COURT OF APPEALS
STATE OF MICHIGAN

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee

v.

KWAME KILPATRICK
Defendant-Appellant

Court of Appeals No. 304991
Lower Court No. 08-010496-FH

COA No. 304991
Circuit Court No. 08-010496

BRIEF OF THE ASSOCIATION OF AMERICAN PUBLISHERS, INC., AMERICAN BOOKSELLERS FOUNDATION FOR FREE EXPRESSION, ASSOCIATION OF AMERICAN UNIVERSITY PRESSES, COMIC BOOK LEGAL DEFENSE FUND, FREEDOM TO READ FOUNDATION, INDEPENDENT BOOK PUBLISHERS ASSOCIATION, MOTION PICTURE ASSOCIATION OF AMERICA, INC., AND PEN AMERICAN CENTER AS *AMICI CURIAE* IN SUPPORT OF DEFENDANT-APPELLANT

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TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES

Page(s)

CASES

TABLE OF AUTHORITIES (CONT.)

Page(s)

STATUTES

TABLE OF AUTHORITIES (CONT.)

Page(s)

OTHER AUTHORITIES

The Association of American Publishers, Inc., American Booksellers Foundation for Free Expression, Association of American University Presses, Comic Book Legal Defense Fund, Freedom to Read Foundation, Independent Book Publishers Association, Motion Picture Association of America, Inc., and PEN America Center (collectively, the "Amici")[1] submit this brief as *amici curiae* in support of Defendant-Appellant.

INTRODUCTION

Requiring a convicted criminal to pay restitution is, in itself, constitutionally unproblematic. The principle that criminals should not be allowed to profit from their crimes is unobjectionable, and the state interests in compensating crime victims and obtaining reimbursement for the costs of incarceration are legitimate. However, while such justifications for so-called "Son of Sam" laws do not, in and of themselves, raise First Amendment concerns, problems arise when the law imposes a specific requirement of forfeiture of all proceeds from speech that in any way touches on the author's crime, as is true of Mich. Comp. Laws § 780.768. Penalizing expression that may not, in fact, represent exploitation of crime or even be related to crime is a forbidden intrusion on the First Amendment rights of the speaker as well as those of the audience.

Deeply embedded in the First Amendment is the principle that the government may not dictate the content of public discourse. Yet section 780.768 denies constitutional protection to the ideas of certain speakers (convicted criminals) on a specified topic (their crime(s)) by imposing a speech-chilling financial penalty on those ideas (and any others

[1] A description of the Amici is provided in the Appendix.

contained in the same expressive work) without the precise fit between means and ends that the First Amendment demands.

When first presented with this appeal, the Court summarily rejected Kilpatrick's constitutional challenge to section 780.768, as had the trial court. These rulings overlooked the fact that the U.S. Supreme Court spoke clearly to this issue some twenty years ago in *Simon & Schuster, Inc. v. Members of the N.Y. State Crime Victims Bd.*, 502 U.S. 105 (1991), where it struck down New York's Son of Sam law. The highest courts of several states have subsequently followed *Simon & Schuster* in striking down other Son of Sam laws. The fact that Kilpatrick agreed to pay restitution does not shield section 780.768 from First Amendment scrutiny, as the Circuit Court appeared to believe. Amici endorse Kilpatrick's constitutional arguments and urge the Court to heed them by striking down section 780.768.

Kilpatrick's constitutional arguments should be considered not only in light of controlling precedent but also against the backdrop of core First Amendment values. Last term, the U.S. Supreme Court reiterated the principle that "speech on public issues occupies the highest rung of the hierarchy of First Amendment values, and is entitled to special protection." *Snyder v. Phelps*, 131 S. Ct. 1207, 1215 (2011) (citation omitted). Discussion of public issues, the Supreme Court has declared, "should be uninhibited, robust, and wide-open," *N.Y. Times Co.* v. *Sullivan*, 376 U.S. 254, 270 (1964), because it is "the essence of self-government." *Garrison* v. *Louisiana*, 379 U.S. 64, 74-75 (1964). These statements reflect the understanding that First Amendment values are served by more, not less, speech on topics of public concern, even when that speech may be widely regarded as ignorant or offensive. *See, e.g.*, *Snyder*, 131 S. Ct. at 1219 (speech on a

matter of public concern "cannot be restricted simply because it is upsetting or arouses contempt"); *Texas* v. *Johnson*, 491 U.S. 397, 414 (1989) ("If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."). The precept that even in pursuing a worthwhile objective the government may not set the parameters of public discourse is embodied in the Supreme Court's recent observation that the First Amendment "reflects a judgment by the American people that the benefits of its restrictions on the Government outweigh the costs." *United States v. Stevens*, 130 S. Ct. 1577, 1585 (2010).

Crime and criminal justice are among the most important subjects of public discourse. Amici's members are dedicated to furthering free-speech values by creating and disseminating works in a variety of media on diverse subjects, including crime. First-hand accounts of crime and its aftermath by convicted criminals have long been an integral part of our national discourse on crime. Such works play an important role in public discussion on the causes, nature, and consequences of crime, as well as on the criminal justice system through which society passes judgment on those who have committed crimes, bringing before the public viewpoints unavailable from other sources.

Section 780.768 violates the First Amendment by erecting a financial barrier to the creation of speech that lies at or near the core of First Amendment protection – on the mistaken premise that it necessarily represents "fruits of crime." The statute fails to take into account the salutary ways in which crime might be discussed in works authored by a convicted criminal. As the Supreme Court of California observed:

> [O]ne motivated in part by compensation might discuss his or her past crimes, including those that led to felony convictions, in many contexts not directly connected to exploitation of the crime. One might mention past felonies as relevant in personal redemption; warn from experience of the consequences of crime; critically evaluate one's encounter with the criminal justice system; document scandal and corruption in government and business; describe the conditions of prison life; or provide an inside look at the criminal underworld.

Keenan v. Super. Court, 27 Cal. 4th 413, 433 (2002). The *Keenan* Court noted that "[m]ention of one's past felonies . . . may have little or nothing to do with exploiting one's crime for profit, and thus with the state's interest in compensating crime victims from the fruits of crime." *Id.* A statute that "discourages the discussion of crime in nonexploitative contexts," the Court stated, sweeps within its scope "a wide range of protected speech" and is "not narrowly focused on recouping profits from the *fruits of crime.*" *Id.* at 435 (emphasis in original). The Court further observed that the California statute under review – which was similar to section 780.768 – disturbed or discouraged protected speech "to a degree substantially beyond that necessary to serve the state's compelling interest in compensating crime victims from the fruits of crime," *id.*, because it reached "all income from the criminal's speech or expression on any theme or subject," if the story of the crime were included. *Id.* at 417-18.

In *Simon & Schuster*, AAP attached to its amicus brief what the Supreme Court called "a sobering bibliography listing hundreds of works by American prisoners and ex-prisoners, many of which contain descriptions of the crime for which the authors were incarcerated, including works by such authors as Emma Goldman and Martin Luther King, Jr." 502 U.S. at 121-22. The list demonstrated, the Court concluded, that New

York's Son of Sam law clearly reached "a wide range of literature that does not enable a criminal to profit from his crime while a victim remains uncompensated." *Id.* at 122.

Among the diverse works dealing with the subject of crime created, published, and disseminated by Amici's members are those from the first-hand perspective of the author. Contemporary examples include Leonard Peltier, *Prison Writings: My Life Is My Sun Dance* (St. Martins Press 1999), Mumia Abu-Jamal, *Live from Death Row* (Addison-Wesley 1995), David Carr, *The Night of the Gun* (Simon & Schuster 2008) (New York Times columnist describing his past as a drug addict and dealer), and Kevin Mitnick, *Ghost in the Wires: My Adventures as the World's Most Wanted Hacker* (Little, Brown and Co. 2011). By depriving of constitutional protection works by convicted criminals that contain his or her "recollections of or thoughts or feelings" about the crime in "books, magazines, media entertainment, or live entertainment," section 780.768 represents the imposition of a government-dictated bias on the public discussion of matters of obvious public importance and an intolerable intrusion on the "marketplace of ideas."

Section 780.768 threatens to deprive the public of information that it demands and is entitled to receive and that convicted felons are entitled to disseminate and to be compensated for. Any assumption that the government can be trusted to invoke the statute only in cases of egregious exploitation of criminal conduct is belied by the facts of this case and would, moreover, contravene the Supreme Court's pronouncement that it will "not uphold an unconstitutional statute merely because the Government promise[s] to use it responsibly." *Stevens*, 130 S. Ct. at 1591.

Kilpatrick's book *Surrendered: The Rise, Fall & Revelation of Kwame Kilpatrick*, published by Creative Publishing Consultants Inc., is a good example of a memoir by a convicted criminal – a former public official with notoriety independent of his crimes – that is not primarily about the crimes for which the author was convicted but which nevertheless was singled out by the Wayne County Prosecutor because section 780.768 (i) is on the books and (ii) does not require the prosecutor to distinguish exploitative from non-exploitative speech or speech that deals primarily with the author's crime from speech that deals with it only tangentially.

The premise underlying section 780.768 would authorize a speech-chilling confiscation order on proceeds from books by notable public figures such as former New York Times reporter Judith Miller (convicted for refusing to name a confidential source before a grand jury); former New York City Police Commissioner and U.S. Secretary of Homeland Security nominee Bernard Kerik (convicted of tax fraud and lying to White House officials); former Illinois governor Rod Blagojevich (convicted of corruption charges); former lobbyist Jack Abramoff (convicted of mail fraud and conspiracy);[2]

[2] On October 11, 2011, the District Court for the District of Columbia issued a garnishment order against Mr. Abramoff and Worldnetdaily Books, the publisher of Abramoff's book *Capitol Punishment: The Hard Truth About Washington Corruption From America's Most Notorious Lobbyist* (2011). The order requires reporting of any monies owed to Abramoff from the book contract for purposes of paying restitution Abramoff previously had been ordered to pay. *See* Writ of Continuing Non-Wage Garnishment, Criminal No. 06-001 (ESH), *United States v. Abramoff and Worldnetdaily Books*, Doc. No. 61-1 (D.D.C. Oct. 11, 2001). Notably, the government, in its application for the writ, did not rely on the federal Son of Sam law, 18 U.S.C. § 3681, but relied instead on 18 U.S.C. § 3613 and 28 U.S.C. § 3205, which offered a content-neutral basis for the garnishment. *See* Application for Writ of Continuing Non-Wage Garnishment, Criminal No. 06-001 (ESH), *United States v. Abramoff and Worldnetdaily Books*, Doc. No. 61 (D.D.C. filed Oct. 11, 2001). These documents are attached as Exhibit A hereto.

former advisor to Vice President Dick Cheney I. Lewis "Scooter" Libby (convicted of obstruction of justice, perjury, and making false statements); and former U.S. House Majority Leader Tom DeLay (convicted of money laundering), as well as by less consequential but no-less prominent public-figure convicts such as Martha Stewart (perjury), Lindsay Lohan (drunk driving), Dennis Rodman (who published *Bad As I Wanna Be* in 1997; domestic violence, drunk driving), Plaxico Burress (reckless endangerment), and Marshall Mathers (Eminem) (possession of a concealed weapon, assault). The public has a right to hear – and a legitimate interest in hearing – from such individuals not only about their crimes but also about other aspects of their lives that might contribute to a better understanding of their wrongdoing.

As noted, the state has a legitimate interest in preventing criminals from profiting from their crimes and in obtaining restitution. But it does not have a legitimate (let alone compelling) interest in attaining those goals by focusing on profits derived from storytelling. *See Simon & Schuster*, 502 U.S. at 119. The escrow order in this case is particularly dubious because it adds nothing of substance to Kilpatrick's preexisting obligation to pay restitution except to ensure that some of the money comes from Kilpatrick's book proceeds while imposing new obligations on Kilpatrick's publisher. Moreover, the fact that the Circuit Court deemed "the citizens of Detroit" to be the victims of Kilpatrick's crimes reflects a strained reading of the statute to reach speech relating to offenses that, however reprehensible, lack the identifiable crime victim that section 780.768 appears to contemplate.

