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Article Title: "In the Biting Stage": The 1955 Nebraska State Penitentiary Riots and Violent Prison Activism

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Article Summary: On the evening of August 16, 1955, Lincoln residents were startled to see smoke rising from the Nebraska State Penitentiary. Rioting inmates had set fire to their workplaces, and police and national guardsmen gathered to take back the prison by force if necessary. The event culminated a series of violent protests meant to draw attention to inhumane conditions and abuse by guards.

Scroll down for complete article.

Cataloging Information:

Names: Joseph Bovey, Robert Crosby, Sanford Bates, Raymond "Ramon" Tapia, John Greenholtz, Herbert Hann, Victor Anderson, Charles McClelland, Robert Losieau, John Sanford Ward, B B Albert, Warren Miller

Nebraska Place Names: Lincoln

Maximum Security Units: "third grade," "the hole," "the jail"

Keywords: Nebraska State Penitentiary, Joseph Bovey, National Guard, Board of Control, Sanford Bates, John Greenholtz, Raymond "Ramon" Tapia, Victor Anderson, John Sanford Ward

Photographs / Images: inset front page article on the prison fire, *Lincoln Star*, August 17, 1955; view from above showing burned buildings, *Lincoln Star*, August 17, 1955; Robert B Crosby; Ray "Ramon" Tapia; John Greenholtz; prison laundry in 1949; Victor E Anderson; "the jail" where prisoners were held in solitary confinement; B B Albert; Joseph Bovey; inset front page article about changes in prison policies ordered by Governor Anderson, *Lincoln Star*, August 18, 1955; inset headline and photos of inmates charged with arson, *Lincoln Star*, August 20, 1955; National Guardsmen outside the cell blocks, *Lincoln Star*, August 20, 1955

NEBRASKA: Generally fair east, partly cloudy west Wednesday and Thursday, scattered afternoon thunderstorms northwest and extreme west. High Wednesday mid 90s.

THE LINCOLN STA

Fire 2-2222 Telephone 2-1234 Police 2-2841

FIFTY-THIRD YEAR LINCOLN, NEB., WEDNESDAY MORNING, AUGUST 17, 1955

BIG PORTIONS OF PEN IN RU

PRISON FIRE LOSS H

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Prison Blaze Flares

This picture, taken from the back end of a Fire Department pumper looking into the northwest corner of the Penitentiary. The photo was taken by T/Sgt. Fred Deyo of the Lincoln Air Force Base.

Hundreds Of Rebel Cons Loose In Cell

Fires Started By Rioters

TWO INMATES ARE INJURED

By BARC BAYLEY, AL EDEE and JIM LARSON
Star Staff Writers

Fire at the prison erupted again early Wednesday.

Fire, ignited by 225 rioting convicts, Tuesday night roared through the Nebraska Penitentiary, virtually destroying four major buildings. Damage apparently will run to the hundreds of thousands of dollars.

No reason was given for the destructive rebellion in which two inmates were beaten, A. C. Eichberg, administrative assistant to the governor, said.

Early Wednesday morning, Chairman Tom C. Dredla of the Board of Control said that the convicts were still running loose in both the east and west wings of the cell blocks, but the inmates in the west wing were not causing any trouble.

Eichberg said that the convicts probably have tools as weapons but said that they did not have any guns. "There are no guards who are inside with the prisoners."

PATIENTS EVACUATED

Buildings hit by the fire were the furniture factory, the novelty shop, cannery, and tool shop. Also damaged was a small storage building.

The dining room, off the cell wings, was damaged by smoke.

Patients in the hospital ward were evacuated. The hospital ward is above the dining room.

State officials clamped a tight secrecy lid on all news and remained silent until about 11 p.m. when Eichberg made a statement. Eichberg, before starting to give the oral statement, told newsmen that he did not wish to be interrupted.

There were conflicting reports on how extensive and what buildings were destroyed by the fire.

A person who was inside the walls said that everything south of the west cell block was burned. This would include the laundry building and the chapel, which Eichberg said were not damaged by the fire.

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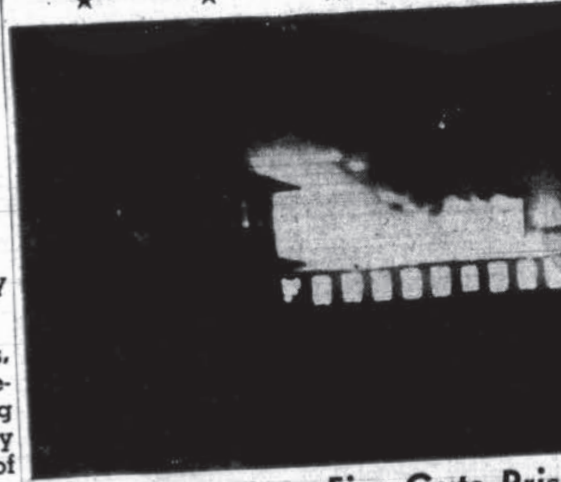


Fire Guts Pris

Leaping flames light up walls of the Penitentiary as of prison looking down from near-by hill. (Staff Photo b

★ ★ ★

–News Black Out–

Officals Refuse To Talk

Orders Come From 'High Up'

With black smoke billowing from the state Penitentiary that was visible in all parts of the city, the state administration "clammed up" on what was taking place inside the walls. Their action apparently was based on instructions from "higher up."

Even the Rev. Sigmund Rydz, Catholic chaplain at the pen who was called to the scene, on leaving said that he could reveal nothing of what was transpiring inside. City firemen also had received instructions not to discuss what they

Hotter, Drier 30-Day Outlook

Day by day Nebraska's high temperatures creep higher and the 30-day forecast predicts hotter-than-average temperatures with less-than-average rainfall.

Wednesday's highs will range in the mid-90s with scattered late afternoon or evening thunderstorms in the Panhandle.

Often the hot spot of the state, the Lincoln Air Base ran away with the prize agan Tuesday as it racked up a reading of 98.

Lincoln's high was 95.

Sidney had both the coolest high and coolest low, 90 and 55.

Today's Chuckle

The only thing that goes as far as it did 10 years ago is the dime that rolls under the bed.

The Weather

NEBRASKA: Generally fair east, partly cloudy west Wednesday and Thursday, scattered afternoon thunderstorms northwest and extreme west. High Wednesday mid 90s.

KANSAS: Generally fair Wednesday-Thursday. High Wednesday in 90s.

