evidently, he began to consider crime the "smart" and "manly" thing. He came to think that crime is so common, so necessary for success, that a person would have to be a fool or a coward not to commit crime when the opportunity presented itself.

Hoitt was, then, partly influenced to commit crime. But the influence cannot be considered the entire explanation, either. There is no reason to suppose, as Sutherland suggested, that Hoitt became criminal "because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law."

The decision to go into crime was Hoitt's. Probably, Vince and Joey (his partners in the crimes) wanted him to join them and take the risks for them; they were probably waiting to ask him to join them or waiting for him to ask for a loan that he could only repay by agreeing to join them. Whatever they might have intended, Hoitt is the one who asked them. He took the initiative. It was his idea. "I want some action," he said to them. In Hoitt's case, there seems to have been a combination of invention and conform-

ity. Together, these brought him to crime. Like hard work and personality, crime also failed him.

### The Future of Success

In prison, Hoitt became disillusioned with the idea of success. He became religious and sought a new kind of success, through salvation in the after-life. He might revert back to his old style, after prison. But, for the time being, he has made the transition. Perhaps, the trend in his own life reflects the historical trend. It is a debatable idea.

In recent years, a number of writers have argued that ambition as it has existed in America is on the wane. The attitude of the young, especially, has been taken as a sign of this. Prominent among these observers are Roszak (1969), Marcuse (1964), Goodman (1960), Reich (1971), and Bell (1973). Like the earlier observers, these too have depended on personal information, a "feel for the times", the indirect evidence of popular books and heroes, and an analysis of the underlying social and economic conditions. There is no consensus now about whether these changes have occurred or, if so, how permanent they are. Many think that the seventies are more conservative than the sixties and that, whatever might have happened in the sixties, it was temporary.

Sample survey techniques have recently been used in connection with this issue. Tarnowieski (1973) found that a sample of business executives ranked "job satisfaction" as being more important than either income or advancement. Harris (1970:376) found that a sample of youth rated job

satisfaction as the most important quality of a job, just as Tarnowieski's businessmen did. Chenoweth (1974), surveying articles in The Reader's Digest and The Saturday Evening Post, found that non-material definitions of success began to exceed material definitions beginning in the period 1957-1959. Yankelovich (1974) found that a sample of youth put less of an emphasis on money in 1973 than a comparable sample did in 1968. These findings would seem to indicate that Americans are less success-oriented than might be supposed. But there is data pointing in the other way. Merton (1957) referred to a study indicating that Americans at every income level want a twenty-five percent addition to their income. Bendix and Lipset (1966) conducted a similar study and found also that Americans at every income level want more income, though the desired supplement decreases as income rises. Gallup (1976) found that youth consider \$20,000 a "desirable income" (the median income is approximately \$12,000). And Yankelovich (1974), in the same study previously cited, found that youth are more career-oriented and salary-conscious in 1973 than in 1968.

Evidence from surveys is contradictory and each individual survey can be interpreted in different ways. One problem is that the dream of success is very hard to elicit, especially through quantitative methods. People are reluctant to share their more grandiose ambitions and are confused about what it is that they want out of life; people have ideal images of themselves that they want to project, while their behavior is modeled on values they rarely utter. All of this makes accurate understanding of people's ambitions

difficult. Also, people's feelings change. It is possible that the apparent contradictions in the surveys show real changes in popular feeling; or they might not show the real feeling. Answers to questions can be interpreted in different ways: for example, respondents to the surveys of Tarnowieski and Harris might have rated "job satisfaction" highest simply because it was the most general category; they might have regarded job satisfaction as encompassing money and advancement rather than as being an alternative to those things.

Though surveys do not provide conclusive answers about the trend in the popularity of the success idea, there are a number of ways to explain a decline in the popularity of the idea, if there is such a decline. First, earlier in this chapter, it was pointed out that success in America has been conceived as "having the most" or "being the best" in relation to a community of reference. Since, over time, for several reasons, Americans tend no longer to identify with the local community of residence, then success must relate to a national or regional community. This means that true success is harder to achieve than it once was. There remain opportunities to make progress towards success, but the goal recedes farther and farther away. Inevitably, people will become discouraged and one possible consequence of the discouragement is that they will become disillusioned with the idea of success or they will cease to expect to succeed. Hoitt is a good example of this. He wanted to succeed on a national level: as a national poli-

tician, the promoter of a superstar, a business tycoon, or a crime czar. The sheer difficulty of success along these lines made failure very likely, almost inevitable, for him. Eventually he became disillusioned, though only after trying for a long time to defy the odds.

Specific public events also can have the power to teach the futility and costs of ambition. Watergate and the war in Vietnam are the two recent examples. The conclusions Jeb Stuart Magruder drew from the Watergate experience have already been referred to in this chapter: "I think that I and many members of my generation placed far too much emphasis on our personal ambitions, on achieving success...." (1974:318).\*

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\*Hoitt's lesson from the Vietnam experience is revealing. It cannot, of course, be ascertained how many of the people participating in that war and supporting it did so in order to earn a promotion or medal or write a book, etc.; but, no doubt, many were so motivated. It is possible that Lyndon Johnson, who made no secret of wanting desperately to be a "great" President, concluded--subconsciously influenced by the lessons of history, perhaps--that the only way to achieve that status would be to preside over a war. It was not hard for him to find one. No doubt many of the opponents of the war also had their selfish reasons. In any case, Hoitt related to the war as if it were merely an opportunity for profit. He found a way to exploit it, with a song: "You've heard the song. It's 'The Red, White, and Blue'll See You Through!'. It hit number one. It was durin' the Vietnam incident and all that stuff. It was worth about ninety or a hundred thousand dollars." He had no interest in the subject matter of the song, the war, or anything else except his own selfish ambition: "And it had to be rewritten to be commercial. It had to have some impact and some punch lines and some arrangin', musical arrangement; like the taps was my idea." He failed again; the song was stolen. He was exploited--exploitation on top of exploitation, crime on top of crime. How different was he from the other opportunists, more directly involved in the war? His failure had nothing to do with the failure of the war; but even those others succeeded in spite of, or because of the failure of the war; or they failed independently of the war.

Television, which the average American family watches for seven hours every day (Broadcasting Publications, 1976: c-300), might cause a devaluation of success. Certainly to the extent that people become passive and live vicariously then they will cease to aspire to succeed. McLuhan (1973) thinks that the medium of television--its ability to kaleidoscope time, space, and subject matter--makes people spontaneous, sensuous, and communal, rather than ambitious and competitive.

The physical environment may have an effect on people that makes success less interesting to them. Historically, there has been a trend away from rural life, towards the cities and the suburbs. In other words, people have become separated, from birth, from the natural environment. The effects of this on personality are not certain, but there is speculation, some of it based on animal studies, that living in these artificial environments breeds violence, psychosis, obsessive eroticism, and physical disease (Hall, 1966; Marcuse, 1964), qualities likely to interfere with or even substitute for the ambition to succeed.

Also, there has always been hostility towards the idea of success, in America. This has both a religious and a secular basis. Christ promised that the poor would inherit the earth, and that sentiment remains a tenet of Christian faith, even though at times merely an undercurrent, contradicted by other opinions. Also, literary men, throughout American history, have argued that materialism, ostentation, and competition are base motives, such men as Thoreau, Mark



Twain, William James, Sinclair Lewis, and Arthur Miller.

William James called success a "bitch-goddess". Thoreau wrote:

Why should we be in such desperate haste to succeed and in such desperate enterprises? If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music that he hears, however measured or far away.

Influential social philosophers, notably Marx, have condemned selfish competition and materialism. Freud has interpreted ambition as sublimated sexuality, an idea that can easily disenchant people with the dream of success.

The criticisms of success have been especially appreciated by academicians who, then, share this information with their students. Thus, religion and the colleges are, potentially at least, enclaves of hostility to the ambition to succeed. The ambition to succeed is, therefore, likely to lose popularity when these institutions come to the fore. And so it is ironic that the corporations, by hiring only personnel highly educated in the liberal arts (as well as in the sciences), give to colleges a preeminence they ordinarily would not have. Reich (1971), Roszak (1969), and Riesman (1961) are three of those who believe that values have changed as the amount of schooling has increased. Marx never speculated on the possibility that the bourgeoisie might sow the seeds of their own destruction, not by the oppression of the masses, but by the education of the masses.\*

\*It should be pointed out that, regardless of the content of the curriculum, schools are designed in such a way as to stimulate competition, through grades, awards, etc., all related to chances in the marketplace. And possibly the structure of the schools effects the students more than their required reading and the lectures.

One last consideration can explain why there might be a decline in the aspiration to succeed and that is the scarcity of work. For many reasons (business cycles, overseas competition, expensive oil, demographic changes, and automation), jobs are scarce. Youth especially have been hurt by this; in effect, they have been edged out of the job market because of requirements for experience and education. Demoralization and changing values are a likely consequence.

All of the above ideas are merely speculative. It is in no way certain, or inevitable, that the ambition to succeed is on the decline. But what if it were to decline? What if it is already on the decline? If so, a personality like Hoitt's would become a quaint historical oddity. People might read this life history and say, "Is it possible that there really were people like that?" And, "How could they possibly have endured such a life?" These people would look at Carl Hoitt in the way visitors to a zoo look at an exotic animal.

The decline of success would not mean that the word "success" or the phrase "American Dream" will vanish from the language. Instead, these ideas will be transformed to fit the new reality. Already, the American Dream is being equated with owning a home. Instead of being considered, at most, a way station on the way towards success, owning a home actually is beginning to be equated with success. That is not what success has meant traditionally. It is not what Hoitt wanted. If simply owning a home of one's own is the American Dream today, then the idea of success is indeed undergoing a transformation.

If the traditional idea of success does lose its hold on the American imagination, what will the consequences be? Certainly the dream of success creates problems. Premised on competition, it means that inevitably there will be losers as well as winners--many more losers than winners. To the extent that people aspire to succeed, they inevitably suffer; they live for the future, in competition with others, and for an uncertain end.

The desire to succeed is a constant flirtation with failure. Whenever there is failure, desperation increases, and techniques are applied more strenuously, with even more of a sacrifice of morality, dignity, and humanity. Everything escalates. As the pressures build, some commit crimes, some recognize the futility of it all and reexamine the meaning of life; others go mad, commit suicide, succumb to alcoholic and other stupors. For the most part, until prison, Hoitt persisted at success and resisted any of the possibilities of surrendering to failure. There was a time, when he lived in the Pacific Northwest, that he drank heavily:

And I really hit the bottle. Really, I wanted to die from drinking. I didn't have the courage probably or maybe I was too smart to just shoot myself or something. But I did fully intend to drink myself right into the ground. And I tried to do it. It's a wonder I didn't become a alcoholic. It's a wonder I didn't get the disease. And I was on that kick for a long time, dependable but always half-drunk....Most of the time, when I was in that condition, it was party time....

But surrender was unusual for him. At one point he reveals how he resisted any impulse towards suicide. This was when a friend of his tried to commit suicide. Hoitt described

what he saw and how he felt: "He was in his underwear, and he'd gashed his arms open, almost to the bone it looked to me....In a way, I hated him, right then. The friendship was gone." His reaction has to reveal something of his own private struggles. He too must have had thoughts of suicide. He could not be gentle before suicide, lest he succumb.

But, by trying to be strong, by persistently trying to succeed, look how Hoitt suffered. His ambition set him up to be tricked and manipulated. It put him to work at jobs he might not have really liked too much. It prevented him from fully sharing his life with others, especially his family, and caused every one of his marriages to fail. It made him desperate and bitter. It put him in a cell in the New Hampshire State Prison.

Problems also come with success or the expectation of it--what Merton calls the anomia of success (in Clinard, 1964). It seems that some people become aware that success simply means competition and ambition at a new, maybe more difficult, level; they are destroyed by the realization. They begin to see the futility of their lives; or they feel hopelessly inadequate. An excellent illustration of these feelings is John Leggett's portrayal (1975) of two post-World War II American authors who committed suicide soon after publishing celebrated first novels. This problem is the opposite of Hoitt's, who suffered from failure and the expectation of failure. The two problems are complementary. Both are serious in our society and the inevitable accompaniments of the American dream.

These horrors imply that the dream of success is evil, a disease with many symptoms, the cancer of American life. But that is an unfair analysis. The truth is more complex. The ideology of success has its functions also. It gives purpose and energy to life. It can stimulate creativity and achievement. Technological progress has been attributed to the ambition to succeed, and it is technological innovation that has, along with its political system, constituted America's chief contribution to world civilization.