If not struck down, section 780.768 threatens to inhibit the publication of socially valuable works by convicted criminals – including current or former public officials – in

contravention of fundamental First Amendment values and without any compelling rationale. Indeed, Son of Sam laws such as section 780.768 that single out speech-derived assets are self-defeating in that they reduce the incentive to engage in speech that might generate income from which restitution can be paid.

This appeal does not concern the merits of Kilpatrick's conduct or his obligation to pay restitution. It is solely about whether section 780.768 violates the First Amendment on its face by singling out profits from the sale of protected expression for an economic burden in a manner not narrowly tailored to serve a compelling state interest. Amici believe it clearly does.

ARGUMENT

I. SECTION 780.768 IS A CONTENT-BASED STATUTE THAT IS PRESUMPTIVELY INCONSISTENT WITH THE FIRST AMENDMENT AND CANNOT WITHSTAND STRICT SCRUTINY

A. The Impermissibility of Content-Based Statutes Is Well-Ingrained in First Amendment Doctrine

It is axiomatic that content-based regulations of speech are presumptively invalid. *R.A.V. v. City of St. Paul*, 505 U.S. 377, 382 (1992); *Simon & Schuster*, 502 U.S. at 115. As the Supreme Court explained in *Simon & Schuster*, a statute is "presumptively inconsistent with the First Amendment if it imposes a financial burden on speakers because of the content of their speech." 502 U.S. at 115.[3] This presumption is particularly strong in the context of financial regulation of speakers, as "the government's ability to impose content-based burdens on speech [through such regulations] raises the

[3] This is a notion so engrained in our First Amendment jurisprudence that the Supreme Court has found it "so 'obvious' as to not require explanation." *Simon & Schuster*, 502 U.S. at 115-16 (citing *Leathers v. Medlock*, 499 U.S. 439, 447 (1991)).

specter that the government may effectively drive certain ideas or viewpoints from the marketplace." *Simon & Schuster*, 505 U.S. at 116. *See also First Nat'l Bank of Boston v. Bellotti*, 435 U.S. 765, 784-85 (1978) ("In the realm of protected speech, the legislature is constitutionally disqualified from dictating the subjects about which persons may speak and the speakers who may address a public issue."). In order to overcome this formidable presumption, the statute must be subjected to strict scrutiny, meaning that it must be shown to be narrowly drawn to achieve a compelling state interest. *Simon & Schuster*, 502 U.S. at 118.

B. Section 780.768 Is Content-Based

Section 780.768 provides that a person convicted of a crime "shall not derive any profit from the sale of," *inter alia*, the person's "recollections of or thoughts or feelings about the offense committed by the person" until the victim receives any court-ordered restitution or compensation, expenses of incarceration are paid and any fines, costs, and other assessments against the defendant are paid. Mich. Comp. Laws § 780.768(1)(a). Upon the conviction of a defendant for a crime with a victim, a county attorney may seek an order that the defendant "forfeit all or any part of proceeds received or to be received" by the defendant or the defendant's representatives or assignees from, *inter alia*, contracts "relating to the depiction of the crime or the defendant's recollections, thoughts, or feelings about the crime, in books, magazines, media entertainment, or live entertainment." Mich. Comp. Laws § 780.768(2)(a).[4]

[4] Proceeds ordered forfeited are to be held in escrow for up to five years and shall, during that time, be distributed to satisfy, *inter alia*, an order of restitution and a civil judgment in favor of the victim against the defendant. Any remaining balance in the escrow fund at

The Circuit Court's June 20, 2011 order establishing an escrow account pursuant to section 780.768 required Kilpatrick to forfeit all any of his proceeds from *Surrender* and also required his publisher to pay fifty percent of the gross receipts payable to Kilpatrick or his agent, assignees, etc. into the escrow account and to disclose to the court all money collected in connection with *Surrender*.[5]

By prohibiting payments to convicted felons due under media contracts covering expression of a convicted criminal's "recollections of or thoughts or feelings about" the person's offense, section 780.768 is indisputably a content-based speech regulation that must be subject to strict scrutiny. It "establishes a financial disincentive to create or publish works with a particular content." *Simon & Schuster*, 502 U.S. at 118. *See also Keenan*, 27 Cal. 4th at 422, 429 (holding that California Son of Sam provision applicable to materials that "include or are based on the story" of the author's felony is content-based); *Opinion of the Justices to the Senate*, 764 N.E.2d 343, 345, 348 (2002) (holding that proposed Massachusetts law that would have required the reporting of a contract to pay the defendant "any assets, material objects, monies, and property obtained through the use of unique knowledge or notoriety gained by means and in consequence of the commission of a crime" is content-based); *Bouchard v. Price*, 694 A.2d 670, 676-77 (R.I. 1997) (holding that Rhode Island Son of Sam statute applicable to "any publication, reenactment, dramatization, interview, depiction, explanation, or expression through any

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the end of the escrow period is to be paid to the crime victim's rights fund. Mich. Comp. Laws§§ 780.768(3), (5).

[5] Order Establishing Escrow Account Pursuant to MCL 780.768, *People v. Kilpatrick*, Case No. 08-010469-01 (June 20, 2011).

medium of communication" of a felony is content-based); *Seres v. Lerner*, 102 P.3d 91, 96 (2004) (holding that Nevada Son of Sam statute allowing crime victim to claim proceeds from "any contribution to any material that is based upon or substantially related to the felony which was perpetrated against the victim" is content-based).[6]

C. The Targeting of Speech-Derived Assets Is Both Constitutionally Problematic and Unjustified

The targeting of expression on a particular subject has been called "the Achilles' heel of a Son of Sam provision." *Keenan*, 27 Cal. 4th at 441 (Brown, J., concurring). As the U.S. Supreme Court has explained, the State "has a compelling interest in compensating victims from the fruits of crime, but little if any interest in limiting such compensation to the proceeds of the wrongdoer's speech about the crime." *Simon & Schuster*, 502 U.S. at 120-21. Justice Brown, concurring in *Keenan*, observed that a law that "neutrally seizes all profits of crime comports with *Simon & Schuster* . . . and thus the First Amendment." 27 Cal. 4th at 443 (Brown, J., concurring).[7] The Supreme Court of Rhode Island, in *Bouchard*, observed that the state's interest in compensating victims

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[6] *See also Arkansas Writers' Project, Inc. v. Ragland*, 481 U.S. 221, 231 (1987) (holding that state cannot justify tax that was applied differently among various members of the press based upon content-related characteristics); *Minneapolis Star & Tribune Co. v. Minnesota Comm'r of Revenue*, 460 U.S. 575, 585 (1983) (holding unconstitutional statute that imposed tax only upon the press).

[7] As an example, Justice Brown cited Va. Code § 19.2-368.20, which seizes any "proceeds or profits received or to be received directly or indirectly by a defendant or a transferee of that defendant from any source, as a direct or indirect result of his crime or sentence, or the notoriety which such crime or sentence has conferred upon him," as well as Cal. Civ. Code § 2225(b)(2), which authorizes the seizure of "all income from anything sold or transferred by the felon . . . including any right, the value of which thing or right is enhanced by the notoriety gained from the commission of a felony." *See* 27 Cal. 4th at 441-42 (Brown, J., concurring). Section 2225(b)(2) was not challenged in *Keenan*, and the Court accordingly did not rule on its constitutionality.

from the proceeds of crime "would be better served . . . by making available to a victim *all* the criminal's assets, however and wherever derived," which "avoid[s] the statute's Achilles' heel of singling out only expressive activity for a special burden." 694 A.2d at 677-78. The court pointed out that crime victims normally can bring a civil damages action against the offender and recover against the victim's assets "whether or not these assets represent royalties obtained from the commercial exploitation of the crime." *Id.* at 678. As noted above (*see supra* note 1), a recent garnishment proceeding against convicted former lobbyist Jack Abramoff relating to the proceeds from his book relied upon 18 U.S.C. § 3613, a civil remedy for satisfaction of an unpaid fine, rather than on 18 U.S.C. § 3681, the content-based federal Son of Sam law.

It may be that accounts of crime by criminals have a unique capacity to offend and to inflict emotional pain on crime victims. However, the case law teaches that the impulse to impose specific, targeted burdens on a criminal's speech-related assets is constitutionally impermissible.

D. Section 780.768 Is Overinclusive

The Supreme Court's reasoning in *Simon & Schuster* as to the constitutional deficiency of New York's Son of Sam law is equally applicable to section 780.768. The New York statute, N.Y. Exec. Law § 632-a, was passed to prevent the so-called Son of Sam killer, David Berkowitz, from profiting from the sale of his story, although the statute was never applied to him. That statute, as amended, required any entity that contracted with a person (or the representative or assignee of a person) accused or convicted of a crime in New York "with respect to the reenactment of such crime, by way of a movie, book, magazine article, tape recording, phonograph record, radio or television

presentation, live entertainment of any kind, or from the expression of such accused or convicted person's thoughts, feelings, opinions or emotions regarding such crime" to submit a copy of the contract and to pay any monies owed under the contract to the state Crime Victim's Board for deposit into an escrow account. The monies were to be paid out primarily for the benefit of victims of the person's crime.

The law was challenged on First Amendment grounds by Simon & Schuster after the Crime Victims Board ordered the publisher to turn over all monies payable to convicted mobster Henry Hill, whose life and crimes were chronicled in the book *Wiseguys* by Nicholas Pileggi (published by Simon & Schuster in 1986), and ordered Hill to pay to the Board all the money he already had received for the book. Simon & Schuster sought a declaration that the statute violated the First Amendment and an injunction against its enforcement. The law was upheld by the district court and by the Court of Appeals for the Second Circuit, but the U.S. Supreme Court unanimously reversed (with Justice Thomas not participating).

The Supreme Court found that the New York statute was content-based, as it "single[d] out income derived from expressive activity for a burden the state place[d] on no other income," and it was "directed only at works with a specified content." 502 U.S. at 116. *See also id.* at 118 ("The Son of Sam law establishes a financial disincentive to create or publish works with a particular content."). Applying strict scrutiny, the Court held that the statute was "significantly overinclusive" because it applied to "works on *any* subject, provided that they express the author's thoughts or recollections about his crime, however tangentially or incidentally." 502 U.S. at 121 (emphasis in original). The Court also noted the overly broad definition of "person convicted of a crime," which included

anyone who admitted to a crime, whether he was ever accused or convicted. *Id.* The Court went on to list prominent works, including *The Autobiography of Malcolm X*, Thoreau's *Civil Disobedience*, and autobiographies by Jesse Jackson and Bertrand Russell, as examples of works that would have been covered by the law. The Court concluded that the statute "clearly reaches a wide range of literature that does not enable a criminal to profit from his crime while a victim remains uncompensated." *Id.* at 122.

The differences between Michigan's section 780.768 and the New York statute struck down in *Simon & Schuster* (which has since been amended) are constitutionally immaterial. The Michigan statute applies to any work that includes the author's "recollections of or thoughts or feelings about the [defendant's] offense." Mich. Comp. Laws § 780.768(1)(a). Although, unlike the New York law, section 780.768 does not apply to persons merely accused but not convicted of a crime, it clearly does not shelter the full range of speech the Supreme Court has found to be entitled to First Amendment protection.

In *Keenan*, which arose out of the purchase by Columbia Pictures of the film rights to a magazine article about the kidnapping of Frank Sinatra, Jr., the California Supreme Court considered the constitutionality of Cal. Civ. Code § 2225(b)(1). The statute imposed an involuntary trust on the proceeds paid or owing to a convicted felon from the sale of expressive materials that "include or are based on the story" of the felony. "Story" was defined as "a depiction, portrayal, or reenactment of a felony," with an exemption for a "passing mention of the felony, as in a footnote or bibliography." 27 Cal. 4th at 422. The Court held that, like the New York statute, Cal. Civ. Code § 2225(b)(1)

> penalize[d] the content of speech to an extent far beyond that necessary to transfer the fruits of crime from criminals to their uncompensated victims . . . . [S]ection 2225(b)(1) confiscates *all* of a convicted felon's proceeds from speech or expression on *any* theme or subject which includes the story of the felony, except by mere passing mention. By this financial disincentive, section 2225(b)(1), like its New York counterpart, discourages the creation and dissemination of a wide range of ideas and expressive works which have little or no relationship to the exploitation of one's criminal misdeeds.