Lincoln Temperatures

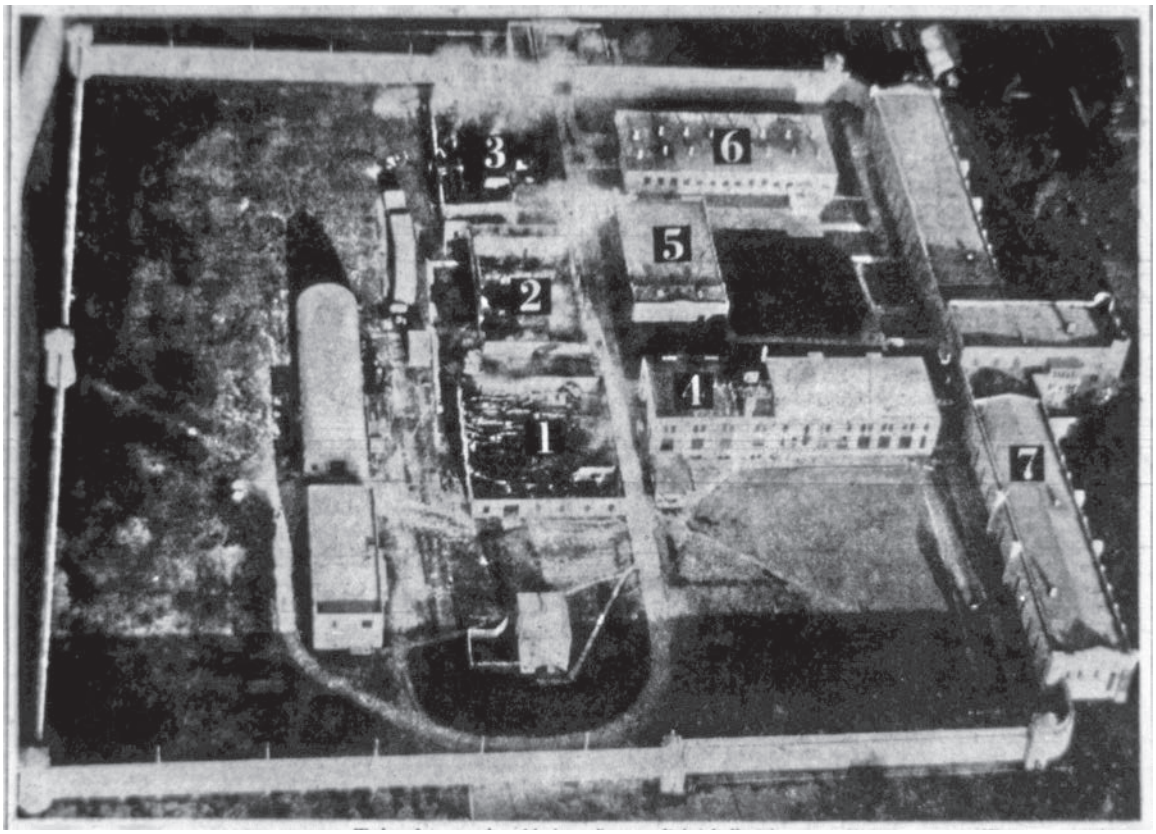
1:30 a.m. (Tues.)	75	2:30 p.m.	93
2:30 a.m.	74	3:30 p.m.	96
		4:30 p.m.	95

By Brian Sarnacki

"IN THE BITING STAGE"

The 1955 Nebraska State Penitentiary Riots and Violent Prison Activism

On August 16, 1955, prisoners at the Nebraska State Penitentiary did not return to their cells following dinner. Instead, they demanded the presence of the warden and state penal director. Fearing the inmates would turn violent, Warden Joseph Bovey removed all of the guards, leaving the prisoners in charge. Half an hour later, smoke billowed from the penitentiary as the convicts set fire to their workplaces. The cannery, furniture shop, machine shop, maintenance shop, and even the inmates' store, blazed unimpeded. As smoke filled the evening sky, prison officials left the residents of Lincoln in the dark. No one informed the press until 10 p.m.—five hours after the inmates began their uprising, and an hour after armed guards escorted the fire department into the prison yard. Though the prison administration initially retreated, they



Aftermath of the August 16, 1955, riot. Burned buildings included the furniture factory (1), maintenance shop (2), and machine shop and cannery (3). Undamaged were the dining halls (4), chapel (5), and laundry (6). "In the east cell block (7) prisoners roamed free outside their cells shouting and breaking windows all during the night." *Lincoln Journal,* August 17, 1955

refused to grant victory to the rebels. With the National Guard and police providing reinforcements, Warden Bovey called for surrender shortly before 6 a.m. Bovey informed the insurgents that if they did not return to their cells immediately, the officers would take back the prison by force with orders to shoot to kill.[1]

The late summer riot ended without gunfire and only five injuries, all to inmates. Newspaper reports estimated damages as high as $100,000, more costly than any other incident in the penitentiary's history. Despite the drama, officials claimed the riot's cause was unknown. The governor's administrative assistant, A. C. Eichberg, proclaimed, "There has been no dissatisfaction and the food has been good." However, even as the official stance was befuddlement, the "grapevine" suggested the riot was common knowledge beforehand. The recent history of the penitentiary gave even stronger evidence that officials were not in the dark. Riots, escape attempts, and even the murder of a guard troubled the penitentiary during the early 1950s.[2]

Though violence was consistent, 1955 was a turning point. Various groups jockeyed for position as politicians considered the future of the prison system. The Board of Control, which oversaw the prisons, hired an outside penologist to review the conditions of the state institutions. Earlier, the governor had appointed a citizens' committee to investigate a 1954 riot.

The inmates also sought to influence the reform process. Lacking political might, they expressed themselves through violent action. In 1955, they kept penal reform in the political discussion with a series of publicity-grabbing stunts aimed at initiating changes to improve their living conditions.[3]

The Nebraska State Penitentiary was not alone in dealing with inmate uprisings. In 1955 inmates undertook major protest actions in all corners of the country, asserting themselves through both nonviolent and violent means. Prisoners in Nevada, New York, Rhode Island, and Texas staged sit-down strikes. Riots rocked prisons in Michigan, North Carolina, and Wyoming, and convicts in Massachusetts, Texas, and Washington took hostages. As in Nebraska, the inmates behind these actions had reforms in mind, with complaints ranging from food to the parole system.[4] Because their demands only addressed the internal conditions of prisons, however, most academics link the uprisings to a society-wide desire for greater material comforts. While studies of later prisoners' rights movements treat protests about racial discrimination and other issues as more significant political action, the early 1950s protests reveal

an equally important activism centered on the fundamental issues of punishment and rehabilitation.[5] The 1955 Nebraska Penitentiary riots demonstrate an emerging political consciousness among inmates during debates about the prison system's future. Nebraska prisoners had specific reforms they wanted to institute, but with peaceful avenues largely ineffective, violence became the means through which they pushed for reform.