How can there be the good without the bad? Perhaps, other motives than the ambition to succeed might generate the kind of technical progress we have seen; perhaps not. A need for action, an innate curiosity, or compassion might generate the kind of creativity and initiative we have seen in our history, maybe to an even greater extent than anything we have seen; but we do not know.

### Conclusion

The ambition to succeed has been an important theme in sociology since Durkheim argued that the suicide rate in industrial societies could be explained by "insatiable desires" (1951, first published in 1897). This insatiability inevitably entailed frustration ("Inextinguishable thirst is constantly renewed torture"), thus despair, and finally (in a proportion of cases) suicide. The dream of success, described in this book and exhibited by Hoitt, is the same thing Durkheim described, in its most extravagant form. Robert Merton continued the investigation into the theme of success,

this time specifically in American society. And Merton's essay on the subject, "Anomie and Social Structure" (1938, 1957), has been very influential, inspiring both theory and empirical research.

Yet, despite the recognition of success as an important sociological theme, there has been no precise delimitation of techniques for achieving success by sociologists. Merton presented a schema of means, which included techniques both for achieving success and for repressing the idea of success. He identified only two techniques for achieving success: conformity and innovation (both defined in relation to societal norms). This is a troublesome conceptualization because it is not necessarily clear what the societal norms are and, furthermore, such a conceptualization is extremely abstract and not as useful, for some purposes, as other conceptualizations.

In this chapter, four techniques for achieving success are introduced: the character ethic, the personality ethic, mind power, and crime. These describe general styles of conduct, or qualities of mind, that have been popular success-techniques in America. As concepts, they are more understandable and descriptive than Merton's.

In addition to discussing techniques for success, this chapter has examined the meaning of success in America, the causes of the ambition to succeed, the future of the success-idea, and the functions and dysfunctions of the success-idea. It was pointed out that, over time, the achievement of success, as it has traditionally been conceived, has

become more difficult. For this and other reasons, it is possible that the idea of success is changing or declining in importance in America, not necessarily a happy prospect.

This study of success was undertaken in order to understand Carl Hoitt's life. Because the ambition to succeed is so common in America, this analysis inevitably has extended to many others. It is an exploration of a principle dynamic, perhaps the principle dynamic, of American life. By having the courage to tell his story honestly, Carl Hoitt has made of his life an object lesson for many others.

## CHAPTER II

## CHILD ABUSE

She says, "Well, your oldest boy is in McLaren Hall Juvenile Detention Center. And he's just got out of the hospital; he was on the critical list. He's been beaten." And I says, "What in the hell's goin' on?" She says, "Well, your wife's boyfriend, they were livin' together, and he abused the children, beat 'em up pretty bad." I asked how the other children were. She says, "Well, your second son is fine. He's at home with his mother. And," she says, "of course, you have the little girl at home with you." And I knew somethin' was wrong the minute she said it. I knew the whole story. It just flashed on me because I didn't have the girl. I never did have the little girl with me. And I questioned her on that. I said, "What are you talkin' about?" She says, "The little girl, you sent for, a year ago. You sent some friends out to pick the little girl up. And your wife sent her out to be with you." And I said, "That's not so." And I knew the girl was dead.

Carl Hoitt

Introduction

There has been a great deal of concern recently that social scientists and social workers have been primarily concerned with the criminal and not very much concerned with the victim of a crime (Schafer, 1976). The life history of Carl Hoitt continues that trend so far as the crime of armed robbery is concerned, but it counters the trend in relation to another crime, a crime which most people would consider more heinous than armed robbery: the crime of child abuse. This story gives the point of view of a victim of child abuse. It shows that victims include more people than the person directly hurt by the criminal. Family and friends of the immed-



iate victim are victims also. All those who love and depend on the victim are victims. All those who suffer as a result of the frustration and hurt of a victim are themselves victims. A crime can be like a stone thrown into a still pond. It sends out ripples in many directions.

Carl Hoitt was not present when his children were abused. He was an outsider to these events. He was victimized by proxy. He had not been in contact with his former wife and children for several years. Suddenly, he got a phone call from the Los Angeles County Probation Department. He returned the call. The probation officer told him with some difficulty the bad news:

Well, your oldest boy...just got out of the hospital, he was on the critical list. He's been beaten.... your wife's boyfriend, they were livin' together, and he abused the children, beat 'em up pretty bad. The boy was beaten, and the county sheriffs saw him wanderin' around in a dazed condition on the streets and bloodied. He'd gotten away from 'em somehow.

Then, when his ex-wife and her lover found out that they were to be arrested on charges of child beating to endanger, they fled. For three months, their whereabouts were unknown. They had Hoitt's other son. And Hoitt worried all that time that his other son was being beaten, or even murdered:

And I was afraid he might kill the mother and the second child, both, 'cause they could testify against him. And, where he was on the run and where he was wanted, he could be desperate enough and dangerous enough to do somethin' like that. I was scared to death, all the time, that they were gonna find their bodies somewhere. I can't honestly say that I cared if it happened to her, but I damn sure cared if it happened to my son.

And his four-year-old daughter was missing. From the time he got the first phone call from the Los Angeles Probation Department, he suspected that she had been murdered. The story his ex-wife and her boyfriend gave to the probation officer is that he (Hoitt) had asked friends to pick her up and bring her to Nashville. The lie made him suspect the worst:

And I said, "That's not so." And I knew the girl was dead. How I knew, I don't know, but I just knew, 'cause why would anybody make up that kind of a story unless they were coverin' up somethin' pretty bad. It just came, with computer speed, in my mind, that that's what actually happened.

Later, he was to find out that she had been murdered. After his ex-wife and her lover were found, part of the story came out in the trial:

It came out in the trial that she had been beat severely... She was sick for about a week. One day they went to the beach, and the day before he had gone to a hardware store and bought a shovel and put it into the trunk of his car. And they went to the beach, some of his children from his marriage and them and their mother and him. And the girl, the baby girl, she was four years old, was in the car. They left her in the car. She was sick. She was probably near death then. And she didn't go out on the beach; she stayed in the car. And the kids remember bein' at the beach most of the day and gettin' in the car and ridin' up to the mountains. And they fell asleep. And they remember bein' awake on the return trip and Suzanne wasn't with them.

The ex-wife and her lover plea bargained. In return for a reduced charge, a charge of involuntary manslaughter, they admitted that the girl was dead; they showed the police the grave:

...the baby had been put in a shallow grave, up in the mountains, and they got the baby's blanket and evidence that she had been buried....

All of this affected Hoitt profoundly: the knowledge that his boys had been attacked and hurt. the waiting and uncertainty about the one boy and the little girl, the discovery that his girl had been killed. In addition, he suffered from guilt for having left his children with their mother without assuming any continuing responsibility for them. When he left his children, he reasoned that "the kids belonged with their mother, that all children did, which is a fallacy. But I believed it at the time." His reasoning was natural at that time; the assumptions now are changing. But the fact that his behavior was consistent with many of the assumptions of the times did nothing to assuage his guilt. His feelings of guilt came out in his summary of the trial:

About all I could contribute to the trial was that I had never sent for the girl, by any friends. And I remember distinctly that I said on the stand that I wished I had, that unfortunately I didn't. And their lawyers screamed because I added that tag on it, and the judge over-ruled the objections. He said, "That's his feelings, and he's got a right to express it." 'Cause I wish I had sent for the little girl. We wouldn't all be there that day and gone through those things. She'd still be alive.

So the guilt, the worry, the frustration, the pain and the compassion all affected him severely. He expressed his feelings with Donna, the woman he was later to marry:

Sometimes I'd break down and cry....And it wasn't that I was lookin' for sympathy, but I was hurtin'. I was hurtin' pretty bad. And I probably didn't care if anyone liked it or not, I had to have my cryin' time....And all during that time I had headaches, too. And migraines are terrible. If you never had them, you can't imagine how tough they are.

He did not suffer only because of the hurt done his children by the lover of his ex-wife. The crime had continuing repercussions. First, there was the leniency accorded his ex-wife and her boyfriend. On reduced charges of involuntary manslaughter, they received sentences, respectively, of one year and five-to-fifteen years. Assuming parole and an automatic reduction of their sentences because of good-time allowances, their time in prison would not be very great, as Hoitt saw it. Not only did this outrage his sense of justice, but he also had to fear for his boys' safety once either his wife or her lover came out of prison: "And I computed in my head the fact they they would be both on the street when the children were still of tender years."

Apparently, because of his fear for the safety of his children, he agreed to let his boys remain wards of the court, in California. This created serious, continuing problems for him. For one thing, the N.H. Probation Department, at the request of the Los Angeles County Probation Department, supervised the boys. Probation officers visited the home and the school. Hoitt did not expect this when he agreed to let his children be wards of the court; it humiliated him and, he thought, the boys as well. The implication of these visits was that, if something did not seem right to the probation officers, the children would be taken away from their home:

All these things was workin' on me, and there's anger in me now over it. And it was eatin' on me, inside. And it was a threat to my family's security and my children. It wasn't a personal threat to me, but it was disrupting what I wanted to be a way of life in my family, and I didn't think anyone had a right to do that, not a moral right.

The threat became real when his ex-wife's parole officer, or social worker, called him and asked him to send the boys to California to visit their mother. He refused to do that because he thought that seeing her again would disturb and confuse the boys; Hoitt felt she had no right to see the boys again after what she did. The social worker was concerned about the mother and believed that seeing the boys would help her. When Hoitt refused to cooperate, the social worker threatened to cause the children to be taken away from him. The social worker said to him:

Well, if you don't cooperate, then I'll just have to go to the courts and get a warrant and New Hampshire authorities will take the children, by force if necessary, and put 'em on a plane, and they will come out here.

Hoitt was afraid he would lose the children forever. And he was afraid about what might happen to them if they were to live with her again, considering the lack of responsibility towards them that she had already displayed. Because the children were wards of the court, the social worker stood a good chance, as Hoitt saw it, of making good the threat.

The attitude of the social worker corroborates the criticism, referred to earlier, that social scientists and social workers tend to want to understand and help the criminal, primarily, more than the victim. Their training and occupational role moves them towards sympathy with the criminal. At least that is what Hoitt perceived was happening:

I said, "Those children are more important than her to me, and they should be to you."

He says, "Well, she is important. She is my client."

In this case, the social worker seems to want to help rehabilitate the criminal even at the expense of the victim.

Hoitt was afraid and terribly frustrated that he had no sure control over the fate of his own children. This worry and fear went on for a long time, all during the time he was committing the crimes, and was not finally resolved until some time after he got to prison. He describes his feelings:

He fought me. He threatened. And I'm talkin' about a period of time now. I kept up a front of bravado but inside I was gettin' pretty soft. I was gettin' scared. I was gettin' weak. Every time the phone rang, my blood would be like ice water. I was frightened. And until you have children and they're seriously threatened by something like that, you don't know what fear is. I've been afraid in my life: of personal danger or somethin' goin' wrong or gettin' hurt or almost drownin'. I know those kinds of fears, but it don't compare with the kind of fear that you have when a couple of your children are in very serious danger. There's no fear like that. And I probably should have had a nervous breakdown. But I didn't. I don't know why I didn't. But in a way I think I went crazy, through it all. In that area, I think I was crazy. I sure was distraught and didn't know where to go, where to turn to. I knew I couldn't trust the New Hampshire authorities because I was judging all of them by the actions of the New Hampshire Probation Department. I felt like they were right in it with California and Californis in fact told me they were.

There is a statement in the paragraph just quoted that bears emphasizing: "But in a way I think I went crazy through it all....I think I was crazy." Carl Hoitt was so distraught, so frightened, so frustrated by all of this that he lost perspective. His criminality can be explained as much by that predicament of his, deriving from the child abuse, as by any other factor. In a strange and complicated way, that

predicament made an outlaw out of him. He was fighting the California and New Hampshire authorities to keep his children; and he distrusted those authorities. He had to contemplate fighting court orders, defying the courts, evading the police, and so on. All of this meant that he was an outlaw, or was soon to be an outlaw. Armed robbery was then defiance against these authorities whom he had come to distrust and despise; also, the armed robbery represented a kind of resignation: he might as well BE what he had BECOME. He had become an outlaw by doing what he thought was right; being an outlaw meant he was free to do what was wrong. He would be an armed robber; he would profit from his predicament-- make the best of a bad situation. And how could he fear the consequences of crime? He had seen how ineffective and mild the law was in its treatment of his ex-wife and her lover.