27 Cal. 4th at 431-32. Section 780.768 is even more infirm, as it contains no exemption for mere "passing mention" of the crime.

That the Michigan legislature amended the statute in 2006 to include the sale of memorabilia relating to the crime and the sale of property the value of which has been enhanced or increased by the defendant's notoriety, *see* Act 184 (effective Jan. 1, 2006); Mich. Comp. Laws § 780.768(1)(b), (c), may lessen the statute's *underinclusiveness*, but it does nothing to remedy the *overinclusiveness* on which the *Simon & Schuster* Court rested its holding. *See also Bouchard*, 694 A.2d at 677 (finding Rhode Island Son of Sam law overinclusive); *Seres*, 102 P.3d at 97 (finding Nevada Son of Sam law overinclusive).

Another provision of the California statute at issue in *Keenan* provided for the confiscation of the proceeds of sales of memorabilia and of property or rights the value of which had been enhanced by the notoriety of the crime, but the California Supreme Court found no need to decide whether the statute was underinclusive because, like the New York statute, it was fatally overinclusive. *See Keenan*, 27 Cal. 4th at 431. The same conclusion should obtain here: section 780.768 is overinclusive because it applies to

works that include any mention of any crime for which the author was convicted so long as it involved a victim.[8]

II. SECTION 780.768 CHILLS CONSTITUTIONALLY PROTECTED SPEECH

Crime has always been a subject of absorbing public interest. Writings about crime are a staple of our literary heritage. It is a core function of the First Amendment to enhance the public's knowledge on matters of public moment – to promote debate and guide our leaders to proper decisions. Few subjects are more worthy of public discourse than crime and criminal justice, which are fundamental to the self-definition and self-preservation of any civilized society. The perpetrators of crimes, no less than anyone else, have the right to participate in that dialogue; indeed, they may offer a particularly valuable perspective on the root causes of crime, its methods, and its consequences, and insight into more just and effective means of law enforcement. The Michigan statute at issue here, by reducing the financial incentive for speech by those convicted of crimes, threatens to constrict this debate, thus limiting the information available to the public and harming the public interest.

Hundreds of American convicts have published accounts of their crimes or have contributed their stories to works written by other persons.[9] These accounts, which

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[8] Amici endorse, but do not otherwise address, Kilpatrick's argument that section 780.768 is an impermissible prior restraint. The Court need not reach that issue to strike the law down as overinclusive.

[9] Bruce Franklin's *Prison Literature in America*, the source of an appendix submitted by AAP to the U.S. Supreme Court in *Simon & Schuster* that was specifically cited by the Court as a basis for its overinclusiveness holding (*see* 502 U.S. at 121-22), illustrates the vast number of literary works by convicted criminals published during this nation's history. This compilation bears witness to the size and importance of the prison literature

describe and help us understand criminal behavior in our culture, have in many cases represented arguments for social justice by those whose crimes were committed for political purposes. They appear in an extraordinary array of forms, including personal journals and diaries, poems, magazine articles, short stories, personal narratives, plays, and novels. The sheer volume of works of this kind reflects the public's curiosity – and, more than that, society's demand to *know*. Yet, many such works would have been subject to the law at issue here, or others like it, were it in effect at the time. The likely result would have been that many of these widely read works would never have been published or would have appeared in diminished form, at an incalculable loss to the reading public.

Many publications have centered on the lives of notorious criminals, exploring the roots of their criminal careers and attempting to delve into the criminal mind. Still other works have recounted convicted criminals' experiences with the United States criminal justice or penal system, a system with the highest prison population in the world.[10] Some of these works have been directed to the general public, others to academic, professional, and penological audiences.

The range of materials within the statute's proscribed activities is not limited to crimes against people or property. As noted above, important works discussing governmental conduct, often written by or about people convicted of politically charged

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genre. A copy of this appendix, as it was provided to the U.S. Supreme Court, is attached hereto as Exhibit B.

[10] *See* International Centre for Prison Studies, University of Essex, http://www.prisonstudies.org/info/worldbrief/wpb_stats.php?area=all&category=wb_poptotal (last visited May 30, 2012).

or white-collar crimes, also would be stifled under this law, as is suggested by the Circuit Court's determination that the "citizens of Detroit" are Kilpatrick's victims within the meaning of the statute. *See* Order Denying Defendant's Motion for Reconsideration and Defendant's Motion to Alter, Amend and/or Vacate, *People v. Kilpatrick*, Case No. 08-010496-01FH (Aug. 17, 2011) at 3. Frustrating the expression of this type of speech is particularly objectionable, as it has been recognized as lying "at the core of the First Amendment." *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 1035 (1991) (quoting *Butterworth v. Smith*, 494 U.S. 624, 632 (1990)); *Keenan*, 27 Cal. 4th at 433 n.18 (citing AAP amicus brief). *See also Mills v. Alabama*, 384 U.S. 214, 218 (1966) ("Whatever differences may exist about interpretations of the First Amendment, there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs.").

Under section 780.768, for instance, valuable works written by convicted Watergate conspirators, such as Charles Colson's *Born Again*, G. Gordon Liddy's *Will: The Autobiography of G. Gordon Liddy*, or John W. Dean's *Blind Ambition: The White House Years*, might never have been written – an unacceptable loss to the American public and to history.

Other writings with political content such as Martin Luther King's famous "Letter from a Birmingham Jail," Eldridge Cleaver's *The Catechism of a Revolutionist*, and Angela Davis's *With My Mind on Freedom: An Autobiography* are works by authors convicted of crimes who (regardless of whether one is sympathetic to their cause) engaged in political challenges to prevailing norms of social justice. We as a society discourage such speech at our peril.

It is unquestionably true that the discourse protected by the First Amendment would be enhanced by publication of the first-person perspectives of such high-level recently convicted former office holders such as Rod Blagojevich and Tom DeLay, whatever the merits of their views. Constitutional values are honored, rather than diminished, by writings and other speech about crimes committed by politicians and political operatives, whose conduct affects the lives of so many others.

Of course, works by convicted criminals that do not aspire to the level of political discourse also merit the full protection of the First Amendment. *Wiseguys*, the subject of the *Simon & Schuster* case, is one example.[11] Another in the crime memoir genre, the 1997 bestseller *Underboss: Sammy the Bull Gravano's Story of Life in the Mafia* by Peter Maas, which tells in largely first-person narrative the story of the gangster's life, exemplifies the type of valuable insights into criminal activity of which the public could be deprived by operation of section 780.768. *Underboss* not only exposes the inner workings of the most powerful criminal organization in America, whose activities have had a direct effect on the pocketbooks of consumers, but also reveals the complicity of law enforcement officers who permitted Mafia criminality to flourish under their noses. Rather than glorifying the Mafia, it is a story of false honor and betrayal that punctures the romanticized myths that have grown up around the Mafia. The book is, moreover, the compelling story of a man who, although without remorse for his crimes, in the end showed great personal courage in deciding to turn informer, thus leading to the

[11] *Wiseguys* and the award-winning movie based on it, Martin Scorcese's "Goodfellas," both communicate valuable lessons derived from unique inside knowledge of crime that would never have been available to a mass audience without the financial incentive provided by the marketplace.

convictions of Gambino family boss John Gotti and others. The notion that such a valuable work should be denied the protection of the First Amendment cannot be squared with this country's constitutional commitment to a robust and uninhibited dialogue on matters of public interest.

In addition, countless works whose focus is not on crime nevertheless recount prior criminal convictions. For example, many biographies and autobiographies, such as the *Autobiography of Malcolm X*, depict youthful transgressions, such as the use or selling of illegal drugs. Rarely are such accounts central to the works; they do, however, present a fuller picture of the subject's background, character, and human frailties.

Amici's members regularly create, publish, and sell works falling into each of the foregoing categories. Depending, in any given instance, upon whether a particular publisher determines that the viability and/or vitality of the publishing project calls for authorship by, or collaboration with, a convicted criminal, prospective works within these categories may never be published or, if published, may be radically altered, as a direct result of a Son of Sam law like section 780.768. Such a result conflicts with the basic free-speech tenet that "a speaker's rights are not lost merely because compensation is received; a speaker is no less a speaker because he or she is paid to speak." *Riley v. Nat'l Fed'n of the Blind of N.C., Inc.*, 487 U.S. 781, 801 (1988). *See also United States v. Nat'l Treasury Emps. Union*, 513 U.S. 454, 468 (1995) (federal law prohibiting federal officers from accepting compensation for their unofficial and nonpolitical writing and speaking activities "unquestionably imposes a significant burden on expressive activity").

Denying speakers the financial incentive of compensation unquestionably chills expression. The Supreme Court has noted that "[p]ublishers compensate authors because

compensation provides a significant incentive toward more expression" and that denying authors that incentive "induces them to curtail their expression." *Nat'l Treasury Emps. Union*, 513 U.S. at 469. *See also Curran v. Price*, 638 A.2d 93, 99 (1994) ("It is . . . beyond question that to deny compensation for certain speech will chill such speech."). Short of total self-censorship, concern over entanglement with statutes like section 780.768 often will lead to editorial alterations unrelated to the merits of the publishing project, a form of self-censorship motivated solely by the costs, burdens, and administrative scheme of the statute. As the Supreme Judicial Court of Massachusetts wrote concerning a proposed Son of Sam law in that state:

> Interfering with publishers' ability to compensate an entire class of authors will likely prevent publishers from preparing and publishing works concerning persons who have, at some point in their lives, engaged in criminal activity. The administrative burdens associated with notifying the division, challenging the division determinations, and depositing funds with the division would make publishers less inclined to pursue such works.

Opinion of the Justices to the Senate, 764 N.E.2d at 350.

In effect, the state is relying on the public service instincts of convicted felons to ensure the continued dissemination of first-hand accounts of criminal activity. *Cf. Nat'l Treasury Emps. Union*, 513 U.S. at 469 n.14 (stating that proposition that honoraria ban will induce government employees to curtail expression is "self-evident even to those who do not fully accept Samuel Johnson's cynical comment 'No man but a blockhead ever wrote, except for money.'"). Under section 780.768, one convicted of committing a felony in Michigan has a greatly diminished financial incentive to undertake the labor of

committing his story to writing or to give the hours of interviews necessary to convey his story to a collaborator.[12]

The First Amendment protects the right "to receive information and ideas, regardless of their social worth," a right that is "fundamental to our free society." *Stanley v. Georgia*, 394 U.S. 557, 564 (1969). *See also Nat'l Treasury Emps. Union*, 513 U.S. at 470 ("The large-scale disincentive to Government employees' expression . . . imposes a significant burden on the public's right to read and hear what employees would otherwise have written and said."). Commentary on crime, its implications for the criminal justice system, and the quality of life in our society is vital and deserving of presentation to the American public from as many perspectives as possible. It is through such educative processes that manifold works dealing with various aspects of crime add to our storehouse of knowledge, thereby promoting better societal decision-making. *See Associated Press v. United States*, 326 U.S. 1, 20 (1945) ("the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public"); *Bellotti*, 435 U.S. at 776 ("Freedom of discussion, if it would fulfill its historic function in this nation, must embrace all issues about which information

[12] The fact that the escrowing of profits under section 780.768 is linked to satisfaction of a restitution order has no bearing on the statute's overinclusiveness or on the speech-chilling burden it creates. The State has no legitimate interest in ensuring that restitution is paid specifically out of book proceeds. Moreover, nothing on the face of the law prevents the state from seeking a forfeiture order in the absence of a preexisting restitution order. The chilling effect of the law is exacerbated by the fact that any remaining balance in the escrow account after five years is not returned to the defendant but rather is paid into the crime victim's rights fund. *See* Mich. Comp. Laws § 780.768(5).

is needed or appropriate to cope with the exigencies of their period") (*quoting Thornhill v. Alabama*, 310 U.S. 88, 101-102 (1940)).

The consequential impact of Michigan's Son of Sam law upon the First Amendment rights of Amici's members and others similarly affected warrants the application of a vigorous strict scrutiny review.

