

A PRISONER STORY: THE THIRD TURKEY

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Many men on their release carry their prison about with them into the air, and hide it as a secret disgrace in their hearts, and at length, like poor poisoned things, creep into some hole and die. It is wretched that they should have to do so, and it is wrong, terribly wrong, of society that it should force them to do so. Oscar Wilde, 2011, De Profundis Kindle Edition, Golgotha Press. Locations 175-177.

A Bus Ride

The night was one of those nights when I wasn't sure if I slept at all. I was excited. Something was going to change, but I didn't know exactly what or how. The only person whom I was able to reach by phone on the day that I found out that I was going to be moved was my friend Jane. Prison phone calls are like that. There is no leaving of messages. There is no making two calls without stressing potentially fatal line etiquette. I could only hope that Jane, whose own husband was incarcerated would be able to reach my ever stalwartly protective attorney Arthur Madden. I was a pro bono case for Arthur, but that was not a qualification affecting his actions on my behalf.

As I hopelessly tried to sleep, I distinctly remember the shadow of prison bars on the top bunk a few feet away. The shadow of the bars were a stark reminder that I was caged in what e.e. Cummings (1934) called an "enormous room" with other - at least fifty other - men (no women here). At the lower end of medium-security, enormous rooms or dormitories are an effective correctional tool and a far superior life-style for inmates. Impossible in cell blocks, but possible in dormitories are inmates' ability to shut up screamers, restrain firebugs and suicides, and apply immediate first aid to injured or sick friends.

Finally, just before dawn, a hack (correctional officer) came to my bunk. Whether I was finally asleep or lying there awake, I'll never know. Holding a flashlight and Polaroid file photo of me, the guard asked, "Are you Curry?" I was instantly excited that my waiting was over and just as instantly terrified about what my next step would be. "We've been looking

all over for you.” Yes, the Federal Bureau of Prisons can sometimes not find a specific man in a medium-security prison. All jails and prisons have administrative incompetence in common.

As the guard led me past friends sleeping the restless sleep that caged men sleep, I lugged my box of books. My anxiety about what might happen next grew increasingly replacing any earlier wish to sleep. When we entered the halls of what was known as the “control” area, I could hear men talking in the distance. One particularly loud young voice was complaining about being stuck there for two hours while the hacks look for one “asshole.” “Okay,” I thought, “they’re all going to be angry at me on initial contact.” At least some of them considered me responsible for their delay and waiting. It was time for me to try to appear other than the soft compassionate person that I had worked to appear to be since I smoked that first joint sitting on a bunker in Vietnam. Suppressing my fears as I had to do those first days in Vietnam over a decade before, I pretended that I was someone else.

I looked straight ahead and ignored the men into whose midst I was led. The Federal Correctional Institution (FCI) officer who brought me into the room led me to a tray of cold fried eggs, bacon, and toast lying on the floor against the wall. The hack said that he was required to feed me breakfast, but that I should be “quick” about it because he needed to return the tray to the kitchen. I took the tray and banged it on the floor, knocking the cold meal on to what I knew to be a spotless convict-scrubbed cement floor. I banged it twice, though the second bang may have been unnecessary to dump my food onto the floor. I shoved the tray to the hack trying to act as nonchalant and as animal-like as I could. The officer whom I didn’t know and who didn’t know me looked as uncomfortable by my behavior as I could have wished if I had been a movie director telling him to look uneasy. I sat down on the floor and began to gobble down the cold breakfast as if I were a dungeon resident being fed for the first time in months.