January

By 1955, inmates of the Nebraska State Penitentiary had already forced political officials to seriously examine the prison system. To do so, politicians had turned to academic experts and bureaucrats. In late 1954, Governor Robert Crosby had established a citizens' committee to investigate the prisons, chaired by University of Nebraska sociologist Dr. James Reinhardt. The governing body of Nebraska prisons, the Board of Control, hired the former head of the federal prison system, Sanford Bates, to assess Nebraska prisons. Shortly after the experts released their findings, the Board of Control held its own inquiry in January 1955.[6]

Bates recommended professionalizing the prison system by hiring mental health professionals such as social workers, psychiatrists, and psychologists, creating a department for statistical research, and adding a trained state director to oversee the state system. He also suggested the prisons needed better guards, advocating for increased pay to attract better candidates and more training, such as in jujitsu. Though Bates gave positive reviews of "housekeeping" issues, like cleanliness, lack of crowding, and living and working conditions, he rebuked prison administration's lack of theoretical focus, writing, "the rank and file of officers have a dim idea as to what the whole purpose of a corrective institution is." He blasted the prison's punishment practices, especially the most severe punishment, the hole, calling it "a punishment section totally unworthy of the state of Nebraska."[7] Bates's reforms represented a shift in attitudes towards prisoners. He called for a more modern approach in which the prison would prioritize rehabilitation, making the prison more than a simple "custodial institution from which men emerge possibly chastened but very likely no better than when they came in."[8]

Describing the Nebraska Penitentiary in the early 1950s as "a bleak and miserable place to live," former inmate Raymond "Ramon" Tapia echoed Bates's critiques of the prison. He recalled that the guards were "mostly uneducated" and many stayed in dorms at the penitentiary because they could not afford other housing. Living in conditions similar to the inmates they oversaw, guards developed a "Gestapo mentality" and swiftly punished any prisoners who challenged their authority. Deputy Warden John Greenholtz was a frequent target of protest as inmates objected to his "kangaroo court" methods of putting prisoners into segregation (removal from the general prison population) for an indefinite period of time, sometimes for petty, personal reasons, if he gave any explanation at all.[9]

As in Bates's report, Tapia remembered the punishment practices as severely outdated. The penitentiary's "third grade" served to isolate problematic prisoners. Housed in the west cell block, which lacked amenities like faucets that ran hot water, third grade was a way for prison authorities to remove inmates from the penitentiary's general population. Guards let third grade inmates out of their cells only for meals and for a once-a-week opportunity to shower and shave. Prison officials could send more problematic prisoners to the jail, a small building in the prison yard. Inmates facing long-term punishment in the maximum security section would be housed in the top two floors, while the prison's most brutal punishment, the hole, occupied the jail's bottom floor. The hole was six back-to-back, concrete, square cells with eight-foot walls. Lacking a light bulb, the hole's furnishings were sparse: a tap for drinking water above a nineteenth-century-style toilet, a plastic cup, and a slab of concrete on which to sleep. Twice a day, guards delivered toilet paper and food, three slices of bread per meal for two days and regular meals on the third. Guards gave inmates showers on Fridays, where they would shave the heads of prisoners sentenced to ten days or more in the hole. Prison authorities used the third grade, jail, and hole to punish prisoners for infractions as well as a method of pressuring them into admitting wrongdoing. Tapia recalled being sentenced to the hole indefinitely, or rather until someone confessed, after a guard found marijuana in the yard where he and several other inmates had been congregating.[10]

Not everyone, however, agreed on the need for reform. Revealing a distrust of the experts, George Morris, the outspoken head of the lower-security Nebraska State Reformatory, called for the other experts to balance Bates's perspective and attacked Bates's credentials, saying "the only thing wrong with him is he has never worked in such an institution," adding, with less-than-sincere deference, "but then he's an expert and we must respect him." Given Morris's reaction, the responses

Robert B. Crosby served as Nebraska's governor from 1953 to 1955. NSHS RG2411-1167a

Ray "Ramon" Tapia in 1951. From his memoir, *Ramon* (Westminster, Colo: R. L. Tapia, Writers Guild of America, 2005)

Deputy Warden John Greenholtz was a frequent target of prisoner protests. *Lincoln Star,* August 18, 1955

The prison laundry in 1949. Inmates set a series of fires there in 1954.
NSHS RG2183-1949-1013-1

of Herbert Hann, the incumbent warden who refused to comment, and Deputy Warden John Greenholtz, who replied "we understand our short comings too," can be read as much less benign than they may appear. Most state legislators sought to stay out of the debate, suggesting the executive branch should handle the issue, while soon-to-be-inaugurated Governor Victor Anderson pledged to "recommend" the reforms to the Board of Control. An anonymous legislator did call for a new warden, claiming that the penitentiary's problems had been known for years but Hann was unable to fix them. The *Lincoln Star*'s editor found that after an "adequate airing"of the problems they could be pushed to the background, noting, "Neither the Bates' recommendations nor the findings of the civilian committee lend themselves to immediate adoption." The *Lincoln Evening Journal* blamed the Board of Control for not keeping up with modern penal practices, indicating that Bates's report gave "the most damning indictments" of the prison's policy. Both newspapers, however, agreed that the way the prison functioned was not the problem.[11]

As public figures commented on the recommendations of Bates and the governor's committee, the inmates of the Nebraska State Penitentiary made clear their opinion, placing the blame squarely on the prison administration's shoulders. Ninety-four inmates signed their names to a letter sent to the *Omaha World-Herald*, warning, "When a sleeping dog gets kicked just so long he will eventually get up and bite, and it's in the biting stage as far as we convicts are concerned as we had the share of kicking. . . ." They said "the only reason there was not an all-out riot Nov. 29 [1954] was because these men are waiting for the final decision as to whether or not this Administration is going to be removed." They further accused the prison administration "with some worse criminal acts than some of these inmates." By connecting their rioting to the appointment of prison administrations, these inmates made clear they sought to have a say in the political process. Though dated before the release of Bates's report, the letter was published while public officials were still discussing prison reforms. The convicts called on the next governor, Victor Anderson, to "rid the penitentiary of its filth and put in an administration that will treat convicts as men." Seeing the officials' unilateral disciplinary actions as an abuse of power, prisoners wanted a grand jury

investigation of the prison administration. While the inmates accepted their incarceration, they challenged the authority of those controlling their lives. Though they had higher personal stakes and less political capital, the inmates concurred with Bates's statement that "the deficiencies and inadequacies of the present treatment program must have its reflection upon the adequacy of the administration of the top officers."[12]

The inmates made threats and acted violently because they felt they had no alternatives. With their communication constantly monitored, inmates could be punished for simply writing complaints to others. Even communication that was supposedly private was not out of bounds. Charles McClelland, an inmate charged with and found not guilty of murdering a penitentiary guard, wrote a letter complaining to his attorney that the warden insisted on punishing him even after his exoneration. Though a letter between attorney and client should have been privileged, it was stamped "inspected" with the date. McClelland's attorney forwarded the letter to the governor. Robert Losieau made a similar complaint before the Board of Control, testifying that he received mail from a Board of Control member already opened, though mail from the governor and the Board of Control was not supposed to be censored. Prison officials even revoked Losieau's mail privileges after identifying his handwriting on a letter he wrote for another inmate, which, like his own, was supposed to be private. Despite these violations, some prisoners still tried to lobby administrators such as the governor and the Board of Control through the mail.