CONCLUSION

By imposing a financial burden on the creation of expressive works dealing in any way with the author's crime, section 780.768 strikes at the heart of the constitutional right of all persons to speak on all subjects. Allowing section 780.768 to stand could mean that speech of substantial social value will never reach the public. This result would be brought about by a statute that clearly fails to meet the strict scrutiny standard applicable to content-based regulations of speech. Michigan may have an interest in seeing that crime victims are compensated and other restitution paid, but this statute is not the least constitutionally burdensome manner in which to accomplish that goal.

Amici respectfully urge this Court to declare section 780.768 to be unconstitutional and, accordingly, to invalidate the restitution order against Mr. Kilpatrick based on section 780.768.

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APPENDIX

THE AMICI

The Association of American Publishers, Inc. (AAP), is the national trade association of the U.S. book publishing industry. AAP's approximately 300 members include most of the major commercial book publishers in the United States as well as smaller and non-profit publishers, university presses, and scholarly societies. AAP members publish hardcover and paperback books in every field, educational materials for the elementary, secondary, post-secondary, and professional markets, scholarly journals, computer software, and electronic products and services. The Association represents an industry whose very existence depends upon the free exercise of rights guaranteed by the First Amendment.

American Booksellers Foundation for Free Expression (ABFFE) was organized as a not-for-profit organization by the American Booksellers Association in 1990 to inform and educate booksellers, other members of the book industry, and the public about the danger of censorship and to promote and protect the free expression of ideas, particularly freedom in the choice of reading materials. ABFFE has 300 member bookstores, located primarily in the United States.

The Association of American University Presses (AAUP) is an association of 131 nonprofit scholarly publishers affiliated with universities and non-degree granting research institutions, including scholarly societies, museums, and foundations. Collectively, AAUP members publish about 10,000 books a year and over 800 journals in a variety of print and electronic formats. They publish in every field of academic and

scholarly endeavor, and their publications are widely used by scholars doing their own research, for teaching in post-secondary education, and by general readers seeking peer-reviewed, high-quality information.

Comic Book Legal Defense Fund (CBLDF) is a non-profit corporation dedicated to defending the First Amendment Rights of the comic book industry. CBLDF, which has its principal place of business in New York, New York, represents over 1,000 comic book authors, artists, retailers, distributors, publishers, librarians, and readers located throughout the country and the world.

The Freedom to Read Foundation is a not-for-profit organization established in 1969 by the American Library Association to promote and defend First Amendment rights, to foster libraries as institutions that fulfill the promise of the First Amendment for every citizen, to support the right of libraries to include in their collections and make available to the public any work they may legally acquire, and to establish legal precedent for the freedom to read of all citizens.

The Independent Book Publishers Association (IBPA) is a nonprofit trade association representing more than 3,000 publishers across the United States and Canada. IBPA's members include independent publishers, non-profit , university presses, and self-publishers who publish a variety of literary works including autobiographies, memoirs, true crime, and non-fiction books on all topics. Its members' works contribute to the public debate on social and political issues and provide a forum for creative talent that contributes to the public discourse on those topics. The importance of free speech is of paramount concern to IBPA's members. The IBPA believes that section 780.768l burdens the First Amendment rights of its members and bears directly on the ability of its

members to depict contemporary events and of readers to read its members' books and receive information.

The Motion Picture Association of America, Inc. (MPAA) is a New York not-for-profit corporation that seeks to advance the interests of the American motion picture industry. MPAA's members are primarily engaged in the production and distribution of audiovisual entertainment, including theatrical motion pictures and television programs. Michigan's "Son of Sam" law places substantially the same burdens upon filmmakers as it does upon book publishers: persons convicted of a crime will have no incentive to grant motion picture companies the right to make motion pictures that are based upon or depict their crime. Therefore, many works of social and political importance either will not be made or will be significantly truncated. This chilling effect on film-making represents a matter of grave concern to the MPAA.

PEN American Center, the professional association of over 2600 literary writers (poets, playwrights, essayists, editors, and novelists), is the largest in a global network of 131 Centers around the world comprising International PEN. PEN's mission is to promote literature and protect free expression whenever writers or their work are threatened. In particular, PEN defends writers from censorship, harassment, and imprisonment. In the United States, PEN American Center defends the First Amendment whenever it comes under attack. To advocate for free speech in the United States, PEN mobilizes the literary community to apply its leverage through sign-on letter campaigns, direct appeals to policy makers, participation in lawsuits and amicus briefs, briefing of elected officials, awards for First Amendment defenders, and public events.

An Annotated Bibliography of Published Works by American Prisoners and Ex-prisoners, 1798-1988

Introduction

The bibliography included in the 1978 edition was the first attempt to catalog the works published by American prisoners and ex-prisoners in the nineteenth and twentieth centuries. It made no claim to be exhaustive, since finding and identifying literature by convicts is a formidable bibliographic task. In the ensuing four years, so many new books by American prisoners were published and so many overlooked works came to light that the publisher of the 1982 edition of *Prison Literature in America* decided to print the greatly expanded bibliography separately as an independent tool for further research. The present edition incorporates that separately bound work, together with revisions and addenda, including books published since 1981.

The bibliography does draw on some previous efforts. For the earlier literature, there was Augustus F. Kuhlman's groundbreaking *A Guide to Material on Crime and Criminal Justice* (1929), with corrections and author index by Dorothy Campbell Culver (Montclair, NJ: Patterson Smith, 1969), which includes some listings of literature by convicts and criminals, mostly personal narratives. This does not attempt to distinguish between authentic autobiographies and sensationalized narratives palmed off as "confessions" by notorious criminals. Dorothy Campbell Culver's updates of Kuhlman, *Bibliography of Crime and Criminal Justice, 1927-1931* and *1932-1937* (Montclair, N.J.: Patterson Smith, 1969), add some newer works, but literature by convicts is not indexed in her successor volumes covering the 1938 to 1965 period. *Barred Visions: A Bibliography of Materials by Prisoners*, compiled by Rhea Joyce Rubin (Chicago Public Library, 1974, with mimeographed updates in 1975), lists quite a few English-language materials published since 1950, including British writings and foreign works translated into English. The *Fortune News*, a journal published by the Fortune Society, is an excellent source for current publications.

Rudolf Engelbarts's *Books in Stir: A Bibliographic Essay . . .* (Metuchen, N.J.: Scarecrow Press, 1972) lists and discusses a few dozen works. Herman K. Spector's *San Quentiniana: Books Published by Officials and Inmates of San Quentin* (San Quentin, 1953) gives some biographical and bibliographic facts on eleven San Quentin author-inmates. The June-July 1974 issue of *Margins: A Review of Little Mags and Small Press Books* contains a thirty-page section on prison writing, edited by Joseph Bruchac, with very helpful bibliographic information not available elsewhere. *Imprisoned in America; Prison Communications: 1776 to Attica*, edited by Cynthia Owen Philip (New York: Harper & Row, 1973), is a valuable source of information about letters by American prisoners, a form I have not included unless the letters were published as a book. In 1979 appeared Daniel Suvak's far-reaching *Memoirs of American Prisons: An Annotated Bibliography* (Metuchen, N.J.: Scarecrow Press), which incorporates descriptions of prison life by officials, reporters, teachers, chaplains, etc., and includes a separate section on military prisoners (with a valuable list of narratives about World War II "relocation centers" as well as extensive records of works by prisoners of war), a category I do not cover. Suvak does not attempt to include literature by convicts that does not deal directly with their prison experience.

I have not tried to cover oral materials, such as songs, whether or not recorded and transcribed, so some of the main forms of prisoners' literary art are not represented in the bibliography. For help in this area, consult my notes to Chapters 3 and 6 of the current edition.

Another exclusion is the journals published within prisons. For an introduction to these materials, see Russell N. Baird's *The Penal Press* (Evanston, Ill.: Northwestern University Press, 1967) and Paul Dickson's "The Inmate Press," *Nation* (April 27, 1974, pp. 527-30).

After the original bibliography had gone to press, Dr. Robert Pierce, who teaches literature in the Texas Department of Corrections, very generously exchanged his current bibliographic efforts with mine. I have incorporated a few

items from his two unpublished bibliographies, "A Preliminary Check List of Criminal Justice Books in the Sam Houston University Library Published before 1900" and "A Humanities and Criminal Justice Bibliography"; these items are indicated parenthetically as "Pierce. Not examined." Some of the new entries in the current bibliography have been suggested by James Brown, Joseph Bruchac, Karen Franklin, Flora Higgins, Bill Keith, Max MacNamee, Edward Sagarin, and Jeff Youdleman. Jane Morgan Franklin has helped in more ways than I can possibly acknowledge.

An asterisk (*) preceding an entry indicates that this work is discussed in the present edition of *Prison Literature in America: The Victim as Criminal and Artist*. Most of these indicated works are also discussed in the first edition, *The Victim as Criminal and Artist: Literature from the American Prison*.

Bibliography

*Abbott, Jack Henry. *In the Belly of the Beast: Letters from Prison*. With an introduction by Norman Mailer. New York: Random House, 1981.

_____, with Naomi Zack. *My Return*. Buffalo, NY: Prometheus Books, 1987.

Aberg, Williams, ed. *A Promise of Morning: Writing from Arizona Prisons*. Lewiston, ID: Blue Moon Press, 1982.

About Time: An Anthology of California Prison Writings. Prison Arts Project, William James Association, Santa Cruz, California 95060, 1980. A substantial collection of current writings.

About Time II: A Second Anthology of California Prison Writings. Prison Arts Project, William James Association, Santa Cruz, California 95060, 1981. Another impressive collection.

Agron, Salvador. *The Poetry & Case of Salvador Agron*. Edited by Annette T. Rubinstein. New York: The Charter Group for a Pledge of Conscience, 1978. First incarcerated

at the age of five in a workhouse in Puerto Rico, Agron was imprisoned thirty of his first thirty-seven years.

Aguila, Pancho. *Anti-gravity*. Berkeley, CA: Aldebaran Review, 1976. Poetry by the Chicano revolutionary in Folsom Prison.

_____. *Hijacked*. Berkeley, CA: Twowindows Press, 1976. *Poems*.

_____. Dark Smoke. San Francisco: Second Coming Press, 1977.

_____. *Clash*. San Francisco: Poetry for the People, 1980. Poems.

_____. *The Therapeutist and 3rd Hunger Poem*. Berkeley, CA: Artaud's Elbow, 1978.

Ahearn, Danny. *How to Commit a Murder*. New York, 1930. Picaresque personal narrative by a gangster.

Algren, Nelson. *Somebody in Boots*. New York: Farrar, Straus and Giroux, 1935. Novel. Algren began his writing career while doing four months in a Texas jail for stealing a typewriter.

_____. *Never Come Morning*. New York: Harper & Row, 1942. Novel.

_____. *The Neon Wilderness*. Garden City, NY: Doubleday, 1947. Collection of stories.

_____. *The Man with the Golden Arm*. Garden City, NY: Doubleday, 1949. Novel.

_____. *Chicago: City on the Make*. Garden City, NY: Doubleday, 1951.

_____. *A Walk on the Wild Side*. New York: Farrar, Straus and Cudahy, 1956. Novel.

_____. *Who Lost an American?* New York: Macmillan, 1963.

_____. *Conversations with Nelson Algren* (with H.E.F. Donohue). New York: Hill and Wang, 1964.

_____. *Notes from a Sea Diary: Hemingway All the Way*. New York: G.P. Putnam's, 1965.

_____. *The Last Carousel*. New York: G.P. Putnam's, 1973. Stories and sketches.

Allen, Edward L. *Idle Hours No. 8771; Prison Poems, Pictures and Stories*. Erie, PA, 1912.

Allen, James. *Narrative of the Life of James Allen . . . Alias Burley Grove, the Highwayman . . . Death-bed Confession*. Boston, 1837.

Allen, John. *Assault with a Deadly Weapon: The Autobiography of a Street Criminal*. Edited by Dianne Hall Kelly and Philip Heymann. New York: Pantheon Books, 1977. Narrative by a product of Washington's Black slums, first incarcerated at the age of eight.

The American Microcosm. Edited by Michael Hogan and Joseph Bruchac. Special issue of *The Greenfield Review*, VII (Fall 1978), on Writers in Prison, featuring the 1976 and 1977 P.E.N. winners.