After I had wolfed down my breakfast, things got even better for my newly chosen role as someone not to be “messed with” (or in the deadly play-yard chatter of my youth – kicked, crying, and begging). The ranking transfer officer told me that he wanted to talk to me away from the other prisoners. “Great! “They’ll think that I’m some kind of snitch.” Once out of

earshot, the hack with a hint of empathy in his voice said that all of the other prisoners in the holding area were being transferred to level one or Federal Prison Camp status. He said that he believed that the transition to “camp” status was one that should be gradually affected. I was touched by the hack’s concern for his prisoners and thought, “How sad it would be, if I were forced to kill him in some escape action.” I knew that I could do it. I have a wonderful ability given me by the military to think of adversaries as less than human. Prison is a great place for such survival tendencies to burst from deep in the ego and possibly even in the ID to conscious recognition and utility. “But,” the hack turned stern on me, “You have a 34-year sentence. I cannot possibly transport you in the same way as these other prisoners. I need to know that you won’t file a complaint that I transported you differently from these other prisoners.” I slowly gave the head hack my word that he need fear no legal or other action from me for sparing my fellow travelers restraint on the remainder of their bus ride. The alternative would have been more stupid than any hack could have imagined. Had I balked at the hack’s offer, he would have made sure key inmates on the bus would have known that their being chained was my fault. As the head hack’s subordinates wrapped and fitted me with chains, it was hard to act like this was something that I was used to. I repressed signs of my amazement and fascination. I hoped that this wouldn’t have some permanent effect on my mental health or worse my sexual tastes. Being chained among men with no chains made me more vulnerable to attack than anytime in life (except for several anti-Klan and anti-Nazi non-violent marches when racists hurled rocks and we sang insipid protest songs back at them).

When the head hack announced to the other assembled inmates that I had consented to special treatment in order to make all of other prisoners more comfortable, a range from respect to awe from the other inmates on the bus ride was easy to perceive. One very burly prisoner with a bushy beard pushed others aside to grab my box of books. “I got this, brother,” he said. That was good, because I hadn’t imagined just how restraining shackles can be. In the back of my mind, I wondered, “How can I defecate, wipe, and urinate without hands?” The hairy inmate, who was truly a mountain of a human, asked if I were a “vet”. After my answering affirmatively, the huge shaggy creature responded “special forces, two tours.” I shared, “Special Ops, Army, only one tour, late in the war.” Talking quietly the mountain advised, “I don’t know how you got here, but, if they take their eyes off you for

even a second, run.” I had already noted the two shotguns possessively clenched by the two hacks supporting the head hack. Though always being a good runner, I had no intention of trying to outrun buckshot.

To myself, I thought as I hobbled along, “Would the hacks be going to all this trouble if they knew that I was a tenured associate professor in the Department of Sociology at the University of South Alabama with a PhD from the University of Chicago, with my first academic book already at the publisher?” The bus ride was largely uneventful. After the other bus riders had been deposited at Eglin AFB Federal Prison Camp (Florida), I was delivered to the Santa Rosa County Jail. My sainted lawyer had arranged for a federal marshal to be waiting for me there. Otherwise, I could have ridden buses and visited local jails for days. The prison officers appeared surprised when the Federal Marshal ordered my restraints removed and offered my box of books and me a ride on to Mobile (Alabama) where I began the torturous process of re-sentencing and appeal denials. Homeless, I lived as a volunteer groundskeeper and custodian at the Unitarian-Universalist Church (where else?).

The shackles and bus ride were my deepest penetration into the imprisonment experience. While I knew that things could get more restrictive, more painful in Sykes’ terminology, more “totalitarian” in Eric Olin Wright’s (1993) terminology, I had already been caged in structures suitable for restraining the fiercest predators this planet has to offer. I had become that most extreme opposite of a citizen of our society, the convict. I will never be the same. In my unconscious mind, I still wear those chains. Few other memories have made a greater mark on my mind. But, I did follow the old convict’s advice, I ran away, at least on my dealings with the legal system. I deeded my defiant declarations of injustice and slowed my radical politics for a few years (except for some writing, “bad” associations, and refusing to testify against others). From then on, I did not resist superior force or even the morality it claimed. I still didn’t cooperate with prosecutors, the FBI, or the DEA. But “the man” was already on my back, and I was a long way from being out of the prison experience.

