

## ***68, 937 and Counting: United States Penitentiary-Leavenworth Inmate Case Files in the National Archives-Central Plains Region (Kansas City)***

A prison file is a two-edged sword. While it can offer unsurpassed biographical details on the life of its subject, it may relate more information than the sensitive researcher wants to know. Not every family, for example, is interested in Uncle John's morphine habit or his sexual practices behind bars. And the unkindest cut of all? It is a *prison* record, with all that implies. You may discover friends and relatives who once took great interest in your research suddenly avoiding you at social and family gatherings. A prison file is a potentially dangerous weapon, and one that must be handled carefully to avoid injuring others. That's the warning. Here's the promise: those who use prison records in their genealogical research will be rewarded with knowledge absolutely unavailable anywhere else on earth.

The National Archives-Central Plains Region in Kansas City holds 68,937 Leavenworth inmate case files. Currently, the files range in date from 1895 to 1952. Additional five-year blocks of records will be accessioned every few years. Barring a radical change in human nature, this record series will only continue to grow.

Since opening its doors in July 1895, United States Penitentiary-Leavenworth (Kansas) has been home to some of the most famous and notorious federal prisoners in history. These prisoners include Robert Stroud, better known as the "Bird man of Alcatraz," George "Machine Gun" Kelly, polar explorer Dr. Frederick Cook, labor leader "Big Bill" Haywood, boxer Jack Johnson, Fanny Brice husband Nicky Arnestein, and Native American activist Leonard Peltier. Lesser known are the tens of thousands of ordinary men (and about a dozen women) incarcerated for periods from a few months to a few decades.

What can we expect to learn about any of them, the famous, the infamous, the unsung? The inmate case file is democratic in form. The documents in the file of the "Bird man of Alcatraz" will be largely the same as those found in the file of John Doe. (This includes all three "John Does," men too embarrassed to give Leavenworth officials their true names.) Although there are many minor variations in the case file contents, the "typical" inmate case file generally includes the following documents:

- Inmate photograph: Also referred to as the mug shot. The inmate photograph captured front and side views. In photographs from the early years, most subjects are wearing hats, as was the custom of the day.
- Record Sheet: This document includes the inmate's name, alias, inmate registration number, color or race, crime, sentence, fine, date received, court received from, date

of sentence, date sentence began, maximum term date, minimum term date, good time allowed, occupation, age, date of parole eligibility, and the discharge date. Inmate occupations varied considerably. Like God, prison is no respecter of persons. Leavenworth has been home to bankers, doctors, lawyers, con men, spies, actors, writers, scientists, train robbers, newspaper editors, Ku Klux Klan leaders, soldiers, jockeys, boxers, racecar drivers, and cowboys. More than sixty inmates gave their occupation as “ballplayer.”

- The Record Sheet also describes an inmate’s disciplinary violations. These violations range from the petty (say, talking in chow line) to the more serious (say, killing people). The most common infractions were “loafing and shirking,” relatively tame stuff but of momentous meaning in terms of prison discipline. Prisons control inmates by placing a barrier between the prisoner and his actions. Choices are what define us as individuals. When you take away someone’s freedom of choice or action, you are in effect taking away the autonomous self. In exchange for good behavior, the self is returned-- or perhaps more accurately, lent-- to inmates in small increments in the form of privileges, e.g., smoking cigarettes, watching movies and baseball games, talking with co-workers, relaxing. Prisoners who take unearned privileges threaten prison order because they are asserting themselves as autonomous actors, like free men. And that’s why you will see page after page of seemingly petty disciplinary violations.
- Personal Data Sheet: This document provides additional information on the inmate’s family background and criminal conviction. It includes civil or military status, the name of the committing judge, district attorney, place of arrest, length of pre-trial jail time, plea, nativity, date of birth, parental information, marital status, number of children, wife’s address, permanent address, next of kin notification, education, literacy, religion, tobacco, alcohol and drug use, age when leaving home, and miscellaneous remarks.
- Fingerprints: The fingerprint card captures basic physically identifying features such as fingerprints, height and weight, hair and eye color, marks, scars, moles, and tattoos. One tattoo, its deeper meaning now lost to time, is described as a “man riding a hog inside of a pentagram.” Older files include “Bertillon” measurements with the fingerprints. Bertillon was a Frenchman who designed a pre-fingerprint physical identification system using anthropometrics, such as the length and width of the head and the degree of forehead slope. A set of identical twin inmates known as the “two Will Wests” exposed the weakness of the Bertillon system when it declared them the same man.
- Individual Daily Work Record: When this record is complete it allows the researcher to discover what an inmate did every day of his or her confinement. It is difficult to imagine another record as comprehensive as a prison work record.