Andrews, Frank Earl, and Albert Dickens, eds. *Voices from the Big House: A Collection of Fiction by Long Term Convicts*. Detroit: Marlo House, 1972; New York: Pyramid, 1974. The first of a series of collections by these two long-term convicts; includes a short story by Rubin "Hurricane" Carter.

_____. *Over the Wall: Stories, Poems, and Intimate Revelations by Convicts*. New York: Pyramid, 1974.

_____. *Prose and Cons*. New York: Pyramid, 1976.

Ardelyan, John W., and Norman B. Rohrer. *Convict's Cry: A True Story about One of the Few Who Made It Back*. Chicago: Moody Press, 1970. Personal narrative of reformatory and prison.

Arnold, Russell C. *The Kansas Inferno: A Study of the Criminal Problem, By a Life Prisoner*. Wichita, 1906.

*Ashburn, Tom; Ellsworth R. Johnson; and Frank E. Chapman, Jr. "Writings from Prison: Poems and an Essay." *Freedomways* 6 (Summer 1966): 226-45.

Audett, "Blackie" (James Henry Audett). *Rap Sheet*. New York: William Sloane, 1954. Personal narrative by a bank robber and escape artist.

**Autobiography of a Thief, The*, recorded by Hutchins Hapgood. New York, 1903.

"B.8266, _____ Penitentiary." *A Tale of a Walled Town and Other Verses*, Philadelphia, 1921.

Baca, Jimmy Santiago. *Immigrants in Our Own Land*. Baton Rouge: Louisiana State University Press, 1979. A splendid collection of 37 poems by a Chicano who spent ten years in prison.

_____. *What's Happening*. Willimantic, CT: Curbstone Press, 1982. Poems.

_____. *Martín & Meditations on the South Valley*. New York: New Directions Books, 1987. Two long narrative poems set in the barrios.

"Background of Prison Cruelty by No. 13." *Atlantic Monthly* 126 (August 1920): 214-21.

Baez, Joan. *Daybreak*. New York: Dial Press, 1968. Narrative about jail by the antiwar activist.

Bagwell, James. *A Thrilling Narrative of the Life, Adventures, and Terrible Crimes of James Bagwell . . .* Cincinnati, 1851.

Balt, John. *By Reason of Insanity*. New York: New American Library, 1966. Personal narrative.

Banka, J. Harrie. *State Prison Life: By One Who Has Been There . . .* Cincinnati, 1871. Narrative of prison life under two kinds of post-Civil-War regimes.

Barness, Richard. *Graystone College*. Minneapolis: Lerner Publications, 1973. A fictional narrative about prison written for young readers, apparently to deter them from crime. Barness, according to the biographical sketch, is a long-term prisoner who has "published more than 500 articles, short stories, and books," mostly "written for young readers," since 1964.

_____. *Listen to Me!* Minneapolis: Lerner Publications, 1976.

Barr, A.J. *Let Tomorrow Come*. New York, 1929. Semiautographical novel.

Bathurst, Bill. *How to Continue*. San Francisco: Glide Publications, 1974. Personal narrative and social criticism.

Baulch, Lawrence. *Return to the World*. Valley Forge, PA: Judson Press, 1968. Narrative of prison and religious conversion.

*Baxter, Carolyn. *Prison Solitary and Other Free Government Services*. Greenfield Center, NY: Greenfield Review Press, 1979. Poems.

*Baye, Karamoko. *A Right to Anger*. New York: Zebra/Scorpio, 1977. Novel.

Beauchamp, Jeroboam O. *The Confession of Jeroboam O. Beauchamp. Who Was Executed at Frankfurt, Ky. . . . for the Murder of Col. Solomon P. Sharp . . .* Bloomfield, KY, 1826.

Beck, Robert. *See* Iceberg Slim.

"Behind the Bars: The Recollections of a Prisoner in a New York State Prison." *Outlook* 102 (1912): 132-40.

Belfrage, Cedric. *The Frightened Giant: My Unfinished Affair with America*. London: Martin Secker, 1957. Narrative by the editor of the socialist weekly, *The Guardian*, who was imprisoned and deported.

Belfrage, Sally. *Freedom Summer*. New York: Viking, 1965. Narrative by a jailed civil rights worker.

Bennett, De Robigne M. *From Behind the Bars*. New York, 1879. Narrative by a man imprisoned for distributing atheist literature.

_____. *Letters from the Albany Penitentiary, by the Editor of the Truth Seeker, While Serving Out an Unjust Sentence*. New York, 1880. Four *Truth Seeker* pamphlets.

*Benton, Roger. *Where Do I Go from Here?: The Life Story of a Forger*, as told to Robert O. Ballou. New York, 1936.

*Berkman, Alexander. *Prison Memoirs of an Anarchist*. New York, 1912.

Berrigan. Daniel. *They Call Us Dead Men*. New York: Macmillan, 1968.

_____. *No Bars to Manhood*. Garden City, NY: Doubleday, 1970.

_____. *Dark Night of Resistance*. Garden City, NY: Doubleday, 1971.

_____. *America Is Hard to Find*. Garden City, NY: Doubleday, 1972.

_____. *Prison Poems*. New York: Viking, 1973.

_____. *Lights On in the House of the Dead: A Prison Diary*. Garden City, NY: Doubleday, 1974.

_____, and Thomas Lewis. *Trial Poems: A Poet, a Painter–A Facsimile Edition of Their Prison Art*. Boston: Beacon Press, 1970.

Berrigan, Philip. *Prison Journals of a Priest Revolutionary*. New York: Holt, Rinehart and Winston, 1970.

_____. *Widen the Prison Gates: Writing from Jails, April, 1970-December, 1972*. New York: Simon and Schuster, 1973.

Bidwell, George. *Forging His Chains*. New York, 1889. Autobiography of the famous international forger.

Black, Jack. *The Big Break at Folsom; A Story of the Revolt at Prison Tyranny*. San Francisco, 192__. Sketches that first appeared in the San Francisco *Bulletin*.

*_____. *You Can't Win*. New York, 1926.

_____. "What's Wrong with the Right People." *Harper's Magazine* 159 (June 1929): 75-82.

_____. "A Burglar Looks at Laws and Codes." *Harper's Magazine* 160 (February 1930): 306-13.

"Black Prisoner, The: Featuring the Writings of Black Prisoners." *The Black Scholar* 2 (April-May 1971).

"Black Prisoner, The, II." *The Black Scholar* 4 (October 1972).

Blake, James. *The Joint*. Garden City, N.Y.: Doubleday, 1971. Letters from prison forming a chronicle, 1951-64. Many of the letters are to Nelson Algren. Selections were first published by Jean-Paul Sartre in *Les Temps Moderne*,

then alongside a prison chronicle by Jean Genet in *The Paris Review*.

Bliss, George M. *From Boniface to Bank Burgler*, New York, 1907. Autobiography of a big-time bank burglar aided and abetted by the New York City police.

Bloom, Gene. *Prison Poems of Gene Bloom*. New Spirit Press. 1971.

*Bolling, Howard D. *The Mystery of the Cumberlands*. Lynchburg, VA, 192__.

*Booth, Ernest. "We Rob a Bank." *The American Mercury* 12 (1927): 1-11.

_____. "A Texas Chain-Gang." *The American Mercury* 12 (1927): 306-15.

_____. "Ladies of the Mob." *The American Mercury* 12 (1927): 399-407.

_____. "I Face a Jury of My Peers." *The American Mercury* 13 (1928): 471-81.

_____. "The Language of the Underworld." *The American Mercury* 14 (1928): 78-81.

*_____. *Stealing through Life*. New York, 1929.

*_____. "Ladies in Durance Vile." *The American Mercury* 22 (1931): 392-402.

*_____. *With Sirens Screaming*. Garden City, NY: Doubleday, 1945. Novel.

Born Into a Felony. Edited by Stewart Brisby and Walt Shepperd. Syracuse, NY: Pulpartforms, 1978. Anthology of writings by prisoners.

Bound and Free: The Poetry of Warriors Behind Bars. Washington, D.C.: King Publications, 1976. Poetry and other writings by Black prisoners in Florida State Prison, Starke.

*Braly, Malcolm. *Felony Tank*. Greenwich, CT: Fawcett, 1961.

_____. "A Quiet Night in Jail." *Esquire* 59 (May 1963): 108-13, 126-27. (Under pseud. "Ray Lorning.")

*_____. *Shake Him Till He Rattles*. Greenwich, CT: Fawcett, 1963.

*_____. *It's Cold Out There*. Greenwich, CT: Fawcett, 1966.

*_____. *On the Yard*. Boston: Little, Brown, 1967.

_____. "Prison Games and Other Escapes." *Sports Illustrated* 33 (August 10, 1970): 48-55.

_____. *The Master*. New York: Warner Paperback, 1973. Novel based on the screenplay.

_____. "Goodby Bob." *Playboy* (February 1975): 94, 148, 152-59. Short story.

*_____. *False Starts: A Memoir of San Quentin and Other Prisons*. Boston: Little, Brown, 1976.

_____. "Prison Reform: American Horror Story," *Hustler* (May 1977): 38-42, 90-91.

_____. *The Protector*. New York: Jove, 1979. Novel about residents of a New York City apartment house who turn it into their own prison in their fear of crime. Based on a screenplay by Richard Levinson and William Link.

Brandi, John, ed. *Dog Blue Day: An Anthology of Writing from the Penitentiary of New Mexico*. Santa Fe, NM: Tooth of Time, 1985.

Break de Chains of Legalized Slavery. Durham, NC: North Carolina Women's Prison Project, 1976. Collection of poetry, prose, and pictorial art by ten women convicts who participated in the 1975 rebellion in the North Carolina Women's Prison in Raleigh.

Bremser, Ray. *Poems of Madness*. New York: Paper Book Gallery, 1965. With an introduction by Allen Ginsberg.

Brent, William, and Milarde Brent. *The Hell Hole*. Yuma, AZ: Southwest Printers, 1962. Not examined.

Brice, James R. *Secrets of the Mount-Pleasant State Prison, Revealed and Exposed*. Albany, NY: 1839. Precise and detailed description of the prison and prison life.

Brock, Van K., ed. *The Space Behind the Clock: Poems from Florida Prisons*. Tallahassee: Anhinga Press, 1975.

Brown, Claude. *Manchild in the Promised Land*. New York: Macmillan, 1965. Autobiographical narrative.

_____. *The Children of Ham*. New York: Stein and Day, 1976.

*Brown, H. Rap. *Die Nigger Die!* New York: Dial Press, 1969.

Brown, Jack. *Monkey Off My Back: An Ex-Convict and Addict Relates the Discovery of Personal Freedom*. Grand Rapids, MI: Zondervan, 1972.

Brown, James H., ed. *The Hostile Shore: & Other Writings from American Prisons*. Cambridge, MA: Schenkman, 1982.

Brown, Lloyd L. *Iron City*. New York: Masses & Mainstream, 1951. Autobiographical novel by a Black labor organizer and ex-prisoner.

Browne, Martha Griffith. *Autobiography of a Female Slave*. New York, 1857; NY: Negro Universities Press, 1969. Imprisoned for defending herself against a man who tried to whip and rape her.

Bruch, Lucille C., ed. *Voices from the Shadows in Black and White: A Collection of Writings from the Michigan Reformatory*. Findlay, OH: Findlay College, 1985.

Bruchac, Joseph, ed. *The Last Stop: Writings from Comstock Prison*. Greenfield Center, NY: Greenfield Review Press, 1974.

_____, and William Witherup, eds. *Words from the House of the Dead: An Anthology of Prison Writings from Soledad*. Greenfield Center, NY: Greenfield Review Press, 1971.

_____, and William Witherup, eds. *Words from the House of the Dead: Prison Writings from Soledad*. 2d enlarged ed. Trumansburg, NY: Crossing Press, 1974. A facsimile version of *6:15 Unlock-a Kite from Soledad*, a book handmade by prisoners and smuggled out.

Bryan, Helen. *Inside*. Boston: Houghton Mifflin, 1953. Insightful narrative by a political prisoner sentenced for contempt of the House Un-American Activities Committee.

Buberton, Charles. *Fools and Rules: A Prison Odyssey*. New York: Vantage, 1973. Personal narrative.