However, because the penitentiary housed men convicted of everything from failing to pay child support to murder and rape, the majority of petitioners were more concerned with leaving the prison as quickly as possible than with improving their incarceration experience. Experienced convicts with lengthier sentences led the fight to reform the penitentiary, their home for the foreseeable future. Even when those in power listened to inmates, the word of a convict against a guard or the warden did not bode well for the inmates. Recognizing this power disparity, inmates often volunteered to submit to a lie detector or called for others to take one. With their pleas falling on deaf ears, inmates saw grand action—stunts that the administration could not keep from escaping the prison walls—as their only effective weapon.[13]

Only days after the *Omaha World-Herald* published the inmates' letter, the Board of Control convened hearings to investigate prison conditions generally as well as a series of fires set in the laundry room the year before. With a number of prisoners and prison employees testifying over the course of several days, the inmates had the attention of the people who could affect change over their conditions. Because the board members were asking the questions, however, most of the witnesses only spoke about the fires or their basic living conditions. In general, inmates did not see who actually started the fires in the laundry room, though they saw a handful of prisoners barricade the non-inmate laundry employees and guard into another room. Most inmates knew of the fire before it happened. In other comments, inmates said the food was improved since the prison installed a new cook, that they wanted more reading materials, that the school instructor was a good man, that the warden, deputy warden, and certain guards abused inmates.[14]

Some testimony was overly friendly to the administration. For example, one inmate could only think to complain that he had "gained a little weight" over the last year. A few of the inmates, however, were explicitly politically motivated in their actions.[15] According to testimony from others, James Fish locked the non-inmates into another room before the laundry fire. Fish told the board how the fire was part of a larger plan:

> I knew the laundry, print shop and tailor shop, and all the joints were supposed to go at once and the idea was they were supposed to hold the place until they could get the Governor out here, and they were supposed to have certain spokesmen to tell the Governor about their complaints and the things out here.[16]

Another inmate, Clayman Schultz, testified that prisoners were treated humanely, but only "since they quit that hole, shut that hole down," echoing Bates's rebuke of the punishment. Ernesto Rodriguez took a more aggressive stance, wanting to know if the board was serious about reform, asking the Board of Control chairman, "Now, tell me something, Mr. Diers, are you going to do anything about this, or is it going to be like it's always been, I mean, just a lot of bunch of promises."[17] Most tellingly, experienced prisoner John Sanford Ward revealed the inmates' activism directly to the board:

> I wanted to begin by telling you that here several weeks ago twenty of us fellows got together and decided the conditions around here had to be changed even at the cost of our getting additional time and as a result, and, as you might say,

"Twenty of us fellows got together and decided the conditions around here had to be changed even at the cost of our getting additional time."

Victor E. Anderson served as Nebraska governor from 1955 to 1959.
NSHS RG14-97-01

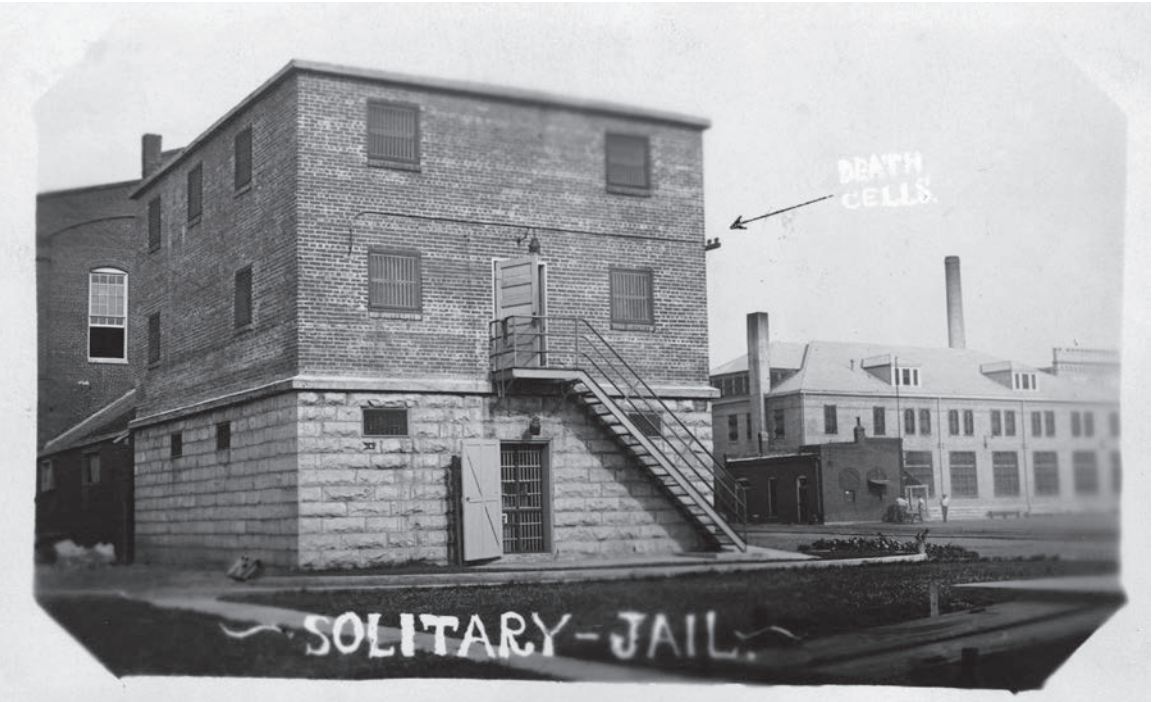
> an extreme measure, we decided that we would take a pool and, and draw, and was going to the Governor and give him full details of how things are around here, being discrimination and one thing and another, and I drew the low number.[18]