So, the abuse of those children had continuing reverberations. We are not privy to the continuing effects of this crime on the children themselves or on other people, besides Carl Hoitt, who knew them. But Carl Hoitt suffered for a long time because of that crime. His whole life was determined by it. For one thing, he had to leave Nashville and the possibility of a successful career there. For another thing, out of bitterness and frustration, he turned to crime.

Hoitt came to recognize the influence of the child abuse and all that followed from it on his eventual decision to become a criminal. It seemed to dawn on him as he told me

the story: "But in a way I think I went crazy, through it all." Even when I saw him later, months after he finished the telling of his story, and we would talk about the manuscript and people's reaction to the story, he remarked to me about this connection, as if it were a revelation for him.

Why did all of this happen to Hoitt? To some extent it was his own fault. His ambition figures into this. First, he neglected his responsibilities at home while eyeing politics in California; this no doubt contributed to the failure of that (first) marriage. Then he simply pushed his wife and children out of his mind, abandoning them altogether while concentrating on new opportunities. It was not inevitable that his wife would meet a sadist, but surely he put his children in a vulnerable situation and forgot them. Regardless of the extent to which his behavior corresponded to the conventions of that time, he cannot be exonerated. And he did not exonerate himself. He was consumed with guilt for a long time, as was pointed out earlier.

Even the events subsequent to the child abuse were more serious than they need have been. And the ambition plays into this too. Because of his devotion to work, he especially resented the interference of probation officers, etc., because this was a demand on his time and an insinuation that he was not performing his responsibilities at home. Also, his work prevented him from resolving the legal tangle concerning custody of his children--he needed time as well as money to do this; so only when he arrived in prison, where the only wealth is



time, did he finally solve that problem.

But the fault is not entirely Hoitt's. It would be unfair to explain these events entirely by Hoitt's compulsion to succeed. He abandoned but did not abuse the children. He tried to protect them afterwards, albeit ineffectively. In order to understand these events fully, it is necessary to ask these questions: Why did the man abuse Hoitt's children? Why did his wife tolerate the abuser? Why was the custody handled so insensitively? Finding answers to these questions, relating this story to other cases of child abuse, showing the social significance of the problem, and finding possible solutions will be the emphasis of this chapter.

#### The Prevalence of Child Abuse

At the time that Carl Hoitt learned that his children had been abused (1966), child abuse was not generally considered a serious national social problem. Today it is, however.

While stories relating the torture and murder of children by their parents or guardians have appeared in the newspapers over the years, no effort was made to compile statistics on the subject until 1962, four years before the incident described in this paper. The first study, conducted by the Children's Division of the American Humane Association, was very crude, consisting of nothing more than a compilation of newspaper reports (DeFrancis and Lucht, 1974:1). Six hundred and sixty-two cases of child abuse were counted, with one hundred and fifty of these resulting in death. As crude and unreliable as this study was, it identified a social

problem. Many assumed that these six hundred and sixty-two cases were merely the tip of the iceberg.

Since 1962, national statistics have continued to be compiled. Researchers have relied on two different sources for these statistics. One source is the records of public and private institutions that come into contact with the problem: police, welfare departments, hospitals, etc. Beginning in 1962, states began to adopt reporting laws for child abuse and neglect; by 1965, all states had such laws. One effect of these laws was to encourage statistical compilation of cases of child abuse known at least to some of the institutions involved in the problem. After 1974, as a result of the Child Abuse Prevention Act, all states have been required to establish a central clearinghouse for information on child abuse and neglect; the information is forwarded to the Children's Division of the American Humane Association which is under contract with HEW's National Center on Child Abuse and Neglect to compile the information.

The number of cases officially reported has risen steadily over the years: 9,500 in 1967 (Gil, 1971); 11,000 in 1968 (Gil, 1971); 36,000 in 1974 (American Humane Association, 1975). Statistics based on official reports are usually thought to represent only a fraction of child abuse cases. In fact, official reports from all fifty states and from all involved agencies have yet to be compiled. Consequently there have been projections of various kinds based on the reported cases that

have been tabulated. For example, Kempe offered an estimate, later widely repeated, of 60,000 cases in 1972 (in U.S. Congress, 1973); and Nagi (1975) estimated that 258,500 cases of child abuse came to the attention of officials in 1975 of which 167,500 were officially recorded as child abuse. These are dramatic figures but very misleading. It is not known, for example, to what extent the apparent increase is due to better statistical compilation, or to a real rise in the incidence in child abuse. Some (e.g., Gil, 1971) assume better statistical compilation; others assume a real increase. Writes Fontana (1976:37): "I cannot help but feel that the soaring statistics... are symptomatic of our violent, unhappy times... of the increased stresses that are confronting all society and the crest of violence that seems to be engulfing the world."

In contrast to Fontana, there are some (e.g., Divoky, 1975) who believe that statistics of reported cases and projections based on them actually exaggerate the problem. Since abuse is not clearly, consistently, and (in some cases) meaningfully defined in the various reporting laws and is usually combined with neglect, it can be argued that the label "child abuse" has been diluted to describe many cases where there may be serious debate about whether a child really is being harmed. And it is true that the estimates of "serious child abuse," "old-fashioned cruelty to children," and child abuse distinguished from child neglect are far below the figures cited above and much less publicized: 6,000 cases in 1967; 3,000 cases in 1972; and 10,000 cases in 1974.

Gil (1971) sought to obtain information about child abuse that was independent of official reports. In 1967 and 1968, he conducted a national survey, in which adults were asked if they personally knew of a case of child abuse. For each affirmative response, Gil assumed the respondent knew of only one case and he assumed a different case for each respondent. His estimate, based on the data, was  $2\frac{1}{2}$  to 4 million cases of child abuse annually. Richard Light (1973) made somewhat different assumptions about Gil's data and estimated that there were half a million cases of child abuse annually.

Gil's and Light's estimates are considerably higher than official statistics. But the estimates in no way resolve the question of how extensive child abuse really is in America. Gil's data are not reliable: it is not certain what conception his respondents had of child abuse. Also, it is possible that his respondents reported newspaper accounts of child abuse as "cases personally known to them," in which case Gil's and Light's estimates are grossly inflated. On the other hand, it is possible that these higher figures are accurate and do indicate an alarming problem, a problem all the more serious because it is largely concealed from the helping professions and law enforcement.

A recently completed study by Strauss, Gelles, and Steinmetz (1977), based on interviews with a national sample of parents, also suggests that child abuse is much more frequent in America than is indicated by the numbers of reported cases.

Projecting to the population at large, this study found: between 3.2 and 3.9 million children between the ages of 3 and 17 had, at some time in their lives, been kicked, bit or punched; between 1.6 and 2.2 million children had been "beat up" while growing up; and between 1 and 1.4 million children had been threatened with a gun or knife or had a gun or knife used on them (Gelles, 1977). The one limitation of this study is that it examines only a parent's description of his or her behavior; it is not certain to what extent the child was physically injured by the act and generally it is the injury to the child that constitutes child abuse.

There are strong feelings on both sides of this issue: of how prevalent child abuse really is. On the one hand are those who are convinced that child abuse is prevalent; these people feel that the problem is so serious as to require a massive publicity campaign to alert the public and professionals to this problem and strong laws to force reporting and to protect children from their parents and others. Some believe that, regardless of the numbers involved, the problem is so serious as to require extreme measures. While others think the problem is overstated and exaggerated, that the alarmists are opportunists--greedy for federal and state monies, that concern for child abuse can be the Trojan Horse within which Big Brother hides. Divoky (1975) has gone so far as to accuse Douglas Besharov, the Director of HEW's National Center on Child Abuse and Neglect, of making up a grossly inflated figure of 1.6 million cases of child abuse annually in order to garner support for his agency.

It is a sad, complicated issue, as all social issues are. Its true incidence is not known. Yet no one denies that, at the least, thousands of children are, this moment, being victimized. It is hard even to imagine what is going on.

Fontana (1976:15) makes it vivid:

Parents bash, lash, beat, flay, stomp, suffocate, strangle, gut-punch, choke with rags or hot pepper, poison, crack heads open, slice, rip, steam, fry, boil, dismember. They use fists, belts, buckles, straps, hairbrushes, lamp cords, sticks, baseball bats, rulers, shoes and boots, lead or iron pipes, bottles, brick walls, bicycle chains, poker, knives, scissors, chemicals, lighted cigarettes, boiling water, steaming radiators, and open gas flames.

The importance of child abuse extends far beyond the numbers of people directly involved--the abusers and their children, the victims. It involves more even than those people (relatives and friends) who have an emotional stake in the well-being of the child, in the way that Hoitt became involved. Children raised on violence learn violence (Helfer and Kempe, 1972, 1968). Later, they are likely to be violent to their own children, as will be demonstrated later in this chapter, and to others. Much violent crime, therefore, is probably related to child abuse, and the victims indirectly are the victims of child abuse.

Child abuse, therefore, must be considered a serious social problem regardless of the statistical count of abused children. It is a problem that demands attention and redress.

#### The Causes of Child Abuse

Hoitt was not living with the children, or even in contact with them, at the time the abuse occurred. His

account provides some, but not many, of the circumstances of the situation. The character of his wife is briefly and sketchily indicated, and her circumstances are known--divorced, with three children, not receiving child support and probably on welfare. Her lover is a mystery. The one thing known about him is that he had abused a child once before. Hoitt can hardly bring himself to speak the man's name, let alone dwell on his background and personality.

With what little is given, it is possible to derive a set of possible explanations for the abuse of Hoitt's children, by referring to the literature on child abuse. These are studies of other cases, clearly similar in some respects to this one, yet more fully revealed. Their possible parallels with the case of Hoitt's story can then be fully explored.

Why do people abuse their children? The question will be answered in terms of two factors. The first factor is the motive of the abuser (and the passive parent who knows of the abuse and tolerates it). The second factor will be called the situational factor; it involves the personal history of the abuser and the social and economic circumstances of the family at the time that the abuse occurs.

#### The Motives of the Abuser

An examination of the literature on child abuse indicates that there are seven motives behind the abusive act, i.e., seven types of purposes that are conscious or break into consciousness from time to time. An eighth motive is conjectured.

1. A parent might resent a child because the time, expense, and effort needed to raise the child interferes with other plans that the parent has. The parent might have thoughts of a career, schooling, etc., which the needs of the child make difficult or impossible to realize. Perhaps the existence of the child forced a couple to marry though neither loved the other. The medical and other expenses of childraising can force parents to forego pleasures that might otherwise be possible for them. In the case of Martha Nauck, described by Peter and Judith DeCoursey, these things seem to have been happening (1973:35-59).

Martha Nauck was the mother of the child. Alarmed by her hatred of her child Sarah, she went to a psychiatrist and explained how the birth of her baby forced her to marry and how, ever since, she had subjugated herself to her husband, her child, her husband's career, and her husband's friends. She eventually confided to the psychiatrist her feelings about her husband:

I'm really ashamed of him. He's just a rigid, straight-laced, middle-class WASP with no imagination and no goal in life except to make more money for himself and for that damned company. I wish I had never got pregnant and had to marry him.

This insight into her own feelings frightened the woman and she backed out of therapy immediately afterwards. Shortly after that, she struck the little girl on the head with a heavy electric frying pan, fracturing the girl's skull and doing irreversible damage to her brain. Incredibly, the child was returned to her mother after a custody hearing.



She expressed her feelings about her child to the psychiatrist in these words (p. 35):

I know it's terrible of me, but I can't help hating my little girl. She's so well behaved and everybody says she's such a sweet little thing, but sometimes I just want to kill her. She doesn't have to do anything. I can just look at her and hate her.

The expense or bother of a child can be a minor thing. It need not involve any ongoing or serious trouble for the parent. A child can be murdered because of a word, a whimper, a smile. If a parent is upset and needs silence, any sound can be enough to bring on a towering rage. A report of a case that occurred recently in Portland, Maine illustrates this: "During the trial Smith testified he had lost his self-control and thrown the (two-year-old) boy across the room when he wouldn't stop whining." This kind of minor provocation is a common motive for abuse, present even when there are other motives. It is the common denominator in explaining the abusive act. This kind of behavior is thought to be a consequence of severe frustration, frustration that might have nothing whatsoever to do with the child. The frustration might come from work, an illness, etc. The act is scapegoating, or displaced aggression. Gil (1971: 135-140) found that "mounting stress in the life of the perpetrator" was present in almost 60 percent of the cases he studied. The sources of this frustration are considered later in this chapter as "situational factors."