The Illusions of Minimum-Security

When I was a toddler, my cousin Judy often babysat for me. Maybe it was because I was a whiny, fearful little know-it-all, Judy fed me a steady diet of substantially dramatic prevarications. One most unnerving for me was the story of the “snake doctors.” Judy told me that dragonflies were snake doctors. When a snake was injured or even killed, a snake doctor could heal the damage. When I was three, I stepped on a copperhead in our front yard, but my granny hacked off its head with a hoe before it could bite me. Once I’d been in the military and seen helicopters flying in formation, dragonflies make me think of Huey’s as well as snake doctors.

It was a very warm day. I had the jogging-walking path to myself at Eglin Federal Prison Camp, meeting not another person within half a mile. When I skirted the bird shelter located behind the sparsely wooded area at the back of the camp, the shoreline of the swampy lake bordering the west side of the camp was dotted (within my endorphin reverie) with snake-doctors and tiny garrisons of Huey helicopters.

On my return pass along the shore, I spotted a Puerto Rican prisoner friend running in the opposite direction. He raised his right hand as we drew close. We “high-fived” and exchanged defiant “Que-pasas?” Endorphins were hard at work in both of us. I felt great. But any sense of freedom was as illusory as the dragonflies being snake doctors or Huey’s. However we might feel in the moment, my friend and I were in captivity.

In his 1973 *Politics of Prison*, Eric Olin Wright suggested that maximum and medium-security would not be able to exist without minimum-security. Wright (p. 153) quotes Sheldon Messinger’s unpublished dissertation (UCLA) to describe the act of providing a prisoner with greater freedom “... it was, at best, a move from a position in which subordination was insured by rigid regimentation and continuous surveillance to one in which these immediate controls are relaxed, the inmate having proved his willingness to maintain a subordinate posture on his own.”

After my lonely appeal bond year spent as a post-doctoral assistant at the University of Chicago, I spent seven months assigned to Eglin Federal Prison Camp. Eglin FPC is a beautiful place. The only real stress is provided by the staff whose persistent harassment of inmates seemed more predicated on their embarrassment by their being assigned to “Club Fed” than

any past or present behavior by the inmates. Eglin FPC is the kind of place where I would feel morally comfortable sending my own political enemies to be rehabilitated. Late in my time at Eglin when I became head clerk-typist in the education department, I found a former inmate's hidden stash of official stationary deep in my new desk – Marvin Mandel, Governor of Maryland. I used the governor's desk with pride. Eglin is not unlike the minimum-security camp in Kurt Vonnegutt's *Jailbird* (1979, p. 43) where there are so many lawyers that "If you find yourself talking to somebody who hasn't been to law school, watch your step. He's either the warden or a guard." At Eglin, there were, in addition to lawyers, mayors, physicians, at least two college professors, and a handful of protestant ministers.

While I came out of medium-security meaner and very angry, my psychological back was intact. But as Vonnegut (1979: 126) declares, "Everybody gets his back broken when he goes to prison for the first time. It mends after a while, but never quite the way it was before." As with the inmate described by Vonnegut, it would be Eglin my second prison stop where my back broke. The weight of the "man" became too much to carry. And as Vonnegut noted about us broken men, we "will never walk or feel quite the same again." As Sykes (1958, 2007) has noted, pain is what imprisonment is all about. The one unifying principle across every security level of incarceration is the pain of imprisonment. It is this pain that provides the energy for the "society of captives" as a system of action.

After two months, my prison supervisory team moved me to the law library, rumor had that it was based on inmate requests for a more educated clerk. I quickly recruited a lawyer-turned-smuggler to fill another open position in the law library. The influence of inmates on who's hired where is what has been labeled "informal control." The former member-of-the-bar pilot and I generated self-help descriptions of how to use the law library in different ways and set up the guide sheets as handouts in an unused magazine stand. In other words, I got moved from that job in less than two months for providing "too much legal help" to inmates. The director of education said that I was lucky to get off so easy. He said he knew of my having received three apples for writing a writ for another inmate. Snitching, while considered anathema to some inmates, is the rule among a comparatively large subset of the inmate population.