Showing that he understood the high stakes of his actions, he continued, "I was going to the Governor and I was to give these details, jeopardizing myself with what additional time I would get for this running off." So as not to have the board dismiss his actions as rash, he told them, "I don't do these things impulsively or without reason." Because speaking directly with the Board of Control was an opportunity rarely presented, he ensured the board knew his thoughts on the administration. Though the primary purpose of the hearings was to investigate a riot and fire in January 1954, Ward gave his own interpretation of the hearings, suggesting the inmates had motives other than cooperation. Following a brief tangent he remarked, "But to get on with my reason for cooperating and trying to remove a part of this administration." Ward, like other inmate witnesses, saw the hearings as a chance to express his opinions to top prison officials. Though he pushed for reform with careful deference, he gave a clear warning to the Board of Control, saying,

> I'll tell you this, and I'm not saying this to try to make you think that things have got to be, or anything like that, but I'm sure that unless there are changes made—what changes I don't know, I don't know what, I couldn't say just what changes—but naturally that isn't going to make any difference, but unless there are changes made, I know, I know from petitions, I know a lot of fellows in this institution, I know a lot of good guys and I know a lot of phonies, and I know that there are enough men prepared, we know what we are doing.[19]

In the midst of the hearings, both Lincoln newspapers reported that the newly inaugurated Victor Anderson "moved quietly but firmly to quell the controversy over the State Penitentiary," deciding to hire a director of state penal institutions, but to keep the warden and deputy warden. The reports claimed the governor was beginning to think that "troublemakers" in the penitentiary were creating the issue in the first place, which was, ironically, both a recognition and dismissal of the inmates' activism. Practically on cue, four days later, and only two days after the Board of Control's hearings, the Nebraska State Penitentiary was back in the news. Four inmates, Orin Schultz, Gilbert Sagaser, Paul Flath, and Ramon Tapia, locked guards and other inmates into the penitentiary's kitchen walk-in cooler, attempting to escape with a guard's car before breakfast. The plan was not well executed. They managed to reach a car, but it was the wrong one. Confronted by another guard, they surrendered.

Shown here many years before the 1955 riots, the "jail" housed prisoners in solitary confinement. The lower level was known as the "hole."
NSHS RG2418-5-05



All pled guilty to attempted escape. One inmate however, according to his attorney, was reluctant to change his plea because he was hoping to use the charges as a "test case" to protest their treatment. The escape attempt fulfilled Ward's warning. The inmates refused to leave their treatment solely to public debate. Ward himself made good on his warning with an uprising in March, showing much less deference to officials and revealing exactly what reforms he had in mind.[20]

March

In the jail's maximum security section on March 27, 1955, John Ward used a spoon to break out of his cell, and then grabbed prison guard Warren Miller. After using Miller to capture guard Eugene Swanson, a group of twelve inmates had full control of the jail, the three-story cube of a building set apart from the rest of the complex inside the prison walls. The jail had special significance to the prisoners because it housed prisoners in solitary confinement and in the hole. Prison officials reported that the actions were "spontaneous" because there were no other outbreaks of violence in the penitentiary. Col. B. B. Albert, the new director of state penal institutions, speculated that the actions were likely "unrehearsed" and that he had "felt no tension at all" during the last week. While prison officials suggested this uprising was an aberration, like the January escape attempt, the twelve inmates had a clear political message behind their violence.[21]

The participants included the four men who had attempted to escape: Orin Schultz, Gilbert Sagaser, Paul Flath, and Ramon Tapia, plus Joe Rogue and Joe Beades, who had testified at the January hearings. Overall, six of the twelve had previously attempted to escape and four of the others were not actively involved in the uprising. One inmate was from another prison and the rebels released three others. As in January, when the governor tried to quiet the debate over prison management and inmates launched an escape attempt, the residents of the jail made this stunning attempt after politicians had investigated and dismissed the prison reforms.[22]

A little over a week before Ward seized Miller, the Nebraska legislature's budgetary committee inspected the penitentiary and came away with the impression that tension from earlier months was subsiding. Likely prompted by this tour, which once again failed to produce changes, the inmates used the hostage situation to air their grievances to the governor. On March 28, the inmates sent down a note from the jail's second story with calls for reform but nothing to benefit themselves. Among their demands were: an end to indefinite sentences to segregation in the third grade, jail, or hole; three hot meals a day; "adequate medical attention"; the firing of guards proven "to be sadists or head-beaters"; better treatment for mental patients; and improved conditions for those in the jail, including equal access to reading materials as the general population and a table for meals.

While their primary focus was removing Warden Hann and Deputy Warden Greenholtz from power, the inmates believed that making "realistic demands" would subtly suggest a change in the administration. A key part of this plan was the opportunity to personally "explain in detail" their grievances to the governor. After the governor studied the demands, he said that "most of them are reasonable and due full consideration," and promised that he would "personally conduct a complete, fair and impartial investigation of all charges and complaints." He would also allow the rebels to meet with him personally, but only after the guards were released safely.[23] After many hours of tense waiting, Ward, Beades, Sagaser, and Tapia met with the governor and other prison officials. Tapia recalled being chosen by his peers to discuss the effect on a prisoner's morale of losing all time earned for good behavior, including any time the prisoner may earn in the future—a situation that Tapia faced.

The hostage-takers surrendered once their leaders returned to the stronghold. The inmates agreed to nearly six months of punishment for their actions, but ensured that they would have definite sentences: fifteen days in the hole with special accommodations such as two full meals a day, mattresses, and toothbrushes, followed by sixty days in solitary confinement and ninety days in third grade.[24]

On its face, the mission had no chance of succeeding, as the rebels clearly would not win a standoff. They were in a small building in the middle of the walled-in penitentiary, with practically no food and surrounded by armed guards waiting to give them a "50-gun salute," as the governor phrased it. Nevertheless, these convicts risked additional prison sentences to improve the living conditions of their peers. Tapia described their public perception as "desperate and deadly," though he said in actuality they "were optimistic and non-suicidal." The use of violence was a political stunt. Even the hostage Miller remarked afterward that "they didn't want much for themselves, personally, but wanted changes in treatment." Ward reinforced this notion, writing the governor a polite letter

Col. B. B. Albert was new to his job as director of state penal institutions during the standoff of March 1955. *Lincoln Star,* August 19, 1955

Joseph Bovey, Governor Anderson's pick for warden after the firing of the unpopular Herbert Hann. *Lincoln Star,* August 18, 1955

after the end of the hostage situation, hoping to clarify his remarks about the "gross lack of medical attention." Ward carefully explained that he had no complaints about the prison physician, but that guards could fail to notify the doctor without receiving any punishment from prison leadership. In a letter that Ward would have likely appreciated, Michael Perkins, an inmate uninvolved in the uprising, told the governor that he was "elated to hear" that the governor had agreed to hear inmates' grievances. Perkins's eagerness to air his complaints to the governor suggest the convicts involved in the jail uprising represented a larger portion of the prisoners than just themselves.[25]