- Hospital Record: The hospital record is one of those documents that unveil facts unwanted by every member of the family. Venereal diseases, alcohol and drug addictions are noted here. Although it is popularly believed that bootleggers caused prison overcrowding in the 1920s, it was actually the large number of drug or “dope” offenders that pushed the federal corrections system to the brink. In 1925, for example, narcotics offenders outnumbered alcohol offenders ten to one. Leavenworth had so many drug violators that they formed their own baseball teams. The “Morphines” and the “Cocaines” squared off in an annual contest to determine the best baseball-playing dope violators in the institution. With all these patients, Leavenworth doctors had no choice but to pioneer the treatment of narcotics addiction. They injected prisoners with the alkaloid hyoscine to take the edge off withdrawal pains. This was fine for opiate addicts, but a little rough on cocaine users, who suffer no physical withdrawal. A powerful drug, Soviet intelligence agents used hyoscine as a truth serum.
- Physician’s Examination of Prisoner: A single sheet that lists basic physical information on a prisoner at the time of his arrival.
- Correspondence Log: This document recorded the prisoner’s incoming and outgoing letters. It reveals kin, work, legal, and friendship networks.
- Personal Correspondence: This was considered a prisoner’s private property if he followed institutional rules, a big IF in the prison world.
- Trusty Prisoner’s Agreement: Overworked prison officials appointed “trustworthy” inmates to positions of petty authority and responsibility where they led work crews in the completion of institution jobs. Since some of the men worked outside the prison walls without supervision they were required to sign a contract or “trusty prisoner’s agreement.” The agreement is valuable to researchers because it asked the inmate to state their offense in their own words. It also required the inmate to list two character references, valuable evidence for researching an individual’s life.
- Sentence of Court: More important for the clues it provides than its actual content, the sentence of the court tells the researcher where the prisoner’s conviction occurred. The docket number can be used to find the court case, which will provide more information on the inmate’s criminal history and open new research leads.

**Quiz:** What did I do?

Moses Harmon, No. 22

Moses Harmon’s life was complicated by one problem. He was born in the wrong century. Being an advocate of women’s rights in the late 19<sup>th</sup> century wasn’t just unpopular; it could threaten your liberty. Harmon was the publisher of a newspaper called “Lucifer the Light Bearer” Within the pages of his paper he attacked the state of

marriage. Without equal rights for women he argued, it was nothing less than sexual slavery for women. One issue published a letter that described a rape within marriage. Harmon was charged with mailing obscene material under the Comstock Act and became the twenty-second inmate to serve a sentence at Leavenworth.

Joseph Leach, No 1975

He was the first federal inmate given a life sentence. While drunk he assaulted a man who had previously beaten him and clubbed him to death. After a few missteps (Tried to commit suicide in 1909 by choking himself with a handkerchief, then a shirt and towel and finally suspenders over a pipe) he did well for himself after release from prison. He was a contractor in the plastering business, a trade he learned at Leavenworth. He saved enough money to purchase property Pardoned by President Coolidge in 1927.

Becky Cook, No 2309

She “secured possession of a key to a box in the post office that was next to the one used by a bank. [Her] child could put its hand through this box and into the bank’s box and extract mail there from. Checks and drafts for large amounts were thus abstracted, but it was not shown that she had ever been able to realize anything upon them.” She was transferred to the Kansas State Penitentiary 2 days after arriving at Leavenworth by direction of the Attorney General.

Bob Clark, No 2109

Clark escaped from prison but was recaptured, and 1 month and 3 days was added to his sentence. (Use Clark’s shaved head and striped prison suit to explain the difference between 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>)

Charles Arm, #7239

Convicted of Larceny in 1910 and sentenced to 2 years. Arm was a Sioux Indian who died of Tuberculosis after only four months at Leavenworth.

Alex Lakota, #7102

Lakota was sentenced to 2 years for Larceny in 1910. He was from Deadwood, SD where he stole 7 horses from the Rosebud Reservation and sold them to people outside of the reservation. He was then arrested and plead guilty.