2. A child can be resented because it does not meet the parent's expectations. The parent can have mistaken notions of child development and assume that the child

is backward or retarded even though it is not. The parent might want to live vicariously the successful and enviable life of a child and is extremely disappointed and resentful if the child seems to be "ordinary." Or, the child can in fact be deformed or retarded and the parents can begin to hate the child out of disappointment. Or, the parent might have a desperate need for and expectations of love and tenderness from the child; if the child does not fulfill these expectations, the parent interprets this as rejection or meanness and retaliates against the child. This last mentioned dynamic is the phenomenon described as "role reversal" by Morris and Gould (1963).

Steele and Pollock (in Helfer and Kempe, 1974: 96) describe a case of role reversal, a case in which a mother hurt her child because it did not "love" her as she thought it should. The mother severely battered her three-week-old boy to the point where he had to be hospitalized with bilateral subdural hematomas.\* She later explained her behavior in these words: "I have never felt really loved all my life. When the baby was born, I thought he would love me; but when he cried all the time, it meant he didn't love me, so I hit him."

The DeCourseys relate an example of an "over-achieving" father, a successful lawyer, who was unable to accept a son, Henry, who had cerebral palsy. The family had been a model all-American family; then suddenly they had Henry,

\*This is hemorrhaging between the brain and the skull due to a hard blow to the head.

and the father could not bear it:

Henry bothered his father more and more. Meals were a particularly difficult time; since Henry had difficulty lifting a fork to his mouth, he slobbered continuously....Little by little George (the father) abandoned his attempts at self-control and would slap Henry unmercifully for any behavior or accident that George found embarrassing. (DeCoursey, 1973:154)

The parents eventually succeeded in having Henry placed in a home for the mentally retarded despite the fact that he was not mentally retarded.

3. The child can symbolize for a parent someone whom the parent despises and so the parent transfers this hatred to the child. Ironically, the child can be identified by the parent with him- or herself. If the parent has self-hatred, then the child suffers (Steele and Pollock in Helfer and Kempe, 1974:108; Zilboorg, 1932:35-43; Fenichel, 1945). Fenichel describes this process as "reverse identification" and notes that abusing parents commonly make comments about the child like these: "he's just like me," "she's fussy like I was when I was a baby," or, "he got all his bad qualities from me." The child can remind a parent of a hated sibling, a parent, the spouse. It is possible that the child becomes a target simply because he or she had been given the name of the person despised by the abusing parent. Young (1964:52) describes a case in which there were two little girls in the family and only one of them was abused:

One child was starved, beaten, and deprived while the other child was indulged, not overtly punished, and given materially the best of everything. In one case the mother explained that the 'bad' child was like her stepmother who had hated

and abused her. She had given this child the step-mother's name....The hated child was four years old when the child welfare agency found her and took her from the home. She was the size of a two-year-old from long malnutrition and was too weak to walk when the caseworker took her away.

4. Related to the previous motive are instances where the child is abused because it reminds the abusing parent of the past sexual life of the spouse. Since women are more apt to retain custody of the children than men, men are more likely than women to abuse children for this reason. The children might have been the product of a former marriage or an extra-marital affair. The man, having been inculcated with the double standard, cannot stand the thought of his wife having had sexual relations with someone else; the child is a constant and painful reminder of this. The DeCourseys cite several examples of this as a motive for abuse. One stepfather, for example, said (1973:8):

I know he's a nice little kid, and none of this is his fault. I guess I'm crazy but somehow when I look at him I see my wife grunting and groaning, being balled by another man and loving it. When I feel this way I could kill him.

Another case involved a very fanatical fundamentalist Christian named Carl Maxwell who married a lady who had four children by a previous marriage. The man beat the children severely and constantly. Twice the children came to the attention of the court but each time they were released to their parents because the children refused (apparently too terrorized or confused) to accuse their stepfather. The mother also refused to testify against the

father. The judge, who happened to admire Mr. Maxwell's religiosity, chose to believe that Maxwell did not abuse the children. The children all had extensive bruises, scars, burns, cuts, etc. Here are the comments of Mr. Maxwell to a psychologist (DeCoursey, 1973:19):

It's that when I think of their father, that devil Groot. It had to be the work of the Devil that made my wife share her flesh with him and that makes these kids the work of the Devil. When the Devil is in them, I beat them. I just want to drive the Devil out of them.

5. The parent can be dangerous to the child because the parent has an exaggerated notion of what constitutes proper discipline. Steele and Pollock (in Helfer and Kempe, 1964:96) call this a "sense of righteousness" in the parents. They have noticed that abusing parents commonly explain their behavior with comments such as these: "If you give in to kids, they'll be spoiled rotten;" and, "You have to teach children to obey authority." They describe the following case (p. 96):

Henry J., in speaking of his sixteen month old son, Johnny, said, "He knows what I mean and understands it when I say 'come here.' If he doesn't come immediately, I go and give him a gentle tug on the ear to remind him of what he's supposed to do." In the hospital it was found that Johnny's ear was lacerated and partially torn away from his head.

Some authorities believe that, so long as the culture sanctions the physical punishment of children, a certain percentage of parents will carry this to an extreme (Chase, 1975:208; Gil, 1971). These are the people who were outraged by the decision of the U.S. Supreme Court in 1975

that the use of physical force on a child by school authorities does not violate the constitutional rights of the child. On the other hand, Young (1964:45) insists that discipline is not a motive of severe, continuous abuse of children. She writes, "Punishment divorced from discipline becomes a monstrosity. Yet it is precisely this separation that characterizes abusing parents." Young's observations are clearly contradicted by observations of Steele and Pollock (above), the DeCourseys (1973), and Gil (1971:128).

6. Abuse can occur because the parent, or guardian, feels sexual desire for the child. This can occur in any of three ways: by the expression of that desire, as incest, sexual relations with a stepchild, etc.; by punishing the child for spurning sexual advances; or by the repression of that desire by means of a reaction formation.

Sexual relations with a child are not always categorized as child abuse (e.g., Gil, 1971); however, they usually are even though the child is sometimes a willing participant. The DeCourseys describe the case of Mr. Nyland whose wife had refused to have sexual relations with him and so, one night, he explained this to his nine-year-old daughter Alice and asked Alice if she would take her mother's place for him. The DeCourseys write (1973:185):

Alice was both pleased and frightened. She was happy to be treated like a grown-up woman, but her father's sexual excitement frightened her, and the act itself hurt. However, over the years, sexual intercourse with her father became a pleasant routine and she came to cherish it.

As Alice grew older however, she came to realize how deviant

the relationship was. At the age of fourteen, she came to the police. Confused and guilt-ridden, she was separated from her parents for a while and then was returned to them by the court. Two months after her return, she confided to her social worker that she had become pregnant by her father.

Repressing desire by means of a reaction formation (substituting hatred and violence for lust) is not discussed in the contemporary literature. Freud (1959:172-201), however, speculated that this was what lay behind the dreams of beating children which his patients confided to him. Freud suspected that dreams of beating children were universal; he noted that his patients were more hesitant about discussing these dreams than they were about discussing their blatantly sexual fantasies.

7. A parent can be jealous of a child--resentful of its potentially happy childhood, of its intelligence, of the attention and love it gets from others, of the wealth the child might stand to inherit, of the child's beauty. So the parent undoes this advantage (Steele and Pollock in Helfer and Kempe, 1964:114). For some reason, this is a common motif in Grimm's fairy tales: there is the queen in "Snow White" who wanted to be "the fairest of them all" but had to kill her stepdaughter, Snow White, in order to be the fairest; there is the woman in "The Almond Tree" who tried to kill her stepson so that her husband's money would be inherited by her daughter. In both of these stories, the child is eventually saved, the wicked die, and justice is done. But, then again, these are fairy tales (Grimm, 1973); presumably these things happen also in

true life where justice is not always so sure.

8. It is possible that some people enjoy the sense of absolute power over another human being--in this case, their children--and they test this by inflicting pain. However, this was not identified anywhere in the literature as a motive for child abuse. It is posed, then, as a hypothesis, deserving further research.

Carl Hoitt never knew the man who abused his children. He was absent from his family when his ex-wife met the man and lived with him. Hoitt saw him only during the trial. He is too full of hatred, in any case, for the man to talk much about him or look at him in any objective way. He only refers to the man by name one time and then reluctantly: "His name's Howard Moore Thomas.\* I haven't mentioned his name. I don't know why. I don't like his name much probably." So this man, Howard Thomas, is never made human in this story. He is the devil to this paradise lost. Hoitt calls him a "monster" and a "predator": "I can't help but wonder how predators like that can exist on the face of the earth, human predators...."

"Predator" and "monster" might be a fair characterization of the man, but they do not explain very much about him. Which of the motives, discussed above, can apply to him? The only information that Carl Hoitt gives us about the man is that he had abused a child at least once before: "When he was seventeen, he had taken an infant baby out of

\*This name, like most other names in the story, is fictitious.



a basinette on somebody's porch and beat it unmercifully." If that story is true, then two of the motives that are sometimes involved in child abuse cannot have been very important in this case. He seems to have found a particular fascination in hurting a child, even a strange child; and the child who was a stranger to him could not have been a bother, an expense, or a discipline problem. The man must have been troubled in other ways, and it is likely that these troubles came out again with Hoitt's children. His exact motive, or combination of motives, cannot be deduced; but, by the process of elimination, we are left with these as plausible explanations of the man's mentality: the child as a despised symbol, as a sexual object, as a power object, or as a source of jealousy.

#### The Passive Parent

There are usually two adults living in the home at the time the abuse occurs. Gil (1971:108) found that this was so in more than 80 percent of the cases. Usually, only one adult is the violent one (Steele and Pollock in Helfer and Kempe, 1974:114; Young, 1964:48), generally the male (Gil, 1971). What is the role of the other adult? The other parent, sometimes called the "passive parent," is especially mysterious in those cases where the abuse is an ongoing thing. The other parent is aware of the abuse, or could easily learn why the child is repeatedly hurt, but does nothing to save the child. Why?

Young (1964:48) writes that, in most of the 300 fam-

ilies she observed, the parents played out "a strange drama of aggressor and victim in relation to each other as well as in their behavior to their children." The passive parent, which might be either mother or father, feared the other one so much that the availability of the children as objects of the other's anger might have been welcome; and this could explain why, in some cases, the passive parent does not want the children removed from the home (Young, 1964: 50). The passive parent can try also to avoid or even repress knowledge of the abuse (1964:48-54). The passive parent might also assume that severe physical abuse by the spouse is natural, whether directed towards the children or the passive parent. Such a person has come to prefer attention of any kind to neglect and so they "cling to the aggressive partner" (1964:50).

Young tells of one woman who told a social worker how "her husband was so good with the children." This was after she had watched her husband burn their child with a lighted cigarette. This same husband had sexually abused the child and prostituted the wife; yet the wife explained to the social worker how, after the husband would be released from jail, she hoped he would come back to her because she still loved him (1964:48). Young writes that all the passive parents in her study "behaved as if they were prisoners of the other marriage partner, hopelessly condemned to a life sentence" (1964:49).

Steele and Pollock (in Helfer and Kempe, 1974:114) believe that the passive parent can actually encourage and

enjoy the abuse of the child. The passive parent (usually the female), for any of the reasons already described, wants to see the children hurt but allows the other (usually the male) actually to harm the children. Steele and Pollock write, "unknowingly, the marriage has become almost a collusion for the raising of children in a specific way. One parent is the active perpetrator; the other is a behind-the-scenes cooperator."

There appear to be two different theories about the role of the passive parent. Young believes the parent is truly passive, frightened and cowed by the partner or oblivious to what is going on. Steele and Pollock, on the other hand, believe that the passive parent is a silent partner in the abuse. Perhaps both theories are sometimes true; however, further study is required to determine how "passive" the passive parent really is.