Newspapers, meanwhile, reported that at the time of the standoff prison officials were already in the process of addressing many of the inmates' demands. The *Lincoln Evening Journal* suggested that the rebels were unaware of the progress because they were in not in the general population at the time. From the rebels' perspective, however, they were finally getting their chance to present their complaints to the governor himself. Even if reforms were already on the table, they made the changes more pressing. Within weeks the governor ousted Warden Hann, a long-standing inmate demand.[26]

Anderson's choice for a new warden revealed his weak commitment to reform. Although Bates's report called for the prison's professionalization, the governor picked Joseph Bovey, a former "clothing distributer and traveling salesman" who also happened to be married to Anderson's campaign manager. Anderson had previously used the positions that controlled corrections as political rewards. The selection of an inexperienced warden disappointed the inmates, who had hoped a strong and experienced warden would keep his deputy Greenholtz and other abusive guards in line.[27] In January, Anderson replaced the head of the Board of Control with a businessman from the railroad industry. Though the Board of Control oversaw more than the state's penal institutions, the inmates would have preferred an experienced penal professional. Despite the governor's lukewarm stance on penal reform, intentionally or not he fulfilled the inmates' request to replace the prison administrators. Similarly, after the hostage situation, Anderson quickly promised to request money from the legislature to replace the jail with a modern maximum security building.[28]

August

The prison turbulence of 1955 culminated with the August fires, but other reports of trouble surfaced between March and August, including prisoners twice causing damage to the jail, at least one sit-down strike, and other "rumors" of trouble.[29] This suggests that inmates continued to attempt to force reform, but found success only when taking drastic measures that could not be hidden behind the prison walls. Ramon Tapia recalled that the August "protests" (he explicitly did not call them "riots") began after Deputy Warden Greenholtz punished John Ward and Paul Flath, both active in earlier protests, for wandering into a section of the yard that had been marked for the new maximum

Lincoln Journal, August 18, 1955

FOUNDED IN 1867 — 55th Year No. 217 — LINCOLN 1, NEBRASKA, THURSDAY, AUGUST 18, 1955 — 3 — FIVE CENTS

Gov. Anderson Orders Major Changes in Prison Policies

Reformatory Head Blasts Col. Albert As 'Unqualified'

George Morris, superintendent of the State Reformatory for Men, flatly said he doesn't believe State Penal Director B. B. Albert has the qualifications to supervise Nebraska prisons.

Morris, a stormy petrel in state institution affairs, also predicted the State Penitentiary will "never function" until "a warden with knowledge and confidence in himself is placed in charge and the upper brass gets out of the picture."

Technically Col. Albert, a former army prisons official, is supervisor over the Men's Reformatory as well as the Penitentiary. However, on orders of the

* * *

Scheele Says Investigation Takes Shape

COL. B. B. ALBERT
Penal Director

Master Plan to Be Devised for Use In Any Emergency

By CLARKE THOMAS
Journal Capitol Reporter

Gov. Victor Anderson announced a group of major policy changes for the State Penitentiary in the wake of Tuesday night's 13 hour riot by 325 convicts.

The State Board of Control said it was still studying the situation caused by fire and destructive tactics of the rebelling prisoners who were driven into their cells by a "shoot to kill" ultimatum at dawn Wednesday.

Under the Nebraska constitution the Board of Control has "full power to manage, control and govern . . . all state charitable, reformatory and penal institutions

He said that a prisoner recently jammed his overalls down his toilet, flooding his cell. The governor said prison officials called him and asked what to do.

At that time, he said, he advised them to put the man into segregation.

—STAR CAMERA CATCHES PEN INMATES AT COURT ARRAIGNMENT—

Sagaser Tapia McCoy Beades Sledge Avila Watson Head Jump Leonard Biermann Tebo

12 Deny Arson Charges; Grand Jury Probe Urged

Power 'Brownout' Dangers Reduced

By BILL DOBLER
Star Staff Writer

Chances of a "brownout" or restrictions on the use of electricity in Lincoln next summer have been

ported that his group has been told by representatives of the Nebraska Public Power System that "it seems entirely reasonable to expect the 1956 demands can be

'People Entitled To Facts'

SEEK WHO IS

Shupe Schultz Blackfeet Rhodus

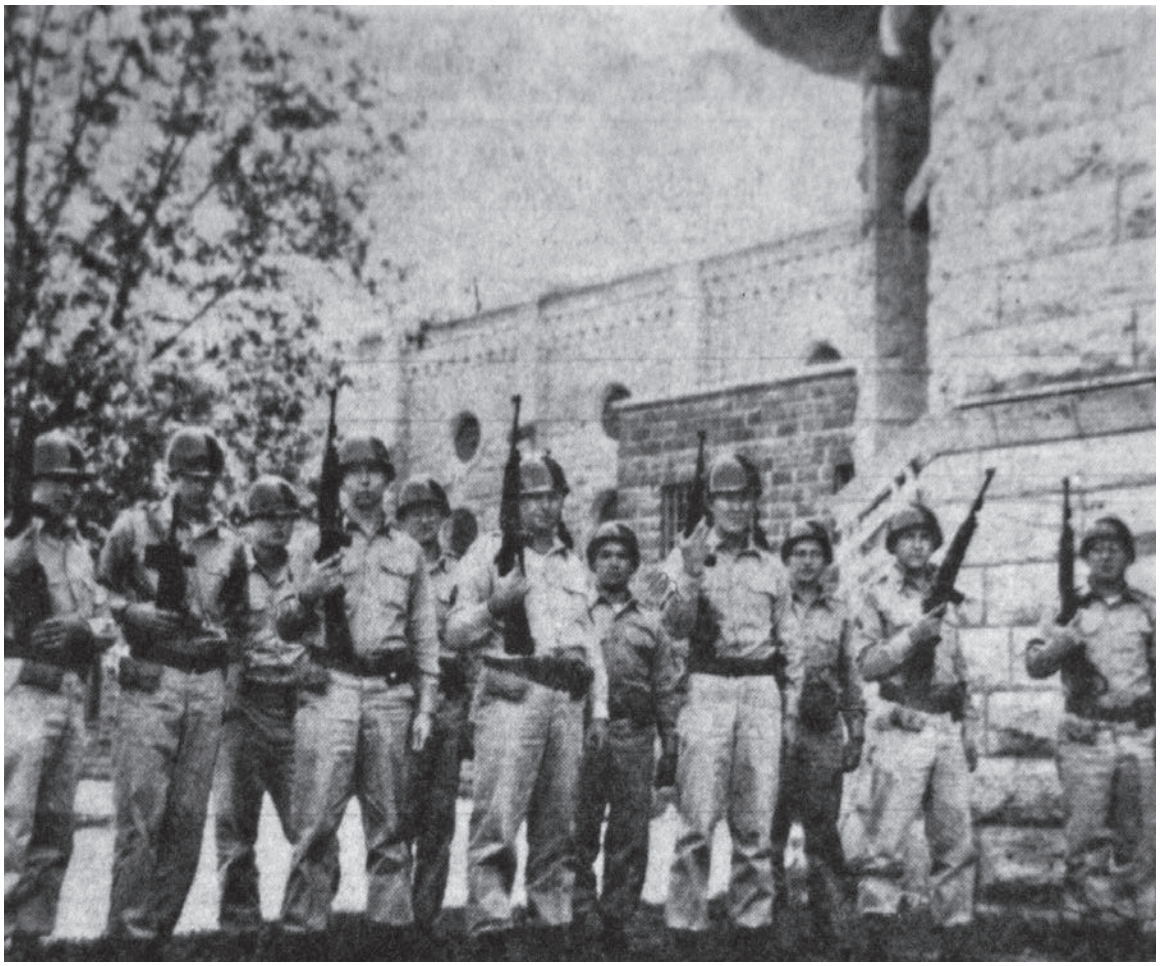
Inmates Say 'Not Guilty'