I was placed in a woodworking class “where a body was needed,” but more and more I helped education department staff with computer problems and performed extra typing for the education department. I struggled to be an invaluable inmate employee. One night I stayed up all night (except for returning to my bunk for counts) retyping prison regulations onto paper of a slightly different shade of green paper, so that lack of color consistency would not mar the next day’s FBOP inspection. No one on the staff had noticed until too late that part of the paper that I’d been furnished to type the originals was a slightly different shade than the rest of the paper. Each “favor” you do for prison staff gets you a little more personal autonomy or a greater portion of your own subjection to supervise. It’s sort of like taking federal grants except on a smaller scale.

Once when I was working quietly in the corner of a room with other inmates and staff passing through, I overheard a discussion of legalized abortion between a staff member and one of the tax-resister inmates. The inmate was against choice, the correctional officer “for.” When a supervisor came in, the “debating” inmate appropriately pealed. The correctional officer complained to her supervisor, “I hate it when the inmates try to draw me into political discussions.” The supervisor responded, “I just ignore them. I don’t like to acknowledge that an inmate’s in the room with me unless I’ve called him into my office.” When he noticed me quietly looking down at the new computerized grading program that I was setting up for him, the supervisor said, “Take Curry. I forget he’s even *in* the room. He’s like a piece of furniture.” The furniture stayed quiet. The furniture was happy ... eating crap ultimately always made me hungry for more in those days at Eglin.

Prelude to Prison

While I share much with other Convict Criminologists, there are some unique features in my case. Among them was my status as a tenured associate professor when I was arrested. Most of the group members were convicts that upon their release from prison went to graduate school to complete PhDs and then became professors. I was a professor that became a convict, and then upon release from prison, a professor again. Bernadette Olson Jessie is a second Convict Criminologist that was a professor that went to federal prison, and then upon release returned to academia. Today, she is a tenured associate Professor at

Indiana University Southeast. Like all the members of the Convict Group, we are criminologists.

Another feature of my incarceration was that I had carefully avoided criminal activity all of my life and was wrongfully convicted on false testimony. Not unlike many of my brothers and sisters in Convict Criminology, I grew up very poor. I was born into a second-generation coal-mining family in McDowell County, West Virginia. After the mines shut down, my father, a miner, was marginally employed, often working two jobs at a time, in Virginia and Mississippi. I helped support my family from age eight on. I was admitted to a community college without a high school diploma. My family lived in the projects in Pascagoula. My mother was always sickly. When I was a teenager, she had what used to be called a “nervous breakdown”. Eventually she was hospitalized in the state hospital for the indigent in Meridian, Mississippi, where she received shock treatments.

Some academics assume that all the Convict Criminologist were just “middle class minor drug offenders” that did short sentences. Stephen Richards (2003) grew up in an orphanage. It doesn’t get much poorer than that. In my case, the attribution may be appropriate, despite my childhood, I was just settling into an unfamiliar middle class identity as a professor when I was subjected to a minor drug conviction. In comparison, many of the Convict Criminologists come from underclass and working class backgrounds, some did ten or more years in prison, for a wide array of criminal offenses, not just drugs, and today enjoy the relatively easy life of middle class academics.

Vietnam

Army ROTC offered me my ticket for finishing my undergraduate degree at Southern Mississippi. I was a cadet battalion officer and received the Hattiesburg Mississippi American Legion award for military excellence by a senior cadet. As a second lieutenant in Armor Officer Basic, I was selected for Laotian language school and training as a special agent in counterintelligence. In Vietnam, I always lived disguised as a civilian well outside military bases in the sprawling slums of that country. My first primary responsibility was human target identification as operations officer of a counterintelligence team indirectly assigned to John Paul Vann’s headquarters in the mountainous II Corps. I attained the rank

of Captain though I never got to wear my bars. In II Corps, I often slept with a loaded 38 under my pillow. During my last four months in country, I was assigned as a team leader in the Special Operations Battalion of the 525 Military Intelligence Group. There I added subject interviewer or interrogator to my job responsibilities.