In the life history, Carl Hoitt's ex-wife was the passive parent. She apparently never herself was violent with the children, but she permitted the violence to occur; she did nothing to save the children. Her behavior stunned him. Nothing in his past experience prepared him for the kind of behavior she displayed. He probably believed in a "maternal instinct." He probably supposed that a woman, no matter how savage and selfish she might be, had a compulsion to protect her children--to be savage and selfish for them, even more than for herself. But here was behavior unthinkable, unlike anything he had ever heard about or read about or seen,

coming from a woman with whom he had lived as man and wife. He talked about his feelings to the social worker who wanted to reunite her with her children after she got out of prison:

They were in her care and responsibility, and there's plenty of law in California that she could of went to for help, if she really wanted it. You can't tell me she was afraid of him 'cause he wasn't with her twenty-four hours a day. He didn't keep her chained in a closet. When he left, she could have went to the proper authorities and had all kinds of protection....In my mind, a mother, in that kind of a situation, dies first, before she allows it to go one second further.

Hoitt tells of an incident when his ex-wife had a chance to tell her own sister what was going on--the sister questioned her--but she concealed the abuse:

In the weeks before she (the little girl) died, there was testimony that the girl was covered with bruises, black and blue, even down inside her ear was all black and blue. There was hemorrhaging inside there. And my ex-wife's own sister testified to that, and she questioned her on it. And she'd (the ex-wife) say the girl had been bumped by a car and knocked down rather hard, but that she felt she was alright. Didn't even take her to the doctor. Didn't even do that much. Didn't try to save the baby.

It is impossible to say to what extent the ex-wife was a "behind-the-scenes collaborator." True, she might have come to resent the children because they reminded her of Hoitt, because of their expense and trouble, because they made it hard for her to find a new husband and live a normal life. It is possible that these things worked on her and made her actually seek out and encourage someone who would hurt her children. But the preponderance of the evidence makes this seem unlikely. Hoitt portrayed her as a selfish and lazy woman. He became frustrated with her in the beginning because

she would not do any housework, no matter how dirty the house was. At the same time, she seemed to be very timid. If he complained about the housework, she did not demand that he share some of the work and spend more time at home; instead, she would say she was sorry:

"She was sorry," she said, and she knew she could do better, and she knew she was wrong. "I'm sorry" again. All that "I'm sorry" crap. She admitted she was wrong but she'd never do nothin' about it. And she'd never show any real feelin'. She was passive, very passive.

So it seems that Young's description of the passive parent, rather than Steele and Pollock's, is most accurate in this case. She might have become very lonely after Hoitt left her. She might have come to be desperate for attention and companionship, of any kind. She might have both loved and feared the man who beat her children and was afraid to go for help. Maybe she was able to repress knowledge of the abuse.

Hoitt's wife very much resembles the women Young observed. There is the same kind of blind love, what Young calls "clinging to the aggressive partner." Hoitt writes:

And she proclaimed an undying love for him and all types of things. I got letters she wrote to me afterward, about how much she loved him and needed to help him, that would turn your stomach.

Hoitt would not accept this interpretation. He believed Steele and Pollock's model was most accurate, she was a collaborator in the abuse. He said, "If you let a brute in, you're brutal....I don't buy the fear theory." He had no sympathy for the woman whatsoever; he despised her,

as much as he despised her lover. He could not even bring himself to use her name; her name is never once mentioned in the life history.

### Situations

After having described the motives of the abuser (and the passive parent), it is not very difficult to imagine the situations that can generate these motives. Whatever frustrates, whether or not associated with the child, can be implicated; ignorance about children and about social services also can be involved; social isolation can contribute to child abuse; anything that reduces an adult's sense of responsibility or attachment to a child can be important.

Situations are poverty, many children, separation, remarriage, informal social and sexual liaisons between unmarried partners, geographical mobility, alienating work, illegitimacy, absent or poorly publicized social services, absence of "community," violent subcultures. These situations can apply to the time during which abuse occurs or to any time in the past of the abuser, especially the childhood--the "formative years." The physiology and psychology of the abuser and the child are involved; and, therefore, the situation can include (for the abuser) alcoholism, low intelligence, low frustration-tolerance, psychopathology and (for the child) hyperactivity, deformity or retardation, an appearance or manner which brings on an unpleasant association for the abuser.

None of the situations mentioned "cause" abuse in

the sense that the situation compels an adult to abuse a child and is invariably associated with abuse. There is always an element of indeterminacy, or, if you prefer, responsibility and freedom. But these situations are conducive to abuse. A person will not always abuse stepchildren but will sometimes feel less love and responsibility for the children and, if things go wrong, abuse them. A retarded parent will not necessarily abuse a child (and it is very questionable if there is any correlation at all) but might be less likely than the average to know about community resources or the needs of children or examples other than that person's own parents. Poverty does not compel abuse but poverty brings on a whole constellation of frustrations that produces an anger which can be vented against the children. A welfare mother explains the relationship between poverty and abuse in this way:

Like I said, most child abuse comes from adult frustration. The baby-sitter complains, the fees go up, the mothers take it out on the kids. Welfare tells you you can't get no more money, you whip the kids' ass. The landlord won't listen to you 'cause you're a woman, the apartment falls apart, the school sends for you, you beat the hell out of the kid.  
(Chase, 1975:199)

Research confirms the importance of some of these situations to the abusive act. Gil (1971) found that the natural mother or father was missing in 32 percent of the cases, no father or father-substitute lived in the home in 29 percent of the cases, that families had more children than the average American family, that 83 percent had changed residence within the prior three years. Gil (1971) and others

(Chase, 1975; Time, 1975; Young, 1964) found that families tended to be poor, but Bakan (1972) thinks this might be due to a bias in the way in which child abuse is identified. Gil (in National Committee for the Prevention of Child Abuse, 1975:152) has speculated that the alienating nature of work in America is the cause of much of the child abuse. Other researchers have suggested an association between child abuse and a parent's low frustration tolerance (Steele and Pollock in Helfer and Kempe, 1974), psychopathy (Steele and Pollock, 1974), low IQ (Smith and Hanson, 1973), and minimal brain dysfunction (Nichman, 1973). Gil (1971) found that the abusive parent was intoxicated at the time of the abuse in 12.9 percent of the cases.

Some authorities think American culture, as a whole, is responsible for child abuse, since it sanctions violence against children (Gil, 1971; Walters, 1975; Chase, 1975). Gil (1971), influenced by Wolfgang and Ferracuti (1967), thinks ghetto subcultures, being more oriented towards violence than the larger culture, is especially culpable in this regard.

For the abuser to be abused or neglected as a child has been considered an important cause of abuse by several authorities (Helfer and Kempe, 1972:68; Chase, 1975:109-111; DeCoursey, 1973); Steele and Pollock (in Helfer and Kempe, 1974:114) contend that this is also often true of the passive parent. The association is difficult to prove; most people remember abuse in their past and abusers might emphasize these memories as a way of justifying themselves. However, the



association makes sense: the frustration, inadequate socialization, and other problems resulting from abuse and neglect are conducive to the perpetuation of abuse and neglect in the following generation. But a contrary effect makes sense too: the mistreated child wanting to help other children avoid the suffering it knows so intimately. There are two interesting case studies that show this more humane effect of mistreatment during childhood. Both achieved insight into their past, through intensive counselling, and perhaps that explains their compassion. One of these, Sybil (Schreiber, 1974), was badly tortured as a child and coped by adopting a new personality after each traumatic episode. At one point, there were thirteen different personalities. The second, Laura (D'Ambrosio, 1970), was actually almost fried to death, in a frying pan, by her parents; she became autistic and spent two years meeting weekly with a psychiatrist before uttering a single sound. Both Sybil and Laura chose to become teachers once they recovered.

From the life history, we do not learn much about the situation of Carl Hoitt's ex-wife and her lover. We do not know much about their immediate situation, at the time the abuse occurred, or about the history of these people. In one important and very obvious way, however, their situation fits a pattern that has been found to be very commonly associated with child abuse: there was no "natural family." The natural father was missing. There was a father-substitute whose relationship with the mother had not even been formalized

by marriage. Because of this situation, it is likely that the man had no strong feeling of responsibility or attachment for the children. They were very vulnerable.

### Solutions

All that frustrates, makes ignorant, makes selfish, and isolates Americans also causes child abuse. The causes of child abuse are the causes of all other social problems. To solve this problem is to solve all others.

There are no easy or simple solutions. What frustrates? What prevents the full flowering of the Americans' humanity? Blame has been ascribed to the nature of work; the distribution of wealth; the quality of social services such as health, education, transportation, counselling, recreation, police, the courts; the quality of housing; the size and duration of community; materialism and ambition (described in the previous chapter); racism; sexism; ageism. The list is endless; it is the full litany of the shortcomings of American life. There is, however, no consensus either about the problems or the solutions. For any proposed solution, many will argue that the solution to one problem creates other problems or cannot effectively solve the original problem or, in the long run, makes the original problem even worse. A good example is the current debate about the Humphrey-Hawkins Bill, which commits the government to a full-employment economy. Advocates of the bill argue the obvious need: to make people productive, to reduce costs of unemployment and welfare, to reduce crime (presumably including a crime like child abuse), to stimulate

the economy. Opponents of the bill argue that it will induce inflation which will, in the long run, slow down the economy and increase unemployment (Congressional Digest, 1976).

Whatever the merits of the opposing arguments, it is clear that there exist very few new ideas and the conventional ideas are stalemated. What new reforms are introduced are diluted to such an extent that their success or failure proves very little. There seems to be no tendency on the part of the mass of Americans to identify their own well-being with the well-being of communities and the nation, which is probably a precondition for basic reform.

A number of suggestions for reform apply specifically to child abuse, namely, that the problem be publicized, that people have a convenient way to learn about and report the problem, that schools include education about parenting and birth control, that reported cases of child abuse be immediately and thoroughly investigated, that courts process cases of child abuse quickly and give all the parties concerned counsel and the right to appeal, that adequate placements exist for children who are removed from their homes, that parents with a tendency to abuse their children have access to appropriate counselling. All these reforms seem obvious and necessary. They would create a reality far different from what we have today.

Today, in many communities, children who are removed from their homes are placed in reform schools where they are treated like criminals; first they are abused by their parents,

and then, because of that abuse, they are abused by the state. In many places, a report of abuse is not quickly investigated or, if investigated, investigated only perfunctorily; following an investigation, official action is frequently nonsensical: a child will be taken from its home when there is no real need or a child will be left in a dangerous situation for months before the courts get around to hearing the case. Today, in many communities, a person who feels an urge to hurt their children may have no place to turn and may conceal those feelings without understanding them; alternately, there could be counselling programs specifically addressed to these problems or there could be programs like Parents' Anonymous, where parents who have these feelings help each other overcome them. Once a parent has been found guilty of child abuse, too often the state does nothing to rehabilitate the person: the person is either set free immediately without effective counselling or supervision, or the person is incarcerated where the problems that led to the child abuse become worse.

There have been suggestions for reform, not in terms of programs primarily, but in terms of people's values. Gil (1971) believes that it is important that the culture cease to sanction the use of physical force on children.\* He believes

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\*Studies consistently show that American parents use physical force on children, by a large majority. Estimates range from 73 to 97 percent (Straus, Gelles, and Steinmetz, 1977; Erlanger, 1974; Blumberg, 1964; Brofenbrenner, 1958).

that, so long as physical force on children is sanctioned, some people are bound to test the limits and to abuse their children. He recommends that the U.S. Congress and the state legislatures do their part by outlawing corporal punishment in schools, juvenile courts, correctional institutions, and other child care facilities (1971:143). Gil explained his feelings in his testimony before the Senate Subcommittee on Children and Youth (1973:42):

I have two of my own sir and I have worked with many, many children as a teacher in an institution for delinquents. I went in there, sir, with the intent not to touch children but I couldn't control myself. It wasn't for their good. It was because I was either tired or I lost my self-control and I used my hands. But whenever I did this, sir, the discipline among the children suffered. When I finally learned to control myself.... then I showed these children respect for what they are, human beings who....are entitled to the dignity of their body, just as adults.

The reaction of the Senators to this is interesting. They did not have quite as much faith as Gil in the intrinsic goodness of children; and they certainly understood that their constituents would consider any legislative pronouncement along these lines to be ridiculous. Senator Randolph asked Gil: "Have you seen the teacher shoved into the corner literally by the students? (Well, I have.)" (1973:44) And Senator Mondale, the Chairman of the Committee, later dismissed Gil's testimony this way (1973:227):

...he said, we have to think in terms of prohibiting parents or discouraging parents from disciplining their children in any physical or psychological way or in any abusive way, because if they didn't do that nothing would help. Our committee feels very strongly if that's the only remedy, forget it, there is nothing we can do about that.