Bullock, Clifton. *Baby Chocolate and Other Short Stories*. New York: William-Frederick Press, 1976. Fiction by a Black convict in Lorton, Virginia.

*Bunker, Edward. "War Behind Walls." *Harper's Magazine* (February 1972): 39-47.

*_____. *No Beast So Fierce*. New York: W.W. Norton, 1973.

*_____. *The Animal Factory*. New York: Viking, 1977. Novel.

*_____. *Little Boy Blue*. New York: Viking, 1981. Autobiographical novel.

"Burglar, A." *In the Clutch of Circumstance. My Own Story. By a Burglar*. New York, 1922. The author was one of two burglars who robbed Mark Twain's "Stormfield" home; he describes his encounters with Twain. He served time, before and after this robbery, in contract labor.

Burke, "Sleepy." *Prison Gates Ajar*. Chicago, 191__. Narrative of crime and torture in the Illinois State Penitentiary.

*Burns, Robert E. *I Am a Fugitive from a Georgia Chain Gang!* New York, 1932.

_____. *Escape to Prison: The True Story of "Killer" Martin*. New York: Vanguard Press, 1938.

Burr, Levi S. *A Voice from Sing-Sing, Giving a General Description of the State Prison . . . and a Synopsis of the Horrid Treatment of the Convicts in That Prison*. Albany, NY, 1833.

Burroughs, Stephen. *Memoirs of Stephen Burroughs*. Hanover, NH, 1798. A classic rogue narrative.

Burroughs, William. *Junkie*. New York: Ace, 1953. Includes descriptions of his jailings on drug charges.

_____. *Queer*. New York: Viking Penguin, 1985. Novel about life in the homosexual underground; could not be published when it was written in 1951.

Butler, William R. *Behind Prison Walls: The Story of a Wasted Life*. Chicago, 1916.

Cacopárdo, J. Jerry, and Don Weldom. *Show Me a Miracle: The True Story of a Man Who Went from Prison to Pulpit*. New York: E. P. Dutton, 1961.

Cain, George. *Blueschild Baby*. New York: McGraw-Hill, 1970. Brilliant autobiographical novel by a Black ex-junkie and ex-convict.

Caldwell, Charles. "Poems." Introduction by Bell Gale Chevigny. *Sunbury* 1 (October 1974): 38-49.

*Callahan, Jack. *Man's Grim Justice: My Life Outside the Law*. New York, 1928.

_____. "Colleges for Crooks." *Outlook* 158 (June 3, 1931): 140-44.

_____. "Let's Riot." *Scribner's* 90 (October 1931): 387-90.

Candles Burn in Memory Town: Poems from Both Sides of the Wall. Edited by Janine Pommy Vega. NY: Segue Foundation, 1988. An anthology of poems from Sing Sing.

Canizio, Frank, and Robert Markel. *Man against Fate*.

New York: Federick Fell, 1958. Personal narrative.

Cannon, James Patrick. *Letters from Prison*. New York: Merit, 1968. Political writings by one of the founders of the Socialist Workers Party.

Cannon, Lucretia P. *Narrative and Confessions of Lucretia P. Cannon, Who Was Tried, Convicted, and Sentenced to Be Hung at Georgetown, Delaware, with Two of Her Accomplices*. New York, 1841.

Cantine, Holley, and Dachine Reiner, eds. *Prison Etiquette: The Convict's Compendium of Useful Information*. Bearsville, NY: Retort Press, 1950. Collection of writings by conscientious objectors from World War II.

Captive Voices: An Anthology of Literary Works by Folsom Writers. Paradise, Dustbooks, 1975.

Card, Jane, ed. *Creation in Confinement*. Brea, CA: Hummingbird Press, 1974.

Carlisle, William L. *Bill Carlisle, Lone Bandit: An Autobiography.* Pasadena, CA: Trail's End Publishing, 1946.

Carpenter, Ed. *Prison Ex: Revelations of a Former Inmate.* Las Vegas, NV: M.T. Publishers, 1969. [Pierce. Not examined.]

Carr, Franklin. *Twenty-two Years in State Prisons.* Philadelphia, 1893. Personal narrative.

Carr, James Edward. *Bad: An Autobiography.* Edited by Dan Hammer and Isaac Cronin, with an afterword by Betsy (Hammer) Carr. New York: Herman Graf Associates, 1975. Personal narrative by George Jackson's associate, executed in a political assassination in 1972.

Carson, Ann. *The Memoirs of the Celebrated and Beautiful Mrs. Ann Carson . . . Whose Life Terminated in the Philadelphia Prison.* Philadelphia and New York, 1838. Interesting for descriptions of work in the women's ward.

Carter, J.M. *"Prison Life as I Found It."* Century 80 (September 1910): 752-58.

*Carter, John. (Presumably the same J.M. Carter.) *Hard Labor, and Other Poems of Prison Life.* New York, 1911. Some of these poems previously published in *Century, Harper's Weekly, The Bellman, The Smart Set, Cosmopolitan, Lippincott's.*

*Carter, Rubin "Hurricane." *The Sixteenth Round: From Number One Contender to Number 45472.* New York: Viking Press, 1974.

Chang, Dae H., and Warren B. Armstrong, eds. *The Prison: Voices from the Inside.* Cambridge, Mass.: Schenkman Publishing Co., 1972. Writings by prisoners in an Illinois penitentiary, mostly in 1968-69. All autobiographical, the narratives reflect the sociological approach of Chang, who was their sociology teacher.

Chapin, Charles E. *Charles Chapin's Story Written in Sing Sing Prison.* New York, 1920.

Chaplin, Ralph. *The Centralia Conspiracy.* Seattle, 1920. Narrative by the I.W.W. organizer written while he was in prison, where he served 1918-1923.

*_____. *Bars and Shadows: The Prison Poems of Ralph Chaplin.* Introduction by Scott Nearing. New York: The Leonard Press, 1922. Second edition, Ridgewood, NJ: N.S. Nearing, 1923. Mostly political poems.

_____. *Wobbly: The Rough-and-Tumble Story of an American Radical.* Chicago: University of Chicago Press, 1948.

Chessman, Caryl. *Cell 2455 Death Row.* Englewood Cliffs, NJ: Prentice-Hall, 1954.

_____. *Trial by Ordeal.* Englewood Cliffs, NJ: Prentice-Hall, 1955.

_____. *The Face of Justice.* Englewood Cliffs, NJ: Prentice-Hall, 1957.

Cheyney, S.C. *My First Fourteen Months in the Ohio Penitentiary . . .* Columbus, Ohio, 1859.

Chinn, Robert E. *Dig the Nigger Up—Let's Kill Him Again.* New York: Zebra/Scorpio Books, 1976. Personal narrative published by the company founded by Frank Earl Andrews, long-term ex-convict, to publish works by prisoners.

_____. *ohs, oos & ahs sired by bars!* Rahway, NJ: New Jersey Prisoners Art Colony, 1977. A collection of his poetry and prose.

Clark, Charles L. *Lockstep and Corridor; Thirty-five Years of Prison Life.* Cincinnati, OH, 1927. Personal narrative.

Clark, Richard X. *The Brothers of Attica.* New York: Links Books, 1973. Narrative by a Muslim minister, who was serving time for attempted robbery and was one of the spokesmen for the convicts during the Attica rebellion.

*Clay, James A. *A Voice from the Prison; Or, Truths for the Multitude and Pearls for the Truthful.* Boston, 1856. Moral philosophy from a convict in the Augusta, Maine, jail.

Cleaver, Eldridge. Introduction to Mikhail Bakunin, *The Catechism of the Revolutionist.* Oakland, CA: Black Panther Party, 1967. In editing and introducing Bakunin, Cleaver puts forward his own anarchist politics.

_____. "Revolution in the White Mother Country and National Liberation in the Black Colony." Oakland, CA: Black Panther Party, 1968. An extremely influential political manifesto, presented to the founding convention of the Peace and Freedom Party, which was later that year to run Cleaver as its candidate for President of the United States.

*_____. *Soul on Ice.* New York: McGraw-Hill (Ramparts Book), 1968.

_____. "On the Ideology of the Black Panther Party." Oakland, Calif.: Black Panther Party, 1969. A pamphlet reaffirming Cleaver's early anarchist positions.

_____. "The Black Moochie: A Novella." *Ramparts* 8 (October 1969): 21-28; (November 1969): 8, 12, 14-15. Fictionalized autobiographical narrative.

_____. *Post-Prison Writings and Speeches.* Edited and with an introduction by Robert Scheer. New York: Random House (Ramparts Book), 1969.

_____. *Soul on Fire.* Waco, TX: Word Books, 1978. Cleaver now takes the role of a born-again Christian.

Clouser, John William, with Dave Fisher. *The Most Wanted Man in America.* New York: Stein and Day, 1975. Autobiography.

Cluverius, Thomas. *Cluverius: My Life, Trial and Conviction.* 2nd ed. Richmond, VA, 1887. Personal narrative.

Coffey, W.A. *Inside Out; or, An Interior View of the New-York State Prison; Together with Biographical Sketches of the Lives of Several of the Convicts.* New York, 1823. A former lawyer describes prison conditions and his labor.

_____. *A Peep into the State Prison, at Auburn, N.Y.* Auburn, NY, 1839. Detailed description.

Cold Storage. Edited by Bernard Dulue. Providence, RI: Gray Flannel Press, 1977. Poems and artwork from Rhode Island prisons.

Cole, Lester. *Hollywood Red: The Autobiography of Lester Cole.* Palo Alto, CA: Ramparts Press, 1981. Screenwriter Cole, one of the Hollywood Ten, was blacklisted for his politics and sentenced to a year in prison for refusing to cooperate with the House Committee on Un-American Activities; one of his fellow prisoners turns out to be the chairman of that same committee, now convicted of taking kick-backs.

Coleman, James Nelson. *Seeker from the Stars.* New York: Berkley, 1967. Science fiction novel by a Black convict.

_____. *The Null-Frequency Impulser.* New York: Berkley, 1969. Science fiction novel.

*Colson, Charles. *Born Again.* New York: Bantam, 1976.

Colt, John Caldwell. *Life and Letters of John C. Colt, Condemned to Be Hung on the Eighteenth of November, 1842, for the Murder of Samuel Adams.* 2nd ed. New York, 1842. Letters from prison on this famous murder case.

Contant, George C. *A Pardoned Lifer.* San Bernardino, CA, 1909. Narrative by a train robber condemned to years of solitary confinement in Folsom.

*"Convict 1776." *An Open Letter to Society from Convict 1776.* New York, 1911.

"Convict No. 6000." *The Truth about the State Penitentiary at McAlester . . .* Boston, 1914.

"Convict 49,068." "This Reformation Business." *Outlook* 141 (1925): 312-14.

Conway, Edward. *Greenhaven Diary.* New York: Zebra/Scorpio, 1977. Diary by a New York convict.

Conwell, Chick, [d. 1933]. *The Professional Thief, by a Professional Thief.* Annotated and interpreted by Edwin H. Sutherland. Chicago: University of Chicago Press, 1937.

Cook, Charles A. *Ways of Sin; or, Experiences of Convict Life.* Des Moines, IA: 1894. Personal narrative.

Cook, Jack. *Rags of Time: A Season in Prison.* Boston: Beacon Press, 1972. Personal narrative by a draft resister who served 23 months.

Coons, William R. "An Attica Graduate Tells His Story." *New York Times Magazine,* October 10, 1971.

*_____. *Attica Diary.* New York: Stein and Day, 1972. Coons was a college English instructor sent up for possession of LSD; he served 15 months in Attica and foresaw the rebellion.

Coy, Simeon. *The Great Conspiracy.* Indianapolis, IN, 1889. Commentary about the criminal justice system from an imprisoned politician.

Crowe, Patrick T. *Pat Crowe: His Story, Confession and Reformation.* New York, 1906. Interesting discussion included on the application of the criminal justice system to the rich and to the poor.

_____. *Society's Prodigal.* New York, 1919. Novel about a prisoner who makes good.

_____. *Spreading Evil: Pat Crowe's Autobiography.* New York, 1927.

*Crump, Paul. *Burn, Killer, Burn!* Chicago: Johnson Publishing Co., 1962. Novel.