Returning to the states, out of my mind with PTSD, I enrolled in graduate school first at Ole Miss and then getting a PhD in sociology from the University of Chicago. In Mississippi, I served as state coordinator of Vietnam Veterans Against the War. In 1976, I took an assistant professor appointment at the University of South Alabama in Mobile, and soon became a regular as an expert witness for the local NAACP affiliate law firm and the Southern Poverty Law Center.

Becoming a Convict

My wrongful conviction by an Alabama jury was based on the false testimony of an undercover agent. He was Special Agent Grady Gibson, Alabama Bureau of Investigation. In fact Gibson had asked to be pulled out of his deep cover role, when I confronted him about my suspicions that he was an undercover agent. Gibson had seduced my co-defendant Tom Ashby into purchasing small amounts of cocaine to be used by Gibson in order to treat his headaches supposedly caused by a head wound during his service as a Marine in Vietnam. When I met Gibson, he was our service organization's state "traveler". He had arranged meetings with the governor to develop improved state-level benefits for veterans. I believed Gibson's story, because it was easier. I have enough troubled clients at the vet center, so I did want to add Gibson to my client list or hear the details of his supposed injury.

Gibson took the stand, in the two-week trial, and presented a fantasy of wild partying Vietnam veterans motivated by their own hedonism rather than assisting their less prosperous veteran brothers and sisters. He painted me as a regular supplier of cocaine for other veterans. A young friend who had provided the cocaine that Gibson obtained through me was allowed to plead guilty to one count of distribution and given probation. With his lawyer's acquiescence, the novice drug supplier took the stand testifying that Gibson used more cocaine than anyone whom he'd ever observed using the drug. Tom Ashby and I also took the stand and honestly answered all questions about our involvement in our alleged

crimes. Of three counts of distribution, the jury found me not guilty of two. The jury found Tom guilty of one count of distribution, both of us guilty of conspiracy to distribute and me guilty of one count of using a communication device (a telephone) to facilitate a felony. I had given Agent Gibson, at his request, directions to find a restaurant where he was supposed to join the supplier and me for lunch. In my case, the amount of cocaine was 6.2 grams. For Tom, I think it was an even smaller amount. Judge Brevard Hand who before the trial had said he wanted to dismiss the jury and find us guilty on all counts, sentenced Tom to 15 and 15 (30 years), and me to 15, 15, and four (34 years), all counts to run consecutively. The sentences were obviously political punishment for being vets against the war.

Even when I was told that Judge Hand had sentenced us to "A" sentences and that he could re-sentence us at some point in the future, I didn't feel any sense of relief or hope. Sometime that summer after the bus ride when I'd agreed to change my home of record to Chicago, Judge Hand re-sentenced me to five years, six years special probation, and six years regular probation to run consecutively, of course. Until my appeals were exhausted, I was assigned to the custody of Professor James Coleman at the University of Chicago and the Chicago Federal Probation office. After exhausting my appeals and serving fourteen months, I was released on the basis of the sentencing guidelines for 6.2 grams of cocaine.

Re-Entry

As most of you know, it's a tricky little game that we play as ex-cons with many painful twists and pitfalls. In autumn 1983, I saw an interim lecturer job at Illinois-Chicago Circle campus. The Department Chair was John Johnstone, a former student of James Coleman. I made an appointment and Johnstone interviewed me. He said that he considered himself fortunate to have an applicant to teach intro sociology courses with my credentials. The job was mine if I wanted it. Breaking into a sweat, I spelled out my legal status. He looked very uncomfortable as we shook hands, and Johnstone said that he might have some difficulties getting me approved. I left with unease, but flushed with the joy of getting back to the classroom. When I got back from to the office, there was a message to call Jim Coleman. Coleman said that he'd received a call from a very upset Johnstone, who wanted me to withdraw my application. As soon as the call and withdrawal were finished I wept.