Harry L. Jarrell, #3554

Jarrell was sentenced to 1 year at hard labor and a \$100 fine for counterfeiting a silver dollar “for gain” in 1903. He was paroled for good conduct approximately 6 months before his sentence expired. He was a carriage painter and 23 years of age. He also may have been Harry Potter’s great grandfather.

F.M. Houck, #3700

Houck was sentenced to 1 year and 1 month for Adultery in 1903. He was convicted for having an intimate affair with a married woman.

John Peter Stevens, #7531

He was sentenced to 2 years and fined \$100 for Introducing Liquor on Government Reservation in 1911. When asked about his crime history he stated "It was alleged that I sold six bottles of beer on the Sioux Indian Reservation in Robinson County South Dakota. I plead not guilty but was convicted."

Charles E. Billingsley, #7183

Sentenced to 7 years and 5 months for Violation of National Banking Law in 1908. Mr. Billingsley's wife made every attempt to obtain a pardon for her husband by asking men of status to write to the warden of Leavenworth testifying to his character. Mr. John Thomas of the Code Commission of Oklahoma wrote "I am not personally acquainted with Mrs. Charles Billingsly, but her letter is a cry from the heart of the disconsolate wife- the sorrow oppressed mother- who, in her loneliness seeks to ameliorate the condition of her life's mate, now suffering the penalties denounced by law against those who violate its provisions." Billingsly served until 1913.

Ed Gaines, #4039

Convicted of Murder in 1904. Gaines claimed he was at his boarding house when the victim came "without invitation" and threatened him with a knife. According to Gaines, he defended himself with his gun, and had no intention of killing the victim, but only wanted to frighten him away.

### **Size of Inmate files**

Early inmate case files, those created between 1895 and 1905, are fairly sparse. They usually contain the photograph, Record Sheet, Sentence of Court, and Correspondence Log only. As the twentieth-century progressed and institutions grew larger and more bureaucratic, inmate files expanded accordingly. Files created in the mid-twentieth century can run into the hundreds of pages. Of particular interest in the later files is the Social Interview, which the Bureau of Prisons began conducting with prisoners who entered the system in the 1930s. The Social Interview appeared at a time of high confidence in the ability of sociology to account for the root causes of criminal behavior. Every possible environmental influence was duly noted and weighed in the social

worker's evaluation of the subject. The Social Interview offers a wealth of personal information, some of which may be restricted.

### **Privacy Act Restrictions**

Federal prison records less than seventy-years old are exempt from the Freedom of Information Act under subsection (b)(6). To quote from National Archives guidelines, "this type of record might include medical information, personal financial data, Social Security numbers, intimate details of an individual's personal or family life, or similar data."

What does this mean in practical research terms? Researchers can obtain significant portions of case files less than seventy-two years old if the inmate were born more than 100 years ago or if he is deceased and a copy of the death certificate is provided with the request. The medical, financial or intimate personal information of other individuals-- particularly children-- will be deleted from records less than seventy-two years old. That said, other persons appearing in the file are entitled to information on them and may obtain uncensored copies of those records.

### **The Women**

There were a few women sentenced to Leavenworth. However it's misleading to label them Leavenworth inmates as they averaged only two days at the federal facility before being moved a few miles south to the Kansas State Penitentiary at Lansing, Kansas. But a dozen files still exist in our holdings, including that of Lizzie Cardish, a fifteen-year-old arsonist.

### **Common Mistakes**

We get a number of inquiries from researchers who think they have found in the federal census an ancestor confined to Leavenworth. In addition to the federal penitentiary in Leavenworth, Leavenworth county is home to the Kansas State Penitentiary, the United States Disciplinary Barracks, and what used to be known as the National Home for Disabled Volunteer Soldiers (now VA). All four institutions enumerated their residents as "inmates," and many researchers see that and automatically assume he was a prisoner in the Big House. The fine print at the top of the page will tell you where they actually lived.

The inmate case files created at Lansing and other state penitentiaries are similar to those found at Leavenworth. Availability and access varies from state to state, but can usually be determined by writing the state archives or historical society.

### **Contact Info**

For information on Leavenworth inmates, or to order a copy of a case file, please contact the author in care of the National Archives at Kansas City, 400 West Pershing Road, Kansas City, Missouri, 64108, or at [kansascity.archives@nara.gov](mailto:kansascity.archives@nara.gov).