Chase (1975:195) suggests that there is a rising tendency in our society to devalue mothering and this is connected with the problem of child abuse and neglect. Because mothering is devalued, according to Chase, mothers resent or ignore the needs of their children; and many mothers work. Chase associates the women's liberation movement with the devaluation of mothering. A contrary argument is that the sexual stereotyping of the mothering role and its status as unpaid work has meant that traditionally mothering has been an ambiguous role, both sentimentalized and disdained, likely to be grating to many women. The women's liberation movement can be understood, therefore, as an effort to upgrade rather than devalue mothering.

Hoitt's relationship with his ex-wife can be taken as an example of the instability of the traditional marital pattern. Hoitt felt justified leaving his wife alone at home while he pursued political and other ambitions. While she seems to have been an extraordinarily dependent and irresponsible creature, it is hard not to sympathize with her, for her predicament as wife and mother. For a long time, Hoitt threatened to leave her and finally he did leave her. She was left alone with three children and was not likely to be too attractive to another man for that reason. She might have come to resent the children because of the sacrifices she had to endure because of them. She received no child support and no doubt had to turn to welfare. If mothering had not been understood as a sexually stereotyped role, Hoitt

might have recognized his duty to spend time at home and help raise the children; and when finally the break came, Hoitt might have considered the possibility of retaining custody of the children. Much of the tragedy of his life has come from his very traditional notions of family life.

Probably the greatest difficulty comes during a transitional phase between two notions of mothering. Until a single conception of mothering is so widely held and institutionalized that couples are likely to agree with each other and feel easy about the roles they assume, there are bound to be difficulties. Hoitt's story is one example of these difficulties playing themselves out in the most awful extreme.

### Conclusion

The abuse of Hoitt's children, years after he left them, and the events following the abuse, had a profound impact on him. It embittered him to the extent that he was prone to commit crimes.

This chapter examines the causes and solutions of child abuse, in relation to the case described by Hoitt. The significance of the problem of child abuse in American society is also examined, partly by a review and analysis of all of the national statistics on child abuse.

Especially important in this chapter is the explanation of child abuse. Explaining behavior is very complicated unless the explanation is superficial. There is a problem of conceptualization, since there are so many factors related to the personality and background of the individual and the circumstances

of the act. The explanations can become so complicated that the interpreter must simplify. Inevitably, there are oversimplifications and the lines are drawn between various types of explanation: sociological vs. psychological, conservative vs. liberal, etc. The explanation of abusive behavior by parents, included in this chapter on child abuse, is a useful method of explaining behavior. It distinguishes between the subjective and the objective, as the two major, interrelating aspects of explanation. They are labelled "motive" and "situation." Identification of the eight major types of motives can be helpful to professionals who work with child abusers, as a means of understanding and counselling these people.

Analyses such as that above can be helpful to persons who suffer from the problem of child abuse (as abuser or as victim) or who identify with those who suffer. It can be difficult to identify specific cases of child abuse because the home cannot easily be invaded or monitored. For the same reasons, it may be impossible ever completely to eradicate child abuse. And, surely, once child abuse occurs, the act cannot be undone. Yet, much can be done to reduce the occurrence of the problem and to assist those caught in it. There is a need for publicity about the problem of child abuse, prompt and thorough investigation of reported cases, and adequate placement for children who must be removed from their homes. In addition, there is a need to reexamine conventional attitudes about work, income, and the family.



## THE SENTENCING OF CRIMINALS

It was a hard sentence. I got ten-twenty years. If you look it up, I think you'll find it's the hardest sentence ever given to a first offender for that kind of crime--robbery. It made me bitter. I see rapists, child molesters, even murderers come and go out of this place. And it doesn't seem fair considering I never really hurt anyone--not physically. What does that show about the values in this country? Doesn't it show that taking property is more serious than taking life?

Carl Hoitt

If the offender is to benefit from time spent under sentence, it is essential that he feel his sentence is justifiable rather than arbitrary. The man sentenced to ten years who shares a cell with a man convicted of the same offense under similar circumstances and sentenced to five years works against a handicap of bitterness and frustration.

National Advisory  
Commission on Criminal  
Justice Standards and Goals

Introduction

Carl Hoitt's fate hinged on the sentence meted out to him for his crimes. When he stood before the judge in that courtroom in New Hampshire, his life was like an hour-glass: the sentence was the narrow passageway which channeled everything that had already happened to him and it would affect all that would follow. A stiff sentence meant the end of his life as he knew it: he would lose his wife; he would cease to have an influence on the character and destiny of his children; whatever chances he ever had for

success as a steel guitar player would be seriously diminished; his youth would be lost forever. He got ten-twenty years.

He described his reactions and the reactions of his family to the sentence in these words:

You can't imagine what it was like in the courtroom. It was terrible. I couldn't say nothing. I sank back. It was a death sentence to me. A shudder ran through the room. My family was there in the courtroom, and they started cryin'. It almost killed my father. He got weak. It was terrible. It was a terrible experience.

He felt the sentence was unfair. He found others in the prison serving much less time for the same or worse crimes. He could not have avoided comparing his sentence with the far more lenient sentence given his ex-wife (1 year) and her lover (5-15 years), whose crime was the murder of a child. He did not claim innocence. He did not think he should have gotten off without punishment. He just believed the system should be consistent. The harshness of the sentence embittered him for a long time. He described his reactions:

I had hopes of gettin' the sentence reduced for a long time, but after three years, I gave up on it. I became very bitter, fast. At the prison. At the law. At the whole system. At the invisible thing that surrounded me. In addition to the wall around the prison, there was something around me and it was pressing in on me. I wanted to kill the thing. I really wanted to kill the injustice, the unfairness....Things that you couldn't put your finger on, I wanted to kill....I was goin' insane.

#### The Problem

It may strike the reader as odd that one person-- a judge--should have so much, seemingly arbitrary, power over another, yet that is the tradition so far as the sentence is

concerned. There are alternatives in some jurisdictions and changes occur, but the currently prevailing system of sentencing in the United States is the one Hoitt confronted: the judge has virtually absolute power over the offender so far as sentencing is concerned, subject only to limits specified in the law that allow considerable discretion. For example, a judge may have the power, when armed robbery is concerned, to suspend the sentence of the offender or to impose a maximum of as much as twenty or twenty-five years. The judge may also sentence an offender for each of a series of crimes and then decide whether the sentences must be served consecutively or concurrently. The judge has no strict guidelines to follow and is not required to state the reasons for the sentence. The offender usually has no right to appeal the sentence.

Giving one person the power to impose sentence would not be so serious if there were a consensus among all persons with knowledge and authority about appropriate sentences, but there is no such consensus. Instead, sentences are inconsistent, disparate.

There is abundant evidence of disparity in sentences. For instance, Carl Hoitt received 10-20 years for armed robbery; this was his first criminal offense. That same year, only 27 percent of convicted armed robbers with substantial prior records received a prison sentence in Los Angeles County (Greenwood, 1973:110). In a study of this problem by the Federal Judicial Center of Washington, D.C. (Partridge and Eldridge, 1974), judges were shown identical

case materials and asked to choose an appropriate sentence: a factory worker found guilty of bank robbery was given a sentence of three years by one judge, twenty years by another judge; a cab driver, with a long record of convictions and who pleaded guilty to selling heroin, was given a sentence of one year by one judge and ten years by a second judge; a union officer convicted of nine counts of loan sharking and tax evasion was given a twenty year sentence and a \$65,000 fine by one judge and a three year sentence by a second judge. Disparities like these resulted from each of twenty-nine cases shown to the sample of judges selected for the study.

The American Friends Service Committee (1971:127) cites examples of disparity of sentences for robbery in the state of Florida. Sentences for robberies of small amounts of money, without the use of a weapon, and with one or no prior convictions, ranged from four years to life. The same range applied if a weapon were used. In fact, the use of a weapon to threaten the victim did not necessarily affect the sentence: someone using a weapon might get a four-year sentence while a man not using a weapon might get life.

The sentences of the U. S. District Courts also demonstrate disparity--average length of sentences for specific crimes vary from region to region. It matters a great deal where the crime is committed: 54 months for violation of narcotics laws in one region, 103 months in another region; 19.7 months for forgery in one region, 56.5 months in another region (U.S. Dept. of Justice, 1973:96-101).\*

\*Additional statistics on sentencing disparity are summarized by Dershowitz (in Twentieth Century Fund, 1976:102-106).

Hoitt's story gives an idea of the humiliation, outrage, cynicism, and bitterness behind the statistics just cited.

Disparity can be attributed to many factors: the personality and background of the judge and those who advise the judge; the multiplicity of purposes of the criminal justice system, purposes not necessarily consistent with one another; overcrowding of court dockets; lack of options for sentencing; inadequate information about the offender; the shortcomings of scientific knowledge; and the shortcomings of the judicial traditions. Hence, a sentence can be affected by such factors as the type and duration of employment; income or education; church affiliation; size of family; and so forth (Lohman, Wahl, and Carter, 1968). The offender's cooperation with police or the court, the seriousness of the crime, the atmosphere in the community, and the availability of prison cells or treatment facilities might or might not be taken into account in a specific case. Frankel (1973:43), himself a federal judge, accuses his colleagues of imposing sentences on the basis of "race and class prejudice", per-

\*The idea that the race of the offender prejudices the court is a controversial one. Some studies support the contention (Johnson, 1941; Garfinkel, 1949; Bullock, 1961; Vines and Jacobs, 1963; Quinney, 1970; American Friends Service Committee, 1971:162-163; Mitford, 1973; Hindeland, 1969:306-313; Wolfgang et al, 1962:301-311; Bowers, 1974). Most of these conclusions are based on statistical evidence that blacks receive longer sentences for the same types of crimes and are more likely than whites to receive a sentence of capital punishment for homicide. Others argue, however, that blacks, because of their low socio-economic status, commit different kinds of crimes and hence race is really a spurious factor (Bensing and Schroeder, 1960; Green, 1961, 1964; Lohman, Wahl, and Carter, 1966). No one would deny, however, that there are occasional prejudiced judges and prejudicial decisions.

sonal views about specific crimes, deformed notions of patriotism, and all sorts of individual quirks...." Frankel gives the following example:

Judge X, to designate him in a lawyerlike way, told (some other judges over cocktails) of a defendant for whom the judge, after reading the presentence report, had decided tentatively upon a sentence of four years' imprisonment. At the sentencing hearing in the courtroom, after hearing counsel, Judge X invited the defendant to exercise his right to address the court in his own behalf. The defendant took a sheaf of papers from his pocket and proceeded to read from them, excoriating the judge, the "kangaroo court" in which he'd been tried, and the legal establishment in general. Completing the story, Judge X said, "I listened without interrupting. Finally, when he said he was through, I simply gave the son of a bitch five years instead of the four." None of the three judges listening to that (including me) tendered a whisper of dissent, let alone a scream of outrage. But think about it. Not the relatively harmless, if revealing, reference to the defendant as a son of a bitch. But a year in prison for speaking disrespectfully to a judge.

Frankel summarizes the sentencing process in this way (1973:114): "In most cases, the judge broods in a diffuse way toward a hunch that becomes a sentence." Frankel is not the only judge disturbed by the system of sentencing. He quotes Judge Learned Hand (1973:16): "Here I am an old man in a long nightgown making muffled noises at people who may be no worse than I am." And, Gaylin (1974:97) quotes one judge who commented: "In many ways, it's a blind thing." For that admission, Gaylin called the judge a "secure intellectual."

If sentences do not consistently relate to the avowed purposes of the criminal justice system, then justice cannot be served and those that come into contact with the sentencing procedure can be made cynical, bitter, or hostile.

This undermines the potential of the criminal justice system to deter or rehabilitate.\* There is evidence that sentencing disparity is one of the major causes of disciplinary problems among prisoners (Shitrit, 1972).

Carl Hoitt's story illustrates the faults in the system of sentencing. He received so severe a sentence in New Hampshire because he did not know the kinds of factors that influence the sentence and he apparently did not realize how arbitrary and inexorable the process was. Because of his ambition, or sense of destiny, Carl Hoitt reacted with pride, confusion, and hostility when stigmatized. This behavior, beginning from the time he was captured and continuing throughout the trial, almost guaranteed that he would receive a harsh sentence. His behavior was probably interpreted as a sign of his being a hardened criminal whereas the reverse was true. He could not accept his situation, so he worsened it.