Culhane, Charles. *An Argument for Life. Poems by Charles Culhane with Drawings by Gary McGivern, Death Row, Green Haven Prison.* Stormville, NY: Privately printed, 1973.

Cuneo, Louis, and Peter Kastmiler, eds. *Poets and Writers in Folsom Prison.* Special Issue of *Gypsy Table.* San Francisco: Mother's Hen Publications, 1974.

Daily, Starr (pseud.). *Love Can Open Prison Doors.* Los Angeles: DeVorss & Co., 1934. The first of four narratives of reformation and religious conversion.

_____. *Release.* New York: Harper, 1942.

_____. *Through Valleys to Victories.* Garden City, NY: Doubleday, 1952.

_____. *The Way of Holy Affection.* Lebanon, NH: Chu Publishing Co., 1951.

Dalton, Emmett, with Jack Jungmeyer. *When the Daltons Rode.* New York: Doubleday, Doran & Co, 1931. Emmett Dalton's autobiography; gives an authentic picture of the Wild West.

Davis, Angela, ed. *If They Come in the Morning: Voices of Resistance.* Foreword by Julian Bond. New York: New American Library, Signet, 1971. Collection of writings by political prisoners, including Angela Davis, Ruchell Magee, Bobby Seale, Ericka Huggins, and the Soledad Brothers.

Davis, Angela. *With My Mind on Freedom: An Autobiography.* New York: Random House, 1974. The author, a Black member of the Communist Party, was kept in solitary confinement for a year while facing a trumped-up murder charge.

_____. *Women, Race & Class.* New York: Random House, 1981. Analytic study of class struggle in the movements for the liberation of Afro-Americans and women.

Davis, Benjamin Franklin. *A Fugitive from Hell.* Joplin, MO, 1935. Persoonal [sic] narrative.

Dawson, Fielding, ed. *Writings from Prison.* Special issue of *Witness,* Fall 1987.

Day, Dorothy. *The Eleventh Virgin.* NY: Albert and Charles Boni, 1924. Autobiographical novel describes prison experience of suffragists.

_____. *From Union Square to Rome.* Silver Spring, MD, 1938; NY: Arno, 1978. Leader of the Catholic Worker movement describes her prison experience and conversion to Catholicism.

_____. *The Long Loneliness.* NY: Harper & Brothers, 1952. Personal narrative dealing with her imprisonment.

Dean, John W. *Blind Ambition: The White House Years.* New York: Simon & Schuster, 1976. Narrative by one of the criminals from the Nixon White House.

Debs, Eugene. *Walls and Bars.* Chicago, 1927.

Deming, Barbara. *Prison Notes.* Boston: Beacon Press, 1966.

_____. *We Are All Part of One Another: A Barbara Deming Reader.* Philadelphia: New Society Publishers, 1984. Includes her 1963 essay, "In the Birmingham Jail."

_____. *Prisons That Could Not Hold.* San Francisco: Spinsters Ink, 1985.

Denfield, D. "Colt," ed. *But Morning Refused to Answer.* Washington, NJ: Times Change Press, 1972. Anthology.

Dennehy, Patrick. *The Convict's Story.* Providence, RI: Union League Publishing Co., 1889. A poem.

Dennis, Eugene. *Letters from Prison.* New York: International Publishers, 1956. American Communist Party leader imprisoned for political activities.

Dergan, Bridget. *The Life and Confession of Bridget Dergan, Who Murdered Mrs. Ellen Coriell.* Philadelphia, 1867.

Dickens, Al. *Uncle Yah Yah.* Detroit: Harlo, 1976. Narratives and "wisdoms" by a long-term Black convict, co-editor with Frank Andrews of three collections of prison writings.

Dickson, Billy, and John McAleer. *Unit Pride.* Garden City, NY: Doubleday, 1981. Autobiographical Korean War novel by ex-convict Dickson, extensively rewritten by Professor McAleer after Dickson was stabbed to death.

Ditsworth, Ed. *Out of the Depths of Hell.* New York: Vantage Press, 1974. Personal narrative.

Do Not Go Gentle: Poetry and Prose from Behind the Walls. Edited by Michael Hogan. Tucson, AZ: Blue Moon Press, 1977.

Doss, Charles. *I Shall Mingle.* Florence, AZ: n.p., 1979. Poems and essays.

Doty, Sile. *The Life of Sile Doty.* Detroit, 1948. Autobiography of a burglar and long-time convict.

Douglass, Royall. *Prison Verse, by Royall Douglass,* No. "19173," *San Quentin.* Palo Alto, CA, 1911.

Doyle, William, with Scott O'Dell. *Man Alone.* Indianapolis: Bobbs-Merrill, 1973. Personal narrative.

Drayton, Daniel. *Personal Memoir, for Four Years and Four Months a Prisoner (for Charity's Sake) in Washington Jail. Including a Narrative of the Voyage and Capture of the Schooner Pearl.* Boston, 1855. Narrative of the arrest and

imprisonment in Maryland of a man apprehended while assisting in the escape of a ship of runaway slaves.

Dudding, Earl Ellicott. *Dudding's Prison Story: The Miracle at Moundsville.* N.p., 1915. Personal narrative.

_____. *Trial of the Dead Years.* Edited by William W. Smith. Huntington, WV, 1932. Personal narrative.

Duncan, Lee. *Over the Wall, by Lee Duncan, Ex-Convict No. 9256, Oregon State Prison.* New York: E.P. Dutton, 1936. Picaresque narrative, including many how-to-do-it details, by the famous stick-up man, forger, safe-cracker, and jail-breaker.

Dunn, Michael. *Biography of Michael Dunn.* San Francisco, 1884. Narrative by an international thief and prisoner.

Eaddy, Felton, ed. *Blood Voices: Four Inmates Speak.* Columbia: South Carolina Arts Commission, 1979.

Eaglin, Thomas. *The Walls of Limbo; Or, The Story of an Escaped Convict . . . Including a Collection of Prison and Sentimental Poems.* Philadelphia, 1895.

**Echoes from the Living Grave, by a Convict in Sing-Sing Prison.* New York, 1869. A conversion tract.

Echoes Off the Walls, by the Creative Writers Workshop at Folsom Prison. Fremont, CA: Fault Publications, 1975.

Edwards, Ed. *Metamorphosis of a Criminal.* New York: Hart Publishing Co., 1972. Personal narrative of a man from the FBI's Ten Most Wanted List who spent fourteen years in five prisons and eventually became a "respected citizen."

Ehrlichman, John. *The Company.* New York: Simon and Schuster, 1976. Novel by one of the criminals from the Nixon White House.

_____. *The Whole Truth.* New York: Simon and Schuster, 1979. Novel.

_____. *Witness to Power.* New York: Simon and Schuster, 1982. Personal narrative with new revelations about the Nixon gang.

Eldridge, Stanley. *Return Me to My Mind*. New York: The Fortune Society, 1970. Poetry; originally smuggled out of prison.

Elerbe, John. *In & Out the Big Dusty*. Plainfield, NJ: Robert L. Lynn, 1979. Poems.

Elgar, Thomas. *Convict Life; or, Penitentiary Citizenship in the Illinois State Penitentiary*. Rochester, NY, 1886.

Elli, Frank. *The Riot*. New York: Avon, 1968. Award-winning novel about prison life by parollee from Stillwater (Minnesota) Prison.

Erdman, Paul E. *The Billion Dollar Sure Thing*. New York: Scribner's 1973. Mystery novel written in a Swiss prison by the former head of the defunct United California Bank (Basel). Gives the inside dope on illicit multinational fortune-making.

_____. *The Silver Bears*. New York: Scribner's, 1974. Mystery novel, a sequel; later made into a movie.

_____. *The Crash of '79*. New York: Simon and Schuster, 1976. Novel about international finance, and the imminent collapse of the capitalist system. A best seller for two years.

_____. *The Last Days of America*. New York: Simon and Schuster, 1981. Novel of international financial intrigue.

Ex-Convict's Story, An; Or, Life in Joliet Penitentiary. Joliet, IL, 1892.

Farrell, John P. *Voices Behind the Wall: Ninety Prison Stories*. New York: Henry Holt & Co., 1986.

**Female Convict*. As told to Vincent Burns. New York, 1934.

*Fiedler, Leslie A. *Being Busted*. New York: Stein and Day, 1969.

Fifty Cell. Edited by D.W. Donzella. Cheshire, CT: Connecticut Prison Association, 1975. Anthology from Connecticut Correctional Institution at Cheshire.

Fifty Cell. Cheshire, CT: Connecticut Prison Association, 1981. A second anthology.

Firestone, Ross, ed. *Getting Busted: Personal Experiences of Arrest, Trial, and Prison*. [n.p.]: Douglas Book Corporation, 1970.

First Breath: An Anthology of Writing from the Washington State Prison Writers Workshop. Pasco, WA: Nitty-Gritty, 1977.

*Fitzgerald, Tamsin. *Tamsin*. Edited by Richard A. Condon. New York: Dial Press, 1973.

Flake, William H. *From Crime to Christ*. Binghamton, NY, 1915. Conversion tract of a long-time convict.

Flynn, Elizabeth Gurley. *I Speak My Own Piece: An Autobiography of "The Rebel Girl."* New York: Masses & Mainstream, 1955.

_____. *The Alderson Story: My Life As a Political Prisoner*. New York: New World Press, 1963.

Flynn, Thomas. *Tales for My Brothers' Keepers*. New York: W.W. Norton, 1976. Narrative sketches of prison life by an educated member of the counterculture sent up in 1968 on a six-year sentence for possession of dangerous drugs.

Folsom Prison, the 52nd State. Fremont, CA: Fault Press, 1976. Third in a series of anthologies from men of the Folsom Creative Writers Workshop.

Fornaro, Carlo de. *A Modern Purgatory*. New York, 1917. Prison narrative of the Tombs by an "artist, writer, editor, revolutionary."

Fowler, A. Richard. *From the Pulpit to the Penitentiary*. Fountain Inn, SC, 1900. Narrative by a minister sent to prison for forgery.

Fowler, Gene. *Field Studies*. Paradise, CA: Dustbooks, 1965. First book by an influential poet who spent five years in San Quentin in the late 1950s.

_____. *Shaman Songs*. Paradise, CA: Dustbooks, 1967. Poetry.

_____. *Fires*. Berkeley, CA: Thorp Springs Press, 1971. Collection of poems.

_____. *Vivisection.* Berkeley, CA: Thorp Springs Press, 1974. Long poem.

_____. *Felon's Journal.* San Francisco: Second Coming Press, 1975. Narrative and poems.

Francis, Wiliam C. *A Hell on Earth; Or, A Story of Prison Life.* Kansas City, MO, 1896. Personal narrative.

From the Bottom: Writing from Wisconsin State Prison, Waupun. Edited by Dennis Trudell. Madison, WI: From the Bottom Press, 1978.

From the Brooklyn House of Detention. New York: Center for Constitutional Rights, 1974.

From Women in Prison Here to Women in Vietnam. San Francisco: People's Press, 1975.

Ganz, Marie. *Rebels: Into Anarchy—and Out Again.* New York: Dodd, Mead, 1920. Ganz was jailed for speaking against capitalism to unemployed people ("disturbing the peace").

Garvey, Marcus. "First Message from Atlanta Prison" (February 10, 1925), "Message of Marcus Garvey to Membership of Universal Negro Improvement Association from Atlanta Prison" (August 1, 1925), and other prison writings. In *Philosophy and Opinions of Marcus Garvey.* Edited by Amy Jacques-Garvey. New York: Atheneum, 1970.

Gautier, George R. *Harder than Death.* Austin, TX, 1902. Personal narrative by a Confederate veteran later imprisoned.

Gentile, Geno. *Today's Barbarian.* New York: Vantage, 1978. Poems by an incarcerated Hell's Angel.

George, Andrew L. *The Texas Convict. Sketches of the Penitentiary, Convict Farms and Railroads, Together with Poems.* Charlotte, NC, 1895. Narrative by an innocent man imprisoned for five years.

Geraway, William R. *There's $50,000 on My Head.* Hicksville, N.Y.: Exposition Press, 1976. Personal narrative.

Gibbs, Howard Ay. *Penitentiary Blues.* Self-published, 1974. (Available from the Fortune Society.) Revolutionary poetry from a Black convict.