Lincoln Journal, August 20, 1955

security building. The inmates saw the punishment as overly harsh and a sign of Greenholtz's continued abuse of power. In response, Tapia and another inmate blocked the doors to the mess hall and demanded the presence of the top prison administrators. While Tapia contends the fires were not part of the plan, they succeeded in garnering public attention as the smoke attracted a number of "sight-seers." One private citizen even hopped on a National Guard jeep, entered the prison, and explored the penitentiary for more than half an hour. With the public clearly interested and concerned, Anderson announced changes in prison management, including the immediate construction of a maximum security building to replace the jail, ending "years of discussion on the matter." In early September, the *Lincoln Star* reported the penitentiary had given guards a ten-dollar-per-month pay increase in July, fulfilling a recommendation from Bates's report months earlier. Higher guard pay was a significant step in the eyes of inmates, as Tapia noted that it started the move "from the hiring of mere 'guards' to the hiring of quality 'officers,'" who, presumably, would be less inclined to take out their personal frustrations on prisoners.[30]

Success came at a cost. Both the prison administration and the public hardened their stances towards the inmates. Guards placed the sixteen inmates dubbed as the riot's ringleaders in the jail, including three of the four involved in the January escape and March rebellion, as well as Paul Beades, brother of Joe Beades who testified in January and was also involved in the March uprising. When thirteen of the sixteen began rioting a few days later, guards fired three warning shots to reassert order. The public embraced this "get tough" policy, marking a shift in public opinion. In January, the discussion had centered on reform, even though some of the talk was half-hearted. After the March incident, the public generally approved of Anderson's handling of the situation. Only a few letters condemned the prison's punishments, and these came from people outside of Nebraska. After the August riots, the public was still largely supportive of the governor's actions. However, instead of supporting his nonviolent negotiations, this time they lauded his "shoot to kill" policy. The governor's only real criticism came from people who desired a harsher policy. A letter to the editor, for example, warned of the "national disease" of "lazy, undisciplined softness," of which the riots were a "symptom." The *Lincoln Star* accused the prison's "do-gooders" for doing nothing to better the situation, while the *Lincoln Evening Journal* kept a softer tone, advocating for an "intelligent and firm yet humane prison administration" that relied upon

National Guardsmen outside the cell blocks. *Lincoln Journal,* August 20, 1955



"the rehabilitation of criminals and the restraint of the unredeemable."[31]

The public backlash obscured the success and significance of the inmates' activism. Public officials couched reforms as necessary to modernize the prison, but if officials had genuinely wanted to update the prison system, the January reports would have been implemented well before August. Rather, public pressure to end the violence shows the inmates' success in violently pushing their demands whenever officials attempted to quiet discussion on penal reform. The inmates began 1955 by demanding the removal of the prison's top administrators, and before the end of the year the governor appointed a new Board of Control chairman and warden, though the qualifications of each were questionable. In addition, the Board of Control created a new position to oversee the prison system, and hired an experienced penal administrator to fill it. In 1956, a new, larger maximum security building opened, replacing the outdated jail and its nineteenth-century furnishings.

Through it all, inmates did not challenge their incarceration. They admitted to their status as thieves and criminals, but challenged officials on matters within the prison walls. Though 1955 was just one year in a longer struggle for their rights, Nebraska State Penitentiary inmates understood they had a political voice and utilized it through dramatic violent action.

Notes

[1] "Prison Fire Loss Heavy," *Lincoln Star*, Aug. 17, 1955, 1; ibid., Virgil Falloon, "'Get Tough' Plan Rises From Ashes," Aug. 18, 1955, 1; "Here's the Rebellion-Play by Play," *Lincoln Evening Journal*, Aug. 17, 1955, 1; ibid., Clarke Thomas, "Ultimatum Quells Violence at Pen."

[2] "Prison Fire Loss Heavy"; "'Grapevine' Rumbles Predicted Penitentiary Trouble," *Lincoln Star*, Aug. 17, 1955, 2; ibid., 9; ibid., "Rumors had Prison Riot, Fire Pegged," Aug. 18, 1955, 1; "Fire Costliest in Penitentiary History," *Lincoln Evening Journal*, Aug. 17, 1955, 2; ibid., "Pen Violence Nothing New"; ibid., "Chaplain Not Allowed to Enter Prison."

[3] "Pen Violence Nothing New"; *Lincoln Star,* Aug. 17, 1955, 9. See also *Lincoln Star* and *Lincoln Evening Journal* for dates Jan. 9-20 and Mar. 28-31, 1955.

[4] "Summary of Prison Riots So Far in 1955," *New York Times,* Aug. 29, 1955, 10.

[5] For examples see: James B. Jacobs, *Stateville: The Penitentiary in Mass Society* (Chicago: University of Chicago Press, 1978); Ronald Berkman, *Opening the Gates: The Rise of the Prisoners' Movement* (Lexington Mass.: Lexington Books, 1979); Larry Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990).

[6] "Sanford Bates, 88, Who Headed Federal Prison System, Is Dead," *New York Times,* Sept. 9, 1972, 26; "Penal Expert OK'ed," *Lincoln Star,* Jan. 15, 1955, 1; ibid., "Dr, Reinhardt Defends Committee's Pen Report," Jan. 17, 1955, 3; "Reinhardt Defends Pen Report," *Lincoln Evening Journal*, Jan. 17, 1955, 2.

[7] "Bates Report May Suggest Rehabilitation," *Lincoln Evening Journal,* Jan. 1, 1955, 1; ibid., "'Add New Pen Hole'- Bates," Jan. 3, 1955, 1; ibid., "Bates' Report on Prison Conditions Reflects Favorable, Unfavorable Phases," Jan. 4, 1955, 2; "Board to Draft New Rules to Aid Control of Prison Toughies," *Omaha World-Herald*, Jan. 4, 1955, 1; ibid., "Some Praise for Pen Plant," 8.