Specifically, Hoitt made these mistakes. He insisted on a jury trial; an experienced criminal, knowing the evidence against him, would have pled guilty, perhaps to a lesser charge, after receiving a promise of a reduced sentence. He accepted the lawyer his family found for him (a lawyer sent to them by Vince and Joey, who were more interested in his

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\*Someone might argue that an unknown punishment that is potentially very severe, as sentencing is now, has more of a deterrent value than a punishment which is fixed and therefore moderate. Yet there is good evidence that the certainty of punishment, more than severity, has the greatest deterrent value (Antures and Hunt, 1973).

not naming them as accomplices than in helping him); an experienced criminal would have carefully selected an attorney, with a good background and a good reputation in that court. He was defiant and uncooperative with the police and the court; an experienced criminal would have acted very contrite and humble. He did not name accomplices; an experienced criminal would have denied that accomplices existed or he would have named them or he would have tried to win the sympathy of the authorities by explaining he could not name accomplices without jeopardizing his life or the safety of his family.

The sentence embittered Hoitt. "It made me bitter," he said. "I wanted to kill the thing...the injustice." He spent three years aggravated about the sentence, expecting to see it reduced. Though he overcame his bitterness by resigning himself to the injustice and working for reform, others leave prison hostile or broken.

### Solutions

There are alternatives to the currently prevailing system of sentencing. These can be organized into two general categories. One involves educating judges, who retain the discretionary power but are expected--as a result of these reforms--to exercise these powers wisely and consistently. The second type of idea is to give more than one person the formal responsibility of setting the sentence. Generally, the judge is one of these people; sometimes not.



### Educating Judges

Currently, judges are either political appointees or elected officials. There are no formal requirements for these positions though customarily only experienced lawyers are thought to qualify. Nevertheless, as Frankel (1973:14) has noted, many judges are appointed with little prior experience in the courtroom. Perhaps, training in the problems of sentencing (which tends not to be offered in law schools) should be required; perhaps there should be an internship required of all prospective judges or other formal requirements.

To assist acting judges, much can be done. Journals and pamphlets, with information on sentencing, should be distributed to judges periodically. These should contain statistics on sentencing so that judges learn how their decisions compare with the decisions of others. Judges do receive publications now, with some information of this kind, but perhaps more along these lines can be accomplished. Also, periodic training programs, as in sentencing institutes, may be helpful. Attendance at these can be made mandatory. (Mattina, 1973). Judges can be expected periodically to visit jails, prisons, and other facilities. Since the probation officer makes sentencing recommendations to the judge, accepted by judges as much as 90 percent of the time (Lohman, Wohl, and Carter, 1968), the requirements and programs just described can be made available to probation officers also.

Judges can also be required to consult with fellow judges on pending cases before reaching a final decision

about a case. This idea, the sentencing council, was introduced in 1960 in the federal courts of the Eastern District of Michigan. Since then, the idea has spread to other federal courts and also to state courts. The Council in Michigan works in this way: a probation officer calls a meeting of the Council after completing a number of presentence reports. The Council is composed of three judges. These meet for an hour to discuss about 18 presentence reports. The judge presiding over a given case retains the power to impose sentence. Since judges consult with each other prior to imposing sentence, disparity always decreases, in Michigan and elsewhere (Rubin, 1973:145; Levin in Perlman and Allington, 1969:139-151; Frankel, 1973:69-72). Levin (Perlman and Allington, 1969:139-151) reports that, in Michigan, sentences tended to decline in length, disparity decreased, and probation began to be used more often.

All of the ideas for educating judges are good but necessarily limited. Without specific guidelines, specific decisions will inevitably be disparate, though possibly not to the extent that now prevails. As one judge (in Rubin, 1973:143) noted, with respect to sentencing institutes:

It seems that regardless of how many sentencing institutes we have and how often we get together to discuss consensus among ourselves, the facts, supported by dependable statistics, continues to reflect unjustified disparity between the sentences for the same crime upon persons in like circumstances and with similar histories and backgrounds.

The most that can be expected is that these programs will cause most judges to take their sentencing responsibilities

seriously and to take into consideration the thinking of social scientists and colleagues. Still, the values of judges differ, the circumstances surrounding a particular crime and trial differ, and the information available to a judge varies. In addition, there remains a problem of principle: that one person continues to exercise virtually unrestrained power over another.

### Sharing the Sentencing Power

A classic solution to the problem of power, so long as there is a possibility that the power will be abused, is to diffuse authority--so that the power of one can be checked or balanced by the power of another. This is not a perfect solution. The final decision can represent a compromise, rather than the best possible decision, without anyone feeling the responsibility for the final compromise. Or, symbolic decisions, intended to be over-ridden, can stand because of misunderstandings or the unwillingness of any participant to assume responsibility for the final decision. This kind of process seems to have occurred when the decision was made to execute Private Slovic for desertion, the only man to be executed for desertion during World War II (Huie, 1970). In Slovic's case, the original panel of judges sentenced him to be executed, primarily for symbolic reasons; these judges expected their decision to be overturned on appeal. However, the higher courts, feeling the responsibility for the execution had already been assumed by the lower court, sustained the sentence. Slovic was executed, then, by a

"system": at the same time, no one was responsible for his death and everyone was.

A final objection to the diffusion of authority is that politicking can occur: groups of people with responsibility, each feeling not fully responsible for a decision, are perhaps more open to influence-peddling and bribery than one person would be. The final decision may then only have the appearance of a group decision; instead, the decision belongs to one member or a person or persons not even a part of the group.

Despite the problems, Americans tend to assume that a diffusion of authority generally succeeds in preventing the worst excesses of authority. That is what the founding fathers assumed when they built checks and balances into the federal government, by means of a tripartite system. We accept the idea that a diffusion of authority is, in the long run, beneficial as one of the lessons of history.

Several ideas for sharing the formal responsibility of imposing sentences have been aired or tried: flat-time sentencing, sentencing panels, routine appeal of sentences, and indeterminate sentencing.

Flat-time sentencing. A legislature can specify sentences and leave little or no discretion to the judge. This necessarily means that only a limited number of factors can affect the sentence. For example, the type of crime (which can be precisely delineated in the law), the prior record of the offender, and the offender's cooperation with authorities might be recognized as relevant to sentencing decisions.

Other factors, now sometimes deemed relevant, would not affect the sentence--such factors as education of the offender, the offender's employment, the character and size of the offender's family, etc. The earlier crimes of the offender could be weighed according to their seriousness and their currency. Cooperation with authorities--pleading guilty, giving information to police, etc.--can also be weighed but to an extent defined by the law. If this system were to exist, a judge, when it came time to impose sentence, would merely consult a book of tables, or a computer, to find the appropriate sentence.

Flat-time sentencing is a very interesting idea, but it poses serious problems and is quite controversial. For one thing, it is untried. There have been mandatory sentences for specific crimes--such as premeditated murder or carrying a gun without a license. These have been very simple laws--the sentence cannot be adjusted according to other factors such as prior record, etc. And these laws have not been successful. The Supreme Court recently ruled a mandatory death sentence, which is broadly written and indifferent to the background of the offender, is unconstitutional. Judges, police, and prosecutors have bypassed the mandatory sentencing law in Massachusetts for illegally carrying a gun.

Objections to flat-time sentencing are that it is too impersonal--considerations important in a given case may be ignored; and the law can be full of symbolic stands, compromises, and errors. The history of sentencing legislation demonstrates the dangers of unwise sentences: ten years for

possession of small quantities of marijuana (Geller and Boas, 1969:15-34); in Colorado, ten years for stealing a dog and six months for killing a dog (American Bar Association, 1968:49).

Also, the criminal justice system depends on guilty pleas and information from offenders about their own crimes and others' crimes. If flat-time sentencing did not encourage confessions and information sufficiently, either the system would be weakened or the law would be bypassed. The law can be ignored by judges; or police, judges, and prosecutors can exercise discretion in other phases of the procedure: arrest and the charge. Perhaps, a law that is sufficiently precise and sophisticated can eliminate some of these problems; perhaps not.

There is a feeling on the part of many people experienced in the criminal justice system that no law can be perfect for all cases. Maybe the solution is to establish an administrative agency which has the responsibility of determining appropriate sentences. The agency, more than the legislature, can monitor sentences on a continuing basis and adjust the law, constantly improving on it. This may be a good solution; it also poses problems--of rule by bureaucracy and cost.

Another idea is for the flat-time sentences, whether established by legislatures or by administrative agencies, to be presumptive rather than mandatory. This way the judge retains a measure of discretion. If a case seems unusual, not fairly accommodated by the law, the judge is free to impose a sentence other than the presumptive sentence, subject, of

course, to appeal. The presumptive sentence is a relatively new idea. It is the recommendation of The Committee for the Study of Incarceration (Hirsch, 1976), The Twentieth Century Fund (1976), and The National Prison Project of the American Civil Liberties Union (Bronstein, 1976). The Twentieth Century Fund outlined a model presumptive sentencing law for armed robbery, which divided armed robbery into five degrees of seriousness, and which takes into account the number of crimes for which the person has been convicted, the offender's prior record, and (in a disappointingly ambiguous way) other aggravating and mitigating circumstances. According to this model law, Hoitt's crime would have been classified as "armed robbery in the fourth degree": "the forcible taking of property from the person of another by the display of or threat to use a loaded gun" (1976:38). Since he had no prior criminal record, the presumptive sentence in his case, for the one crime committed in New Hampshire, would have been imprisonment for two years (or three years if the judge found there were aggravating circumstances). According to this law, parole is virtually eliminated. So, instead of facing a sentence of five years, only if he satisfied the parole board of his worthiness, Hoitt would have confronted 2-3 years, a significant reduction. Also, he would not have had to fight his bitterness at having received an arbitrary sentence, which plagued him for the first three years: "I had hopes of having the sentence reduced. But after three years I gave up on it." Also, his actions in prison would have been voluntary; in his case, he seems to have retained his pride and

integrity in prison, but others play games with parole boards or become paranoid with fear for the interpretations that may be given minor transgressions.

Another way to approach flat-time sentencing in a gradual way is simply to reduce the maximum sentences allowable by law, which are now higher in the United States than in any other democratic nation. This narrows the range of discretion without eliminating discretion altogether. This recommendation has come from the American Bar Association (Standards Relating to Sentencing Alternatives and Procedures, 1968), the National Advisory Commission on Criminal Justice Standards and Goals (1973), and the Council of Judges to the National Commission of Crime and Delinquency (Model Sentencing Act, 1969). Or, minimum sentences could be raised, or made mandatory.

Routine Appeal of Sentences. A judge's sentence can be appealed. Currently, the Supreme Court justifies appeals on very narrow grounds--if the sentence exceeds the statutory maximum or if the judge gratuitously explained the sentence and justified it on grounds that clearly violate Fourteenth Amendment equal protection rights (e.g., if the judge explains he is punishing the accused for his or her color or religion) or if the judge admitted that he was not exercising his lawful discretionary authority (e.g., he announces he will sentence everyone found guilty of a certain crime to X years in prison) (Frankel, 1973:31). Since the judge usually does not explain the reasons for his decision and, in any case, is hardly likely to voice illegal reasoning, the position of the Court



is called the "non-reviewability ruling." Nevertheless, some state legislatures have established sentencing review boards. And federal courts, while affirming the non-reviewability ruling, frequently abrogate it (University of Kansas Law Review, 1974).

Where there is routine appeal of a sentence, the offender is notified immediately after the imposition of sentence of a right to appeal. The offender eventually appears with counsel before a panel of judges, who review the records of the offender that were available to the judge at the time of sentence. The board can affirm, reduce, and (in some jurisdictions) increase the original sentence.

Sentencing review is discretionary and, therefore, is not without problems. However, because more than one person is responsible for the ultimate decision, sentencing review can reduce discretion in two ways. First, the review board reduces disparity through its review of cases. Second, judges, wanting to be approved by colleagues, will pay more attention to the policies of others.

If appeal is guaranteed, it seems only reasonable to require other, related changes: the right of the offender and the offender's attorney to examine and challenge presentencing information; a statement, by the judge, of the reason for the sentence.