Gillis, O.J. *To Hell and Back Again . . . or Life in the Penitentiaries of Texas and Kansas.* Little Rock, AR, 1906.

Gilstrap, W. Harvey. *Some Colorado Barbarism.* Mexico, D.F.: G. Agaya, 1921. Personal narrative by a "proletarian emancipator," unjustly imprisoned in Colorado for organizing on behalf of "freedom for the poor and producing class."

Ginzburg, Ralph. *Castrated: My Eight Months in Prison.* New York: Avant-Garde Books, 1973. Narrative by the publisher imprisoned for obscenity.

Giovannitti, Arturo. *Arrows in the Gale.* Riverside, CT, 1914. Includes exceptional poetry by this socialist imprisoned for his role in the Lawrence textile strike.

"Girl Delinquent. Age Sixteen. An Undecorated Autobiography." *Harper's* 164 (April 1932): 551-59. Narrated from incarceration by a girl from the Chicago slums.

Glynn, John Francis. *Songs from the Silence; A Book of Prison Verse.* 2nd ed. Minneapolis, MN, 1921.

*Goines, Donald. *Whoreson: The Story of a Ghetto Pimp.* Los Angeles: Holloway House, 1971.

*_____. *Dopefiend.* Los Angeles: Holloway House, 1971.

*_____. *Black Gangster.* Los Angeles: Holloway House, 1972.

_____. *Street Players.* Los Angeles: Holloway House, 1973. Novel about the rise and bloody fall of a pimp.

*_____. *White Man's Justice, Black Man's Grief.* Los Angeles: Holloway House, 1973. Prison novel.

_____. *Black Girl Lost.* Los Angeles: Holloway House, 1973. Naturalistic novel about a young woman trapped in the miseries of the ghetto.

_____. *Eldorado Red.* Los Angeles, Holloway House, 1974. Novel about the king of a ghetto numbers syndicate.

_____. *Swamp Man.* Los Angeles: Holloway House, 1974. Novel about the victimization of a Black family in the rural South.

*_____. *Never Die Alone.* Los Angeles: Holloway House, 1974.

_____. *Crime Partners.* Los Angeles: Holloway House, 1974. This novel introduces Kenyatta, with his private army dedicated to wiping out the drug trade in the ghetto, and the Black (Benson) and white (Ryan) detective team trying to hunt him down.

_____. *Death List.* Los Angeles: Holloway House, 1974. The second Kenyatta novel.

_____. *Daddy Cool.* Los Angeles: Holloway House, 1974. Novel about a Black hit man whose daughter is recruited by a pimp.

_____. *Cry Revenge!* Los Angeles: Holloway House, 1974. Novel about a bloody feud between Blacks and Chicanos in a town in New Mexico.

_____. *Kenyatta's Escape.* Los Angeles: Holloway House, 1974. Kenyatta's character becomes more ambiguous as he leaves most of his army to be massacred by the police and botches the hijacking of an airliner.

_____. *Kenyatta's Last Hit.* Los Angeles: Holloway House, 1975. Kenyatta's rebuilt forces challenge the big capitalist running the drug trade; although Kenyatta is outwitted and killed in an ambush, his successor seems to be capable of a more disciplined and conscious struggle.

_____. *Inner City Hoodlum.* Los Angeles: Holloway House, 1975. Novel about murder and revenge among ghetto gangsters. These last two novels were published after Goines was murdered in his Detroit apartment by two white killers.

Goldman, Emma. *A Fragment of the Prison Experiences of Emma Goldman and Alexander Berkman in the State Prison at Jefferson City, Mo., and the U.S. Penitentiary at Atlanta, Ga.* New York, 1919.

_____. *Living My Life.* New York: Alfred Knopf, 1931.

Good, Milton. *Twelve Years in a Texas Prison.* Amarillo, TX: Russell Stationery Co., 1935.

Goode, John Gordon. *Red Hell: The Life Story of John Goode, Criminal.* Edited by Thelma Roberts. New York: Ray Henkle, 1934.

Gray, Harold Studley. *Character "Bad": The Story of a Conscientious Objector.* Edited by Kenneth I. Brown. New York: Harper, 1934.

Gray, Judd. *Doomed Ship: The Autobiography of Judd Gray.* New York, 1928. Narrative by a condemned murderer.

Gray Shadows. Compiled by Joseph Lewis French. New York: The Century Co., 1931. Anthology of prison writings.

Green, Gil. *Cold War Fugitive.* New York: International Publishers, 1984. Imprisoned under the Smith Act, Green devotes a third of his book to experiences at Leavenworth.

Green, J. Charles. *First Words.* Greenfield Center, NY: Greenfield Review Press, 1975. Posthumous poems by a convict who died of hepatitis in a prison hospital at the age of 26 just as his poetry was receiving some critical acclaim.

Gregory, Dick, with Robert Lipsyte. *Nigger: An Autobiography.* New York: E.P. Dutton, 1964. Gregory was jailed repeatedly for civil disobedience.

Griffin, A.A. *A Mis-Spent Life.* Edited by K.F. Nance. Hutchinson, Kans., 1914.

Griffith, Griffith J. *See* Prison Reform League.

Griffiths, William E. *The Story of an Ex-Convict and the Horrors of Prison Life in the Penitentiary at Joliet, Ill.* Atchison, KS, 1896.

Griswold, H. Jack, Mike Misenheimer, Art Powers, and Ed Tromanhauser. *An Eye for an Eye.* New York: Holt, Rinehart and Winston, 1970. Enlarged ed. New York: Pocket

Books, 1971. An analysis of the prison system by four convicts in Indiana State Prison.

Guerin, Eddie. *I Was a Bandit*. Garden City, NY: Doubleday, Doran, 1929. Autobiography of an ex-convict covering almost half a century of crime and punishment in the U.S., France, and England.

Habenstreit, Barbara, ed. *To My Brother Who Did A Crime: Former Prisoners Tell Their Stories in Their Own Words*. Garden City, NY: Doubleday, 1973.

Haggard, Merle, with Peggy Russell. *Sing Me Back Home*. New York: Times Books, 1981. America's most popular country and western singer and songwriter concentrates much of this autobiography on the crimes of his youth and his years in San Quentin.

Haldeman, H.R. *The Ends of Power*. New York: Times Books, 1978. Personal narrative by one of the criminals from the Nixon White House.

Hall, Andress. *Awful Disclosures! The Life and Confessions of Andress Hall: As Given by Himself to George C. Baldwin . . .* Troy, NY, 1849.

Hall, Ratton, and Sandy Sidar. *The Virginia Ratt*. New York: Zebra/Scorpio, 1977. Narrative by a fictional pimp, composed partly out of the experience of the author.

Hamilton, Charles, ed. *Men of the Underworld: The Professional Criminal's Own Story*. New York: Macmillan, 1952. Collection of excerpts from published works.

Hamilton, Walter. *The Legions of Purgatory and Hell; Being the True Story of Missouri's Penitentiary, by One of Its Prisoners*. Kansas City, MO, 1911.

Hankins, Leonard. *Nineteen Years Not Guilty*. New York: Exposition Press, 1956.

Hard Words, Short Time: Prison Writings from Chino. Edited by Max Benavidez and Bill Mohr. Venice, CA: L.A. Theater Works, 1983.

Hardened Criminal, The: Folsom Prison Convicts. Millbrae, CA: Celestial Arts, 1976. Writings by eleven convicts.

Hardin, John W. *The Life of John Wesley Hardin, from the Original Manuscript, As Written Himself*. Seguin, TX: 1896.

Harp, Carl. *#126-316*. Washington, D.C.: King Publications, 1975. Poems and drawings.

_____. *Love & Rage: Entries in a Prison Diary*. Seattle: Left Bank, 1981.

Harris, David. *Goliath*. New York: Sidereal Press and Richard W. Baron Publishing Co., 1970. Political statement by the imprisoned war resister.

_____. *I Shoulda Been Home Yesterday*. New York: Delacorte, 1976. Personal narrative.

_____. *The Last Scam*. New York: Delacorte Press/Seymour Lawrence, 1981. Novel about drug smugglers.

_____. *Dreams Die Hard*. New York: St. Martins/Marek, 1982. A memoir focusing on Allard K. Lowenstein.

Harris, Jean. *Stranger in Two Worlds*. New York: Macmillan, 1986. Autobiography by the woman who killed the "Scarsdale Diet doctor"; includes an eloquent exploration of the horrors inflicted on women in prison.

_____. *They Always Call Us Ladies: Stories from Prison*. NY: Charles Scribner's Sons, 1988.

Harris, William C. *Prison-Life in the Tobacco Warehouse at Richmond. By a Ball's Bluff Prisoner*. Philadelphia, 1862.

Harrison, Eddie, and Alfred V.J. Prather. *No Time for Dying*. Englewood Cliffs, NJ: Prentice-Hall, 1973. Personal narrative by Harrison.

*Harsh, George. *Lonesome Road*. New York: W.W. Norton, 1971.

Hassler, William. *Diary of a Self-Made Convict*. Chicago: Henry Regnery, 1954. Incisive analysis of the prison system by a conscientious objector.

Hatton, Louis. *It Don't Mean Nothing*. Washington, D.C.: King Publications, 1978.

Hawkins, Edward. *The History and Confession of the Young Felon Edward W. Hawkins.* Beattyville, KY, 1857.

*Hawthorne, Julian. *The Subterranean Brotherhood.* New York, 1914.

_____. "Our Barbarous Penal System," Hearst's Magazine (1914): 205-12. Includes a photo of Hawthorne and the Tombs.

Hawthorne, Julian, ed. *The Confessions of a Convict.* Philadelphia, 1893. Prison reminiscences.

Haywood, William D. *Bill Haywood's Book: The Autobiography of William D. Haywood.* New York: International Publishers, 1929.

Heard, Nathan C. *Howard Street.* New York: Dial Press, 1968. Fine naturalistic novel about the lives of a Black prostitute, pimp, and worker in Newark. Written in prison, where Heard was doing time for armed robbery.

_____. *To Reach a Dream.* New York: Dial Press, 1972. Novel about the brief rise and fall of a Newark hustler.

_____. *A Cold Fire Burning.* New York: Simon & Schuster, 1974. Novel.

_____. *When Shadows Fall.* New York: Playboy Press Paperbooks, 1977. Murder novel about a rock star, a prostitute, and a hit man.

*_____. *House of Slammers.* New York and London: Macmillan, 1983.

_____. *Branches.* Newark: privately printed, 1983. Play about the values imposed on Black youth by capitalist society.

Hearst, Patricia C., with Alvin Moscow. *Every Secret Thing.* Garden City, NY: Doubleday, 1981. Personal narrative by the kidnapped newspaper heiress who joined the Symbionese Liberation Army, was imprisoned for bank robbery, turned informer, and was pardoned by President Carter.

Hennacy, Ammon. *The Book of Ammon.* Salt Lake City, UT: Self-published, 1965. Prison narrative by a Christian

anarchist first sentenced for draft resistance during World War I.

Henry, O. *Cabbages and Kings.* NY: McClure, Philips, 1904.

_____. *The Four Million.* NY: McClure, Philips, 1906.

_____. *The Trimmed Lamp.* NY: McClure, Philips, 1907.

_____. *Heart of the West.* NY: McClure, 1907.

_____. *The Voice of the City.* NY: McClure, 1908.

_____. *The Gentle Grafter.* NY: McClure, 1908.

_____. *Roads of Destiny.* NY: Doubleday, Page, 1909. Includes "A Retrieved Reformation," story about a reformed burglar that was made into *Alias Jimmy Valentine*, Paul Armstrong's popular 1909 play.

_____. *Options.* NY: Harper, 1909.

_____. *Strictly Business.* NY: Doubleday, Page, 1910.

_____. *Whirligigs.* NY: Doubleday, Page, 1910.

_____. *Sixes and Sevens.* NY: Doubleday, Page, 1911.

_____. *Rolling Stones.* NY: Doubleday, Page, 1912.

_____. *Waifs and Strays.* NY: Doubleday, Page, 1917.

_____. *O. Henryana.* NY: Doubleday, Page, 1920.

Herndon, Angelo. *Let Me Live.* New York: Random House, 1937. Personal narrative by a Black organizer sentenced to