[8] "Bates' Report on Prison Conditions Reflects Favorable, Unfavorable Phases."

[9] Raymond "Ramon" Tapia, *Ramon* (Westminster, Colo: R. L. Tapia, Writers Guild of America, 2005), 2-3, 19.

[10] Ibid., 2-5.

[11] "Penal Officials Hit Work of 'Experts,'" *Lincoln Star,* Jan. 11, 1955, 1; "Prison Report Comment is Favorable," *Lincoln Evening Journal*, Jan. 4, 1955, 1; ibid., "Hann Must Go Legislator Says," 2; ibid., Thomas, "New Pen Probe Proposed," Jan. 7, 1955, 1; "Of Men and Things," *Lincoln Star,* Jan. 11, 1955, 4; "More or Less Personal," *Lincoln Evening Journal*, Jan. 4, 1955, 6.

[12] "Letter Avers Riot Threats at State Pen," *Omaha World-Herald*, Jan. 9, 1955, 1; "Prisoners' Letter Hints at Pen Riot," *Lincoln Star,* Jan. 9, 1955, 2A; ibid., *Lincoln Evening Journal*, Jan. 9, 1955, 2.

[13] Board of Control of the State of Nebraska, *Hearings before the Board of Control of the State of Nebraska, at the Nebraska State Penitentiary, Lincoln, Nebraska on January 10, 11, 12, 18, 1955* (Lincoln: Elmer Shamberg & Associates, 1955), 532-49; Charles McCelland to Lyle Holland, Mar. 22, 1955, Folder 25, Box 11, Victor Emmanuel Anderson Papers, Nebraska Governors Collection, Nebraska State Historical Society, Lincoln, Nebraska (hereafter Anderson Papers). Other letters to Governor Anderson can be found in Folder 25, Box 11, Anderson Papers.

[14] *Hearings before the Board of Control . . . on January 10, 11, 12, 18, 1955.*

[15] Ibid., 121-45.

[16] Ibid., 146-87.

[17] Ibid., 216-41, 411-73.

[18] Ibid., 493-531.

[19] Ibid.

[20] Thomas, "Is Anderson Moving to Quell Pen Talk?" *Lincoln Evening Journal*, Jan. 16, 1955, 1; ibid., *Lincoln Star*, Jan. 16, 1955, 1; ibid., "Pen Guard Tells of Foiling Escape," Jan. 20, 1955, 1; ibid., "Single Riot Gun Shot Breaks Up Escape of 4 Pen Inmates," 3; "Pen Cons Thwarted in Escape Attempt," *Lincoln Evening Journal*, Jan. 19, 1955, 1; ibid., "Charges Considered Against Escapees," Jan. 20, 1955, 2; ibid., "Foiled Inmates Charged," Jan. 21, 1955, 2; "Inmates Tried Escape Before," *Lincoln Star*, Mar. 28, 1955, 1.

[21] "Two Guards Held Hostage by Prisoners," *Omaha World-Herald*, Mar. 28, 1955, 1; "Pen Cons Hold Guards," *Lincoln Star*, Mar. 28, 1955, 1; ibid., "Trouble Nothing New for Six Convicts Involved in Uprising," 11; Marjorie Marlette, "Convicts Ask Jail Reforms Consideration Promise," *Lincoln Evening Journal*, Mar. 28, 1955, 1; ibid., "Safe, But Tired, Hostage Guards Tell Real 'Inside Story,'" Mar. 30, 1955, 3; Tapia, 14-16.

[22] "Hall of Rebellious Convict, Trouble Makers," *Lincoln Evening Journal*, Mar. 28, 1955, 7; "Trouble Nothing New for Six Convicts Involved in Uprising"; "Inmates Tried Escape Before"; Tapia, 14-16.

[23] "Latest Report on Conditions Was Hopeful," *Omaha World-Herald*, Mar. 28, 1955, 1; "9 Cons Hold Out, Guards Ask for Food," *Lincoln Star*, Mar. 29, 1955, 1; Marlette, "Convict Move Expected Soon," *Lincoln Evening Journal,* Mar. 29, 1955, 1; "Convicts Ask Jail Reforms Consideration Promise"; Tapia 14-16.

[24] "Spotlight Still on Pen After Guards Freed," *Lincoln Star*, Mar. 31, 1955, 1; Marlette, "Tension Eased as Pen Uprising Ends Quietly," *Lincoln Evening Journal*, Mar. 30, 1955, 1; Tapia, 14-16.

[25] "Two Guards Held Hostage by Prisoners"; "Tension Eased as Pen Uprising Ends Quietly"; "Army of Guards, Patrolmen Stands By," *Omaha World-Herald*, Mar. 28, 1955, 4; Michael Perkins to Victor Anderson, Apr. 6, 1955, Folder 25, Box 11, Anderson Papers; ibid., John Sanford Ward to Victor Anderson, Apr. 4, 1955; Tapia, 14-16.

[26] "Some Con Demands were 'In Works," *Lincoln Evening Journal,* Mar. 29, 1955, 1; "Pen Violence Nothing New."

[27] "Omaha Railroad Man to Replace Diers," *Lincoln Evening Journal*, Jan. 2, 1955, 1; "Trouble First for New Boss," *Omaha World-Herald*, Aug. 17, 1955, 1; Tapia, 17-18.

[28] "Anderson will Request Funds for New Pen Jail," *Lincoln Evening Journal,* Mar. 30, 1955, 1; "Anderson Will Ask Right to Construct New 'Jail' for Pen," *Omaha World-Herald*, Mar. 31, 1955, 1.

[29] "'Grapevine' Rumbles Predicted Penitentiary Trouble"; *Lincoln Star,* Aug. 17, 1955; "Rumors had Prison Riot, Fire Pegged."

[30] "Chaplain Not Allowed to Enter Prison"; "Iron Curtain Drops, but Springs Leak," *Omaha World-Herald*, Aug. 17, 1955, 1; Thomas, "Gov. Anderson Orders Major Changes in Prison Policies," *Lincoln Evening Journal*, Aug. 18, 1955, 1; Arch Donovan, "Pen Guards Given $10 Pay Boost," *Lincoln Star*, Sept. 7, 1955; Tapia 19-24.

[31] "More or Less Personal," *Lincoln Evening Journal*, Aug. 18, 1955, 4; ibid., W. T. Davis, "National Disease"; Folders 29 and 30, Box 12, Anderson Papers.

Brian Sarnacki is a Ph.D. candidate in the Department of History at the University of Nebraska-Lincoln.