Panel of Judges. When it comes time to sentence, it is possible for a group of people to impose the sentence, rather than the solitary judge. These may be judges trained in the law (as in England), or lay people, possibly social

scientists; or some combination, as in Sweden and as was recommended by Glueck (1936:225-226).

This idea is not now being seriously proposed in the United States, for some reason. Possibly, there is fear that this idea, more even than the others, will slow down an already too slow and inefficient process and will add to the costs of a system not usually high of the list of legislative priorities. Also, it is assumed that only persons trained in the law will recognize and feel an obligation to serve all the purposes of the criminal justice system: justice and rehabilitation and confinement and deterrence.

Indeterminate Sentencing. This idea means that the parole board acquires the authority to determine the sentence, based upon the offender's record in prison. Parole boards typically have the authority to release offenders from prison after a specified fraction of a sentence is served. But the indeterminate sentence enlarges this authority both symbolically and in fact. Legislatures can mandate indeterminate sentences (as in California) or judges can impose these sentences (as Hoitt's judge did when he sentenced Hoitt to an indeterminate sentence of 10-20 years).

Indeterminate sentencing was a popular reform idea of the 1960's. It was advocated by liberals who felt that parole boards would be more interested in the rehabilitation of the offender than in other considerations. The American Law Institute (Model Penal Code, 1962) was a very influential advocate of the idea.

Since the 1960's, however, indeterminate sentencing

has fallen into disfavor, for many reasons. For one thing, as should have been anticipated, parole boards are not necessarily primarily interested in the rehabilitation of the offender nor do they necessarily have sufficient information or education to decide when, or if, an offender is rehabilitated. Instead, parole boards have been vindictive, careless, and indifferent to the rights of inmates to their privacy and freedom of speech (McGee, 1973); they have been more interested in preserving the peace of the prisons than in helping individual inmates. Perhaps if parole board members had better qualifications or were not political appointees, these problems would not have existed; but even the best of qualifications might not have mattered greatly--science cannot diagnose rehabilitation and prisons do not easily generate objective information about an inmate.

George Jackson is the most famous victim of indeterminate sentencing and his story shows the dangers of this system (1970). Given an indeterminate sentence in California for robbing a gas station of seventy dollars, he spent year after year in prison because the California Adult Correctional Authority deemed his political views and general attitude to be deviant and criminal. Every six months he was denied a release date. Finally, after eleven years of this, crazed and outraged, he killed a guard (Armstrong, 1974) and then was shot down in an alleged escape attempt at San Quentin.

Frankel (1973:86-102) thinks indeterminate sentencing is usually "evil and unwarranted" but he is willing to trust that effective enough techniques exist for the treatment of

drug, sex, violent offenses and some delinquency to justify occasional indeterminate sentences. But, in making such a recommendation, Frankel might be too trusting: he trusts that such techniques exist; he trusts that the "experts" will know about them; he trusts that the techniques will be implemented properly; he trusts that the effectiveness of treatment is enhanced, rather than diminished, by the power of persons doing the treating to influence the length of sentence. Not only is indeterminate sentencing a very questionable procedure but so also is it questionable for the parole board to have any role at all in releasing an offender from prison. The problems with indeterminate sentencing exist also with the more traditional role of the parole board. The direction of reform has been so far to expand the role of parole boards; perhaps the direction of reform should move in the other direction, as has already occurred in the state of Maine.

The experience in California has been that indeterminacy allows unchecked, arbitrary power to go disguised as "treatment" and "expertise". Inmates there have been denied the right to examine or challenge the information in their files and have been subject to the most oppressive kind of arbitrariness. Mitford (1973:100-101) talked to an inmate who described how oppressive conditions there have been:

While "psyching the board members" is an ongoing prison hobby, no one has ever been able to second-guess them accurately, said Mr. A. "They may talk to you like a dog, you go back and tell everybody, 'I was shot down this time'--and then you'll get a parole date. Or, they may be very sympathetic--even ask about your parole plans and then deny you. There's

a great variety among the board members. For example, there's one member--if you pound the table and yell, he likes that, he thinks that means you can make it! Another would be so mortally offended by that sort of behavior he'd give you two years for it.

It is interesting to note that the average length of sentences increased in California after indeterminate sentencing was introduced--from 24 months in 1960 to 36 months in 1970 (California Assembly Committee on Criminal Procedure, 1968:71).

In 1976, Governor Brown signed the bill which put an end to California's system of indeterminate sentencing. There is an important moral to be drawn--about how good intentions can worsen a situation, unless policy is very carefully constructed and problems carefully anticipated.

#### Conclusion

Hoitt received a 10-20 year sentence, in N.H., for a crime for which he might easily have received a suspended sentence and probation. His behavior, from the time he was captured and throughout the trial, was due in part to his inexperience as a criminal. It could be argued that his behavior, his extreme pride and hostility when stigmatized, related to his ambitiousness. He could not accept his situation, so he worsened it. But here was a man, penalized because of his inexperience in crime and his pride. That does not seem just. It demonstrates that the system itself is at fault, more even than the participants. And it is undeniably true that sentencing frequently seems arbitrary and unjust. It creates bitterness and cynicism. It weakens

the ability of the criminal justice system to deter and rehabilitate.

This chapter has evaluated the problems of sentencing and possible reforms. The issue is complex because the purposes of the criminal justice system are so vague and diverse, the different aspects of the criminal justice process are so interrelated, and the system is in such constant flux and varies so much from jurisdiction to jurisdiction. Despite all this, it is possible to describe a "prevailing" system of sentencing, to demonstrate the faults of that system (according to each of the purposes of the criminal justice system), and to describe and evaluate remedies.

The many reforms of sentencing have been explained and evaluated by organizing them into two general categories. "Educating judges" refers to literature, training, and sentencing councils, involving both judges and probation officers. "Sharing decision making" includes flat-time sentencing (both mandatory and presumptive), narrowing the range of discretion (lower maxima, mandatory minima), sentencing panels, and indeterminate sentencing.

No idea is perfect; and there will be abuse and resentment, regardless of the system. But the abuses can be minimized. Justice, though an ideal, can be approached. Probably a combination of ideas is necessary. Certainly, those involved in making sentencing decisions should take their responsibilities seriously and should be trained for their task. But, also, it is imperative that judges give the reasons for their decisions and that there should be a

right to appeal. Where routine appeal of sentences creates an avalanche of litigation and raises hopes without clarifying the principles of sentencing, flat-time sentencing should be introduced. It should be introduced cautiously, as a presumptive sentencing system. It should be a comprehensive reform, recognizing a minimum number of aggravating and mitigating circumstances, and relating sentences to discreetly defined crimes.

Sentencing is a serious problem. No one is immune from being accused, then convicted, then sentenced for a crime. And no one is immune from being victimized by an offender made bitter or cynical by the system of sentencing.

All of those affected by the system of sentencing, and who realize its potential impact, should understand that they are not alone in their suffering and vulnerability; they have a common cause and specific reforms to advocate. This is a constructive way of channeling rage and disappointment and of allaying fear.

## CONCLUSION

Carl Hoitt's life history is a cautionary tale. Whether a victim of fate or a man who suffered for his errors, he tells a story that can easily touch the life of others, for his problems are common ones. His story may forewarn others; it may help others avoid or, at least, endure certain problems of life. This is aided by the analysis in Part II, a systematic examination of the dynamics of Hoitt's life and the relevance of his life to others. Three problems were identified in the analysis: Hoitt's ambition to succeed, the abuse of his children by others and subsequent events, and the sentence he received for his crimes.

Hoitt's ambition to succeed is the most important of the three problems so far as the dynamics of his life are concerned. It is the constant motif of his life. He wanted so badly to succeed that he sacrificed many of the possibilities of living. He struggled against odds so great that he was almost bound to become bitter and desperate. His ambition partly caused and then exacerbated his other problems.

Part of what makes Hoitt's life so interesting is the fact that the ambition to succeed is so common in America and the kinds of problems Hoitt experienced are often associated with that ambition.

The chapter on success emphasized techniques for success that Hoitt used and that have been popular in America.



Considering only general styles of conduct or qualities of mind, there are four techniques: the character ethic, the personality ethic, mind power, and crime. Also examined was the meaning, the causes, the future, and the functions and dysfunctions of the idea of success in America. It was pointed out that success, in the traditional sense, has become--over time--more difficult to achieve. It was also pointed out that the idea of success may be changing or the importance of succeeding may be on the wane. Possible reasons for the trend and possible consequences, both good and bad, were considered.

Child abuse is an important public issue not only for the people directly involved--the abusers and their children, the victims. Child abuse involves more even than those people (relatives and friends) who have an emotional stake in the well-being of an abused child, in the way that Hoitt became involved. Child abuse involves everyone, partly because it is impossible not to feel sympathy for the child who suffers and partly because a child treated violently can become violent and be a threat to others.

Especially important in the chapter on child abuse is the explanation of abuse. The explanation refers both to subjective and objective factors. These are called motive and situation, respectively. Eight motives for the abusive act were identified and these eight motives account for all cases of child abuse reported in the literature. The motives of the other (or "passive") parent, in cases

where the family is intact and only one parent harms the children, also was considered. Also examined was the prevalence of child abuse in American society and possible solutions of the problem. Statistics on the prevalence of child abuse are inconsistent, due largely to unreliable information and varying definitions of the problem; so it was necessary to organize and explain existing estimates. It was pointed out that the problem can be remedied by publicity about child abuse; prompt and thorough investigation of reported cases; adequate placements for children who must be removed from their homes; and the reexamination of conventional attitudes about work, income, and the family.

The prevailing system of sentencing in this country gives the judge virtually absolute power over the offender so far as sentencing is concerned, but gives the judge no practical guidelines for making this decision. The judge has wide latitude in setting sentence and is not required to explain to the offender (or anyone) the reason for the sentence; and the offender usually has no right to appeal the sentence. This inevitably leads to disparity in sentences and disparity causes offenders to become bitter, cynical, or hostile. Sentencing disparity undermines the potential of the criminal justice system to deter or rehabilitate. Carl Hoitt's story reveals the humiliation, outrage, and cynicism caused by disparate sentencing.

Sentencing is a serious problem not only for those directly affected--the convicted criminal. The problem

should be important to everyone. After all, no one is immune from being accused, then convicted, then sentenced for a crime. And no one is immune from being victimized by an offender made bitter or cynical by the system of sentencing.

The chapter on sentencing identified possible reforms of the prevailing system of sentencing. These ideas were divided into two general categories: educating judges and sharing the sentencing power. The first category included sentencing institutes, internships, the distribution of literature, and sentencing councils. The second category included flat-time sentencing, routine appeal of sentences, sentencing panels, and indeterminate sentencing. Probably a combination of ideas is necessary. Certainly those involved in making sentencing decisions should take their responsibilities seriously and should be trained for their task. But, also, it is imperative that judges give the reasons for their decisions and that there should be a right to appeal. Where routine appeal of sentences creates an avalanche of litigation and raises hopes without clarifying the principles of sentencing, flat-time sentencing should be introduced. It should be introduced cautiously, as a presumptive sentencing system. It should be a comprehensive reform, recognizing a minimum number of aggravating and mitigating circumstances, and relating sentences to discreetly defined crimes.

This study has demonstrated that understanding one person's life thoroughly requires an understanding of the lives of others and of the pervasive social, economic, and cultural forces in the society. Carl Hoitt's ambition, like the ambition of many others, relates to such factors as technological momentum, the relative stability of the American political system, the relative openness of the American economy, and the cultural valuation of success. The physical abuse of Hoitt's children, like the abuse of many other children, relates to such factors as the inadequacy of social services, the instability of marriage and alternative social arrangements, the nature of work, the educational system, and traditional childrearing practices. The sentence Hoitt received for his crimes, like the sentences others receive, had an arbitrary and unjust quality, a consequence of the prevailing system of sentencing.

The relationship between one person's life and social problems (understood as predicaments shared by many and dependent on pervasive conditions) was highlighted by C. Wright Mills. Mills wrote of two distinct, interrelated perspectives: "private troubles" and "public issues." He wrote:

Troubles occur within the character of the individual and within the range of his immediate relations with others; they have to do with his self and with those limited areas of social life of which he is directly and personally aware....Issues have to do with matters that transcend these local environments of the individual and the range of his inner life. (1959:8)

This study advances Mills' argument in a vivid way by juxtaposing the two perspectives and showing their connections, concretely.

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