In 1986, just after work release, I was offered a post-doctoral fellowship from the government of the Netherlands to study the econometrics of health care. Judge Brevard Hand was notified, and he intervened to keep me in Chicago and under “necessary” supervision.

According to Oscar Wilde, “Society ... shuns those whom it has punished, as people shun a creditor whose debt they cannot pay, or one on whom they have inflicted an irreparable, an irremediable wrong.” I had actually thought that criminologists with our knowledge of how the system works would be less likely to have such a tendency to shun ex-convicts. After too many years of hiding who I was from all but my departmental colleagues and reinforced by stiff drink, I ventured to bring up my past with another criminologist at the bar during American Society of Criminology (ASC) meetings. I didn’t know the gravity of my faux pas, until years later when I met Neal Shover, professor at the University of Tennessee, after he spoke at my department. He let me know that he considered me a stupid drunk by my very inappropriate sharing of my inmate past with him a “stranger”. Shover is stranger than I would have expected. If you’re a Convict Criminologist, please hide your shame from him should you meet him. Shover also expressed his belief that Vietnam veterans who mention their service are all phonies. Evoked into participation in an unpopular war and unjustly imprisoned in an unpopular institution, I know I can never attain Shover’s demanding standards.

Presidential Pardon

Unlike most Convict Criminologists, I had defense committees. In fact, I had an Alabama and a Chicago David Curry Defense Committee. The defense committee in Mobile was made up of my close friends and their relatives, all upstanding members of the community, In my lifetime of social incarnations, at no time could I have been un-impressed by the Chicago committee members: four distinguished University of Chicago professors, a decorated Vietnam veteran leader of VVAW, a Spanish Civil War veteran, a widely known female labor activist, and a progressive psychologist. Since so much work can be involved in defense committees, I was glad the committees assembled themselves. I don’t think that I had the moral strength to ask someone to serve on a defense committee. It would have been similar

to bumming my own bail money. Though a prominent Chicago firm produced my writ of cert to the Supreme Court “*pro bono*”, the bill for “expenses other than attorney labor” was \$10,000. Owing all those people is still hard for me to handle.

Another event that makes me somewhat different from the other Convict Criminologists is that I received a Presidential Pardon in 2000. Amazingly, Special Agent Gibson helped me by morphing from lying drug user to convicted murderer in 1999. With Gibson serving life without parole, I applied for a Presidential Pardon. The pardon process, as usually practiced, rather than as done directly by the President, is tedious, frustrating, and slow with extended Department of Justice gathering and analysis of information. When the Pardon Attorney Roger Adams told me that my pardon recommendation was going to the president’s office, where it would remain until some president chose to sign it, I told him that I was concerned about the effect of publicity on my eight-year-old daughter. Adams promised to do his best within the rules of press notification. He did, I was pardoned just before Thanksgiving with the other two turkeys. The turkeys stole most of the spotlight except for the Mobile Press Register, which made sure my university was made aware of the shame of my pardon.

Convict Criminology

In 2003, a colleague from another department approached me about a press story on the new group Convict Criminology. His son was in prison he shyly admitted. I quickly justified my colleague’s confidence by sharing my own criminal justice system experience. I communicated with Stephen Richards who added me to the email shares from group members. At the next ASC meeting, I attended a convict criminology meeting. Steve greeted me at the door. I also got to meet the greatest of our number John Irwin, and hear a great presentation by Daniel Murphy. When asked how I felt at that first meeting, I’ve answered that it was like a sinner finding church. So far, my participation in the group and associated personal healing has been far more rewarding than I ever could have imagined.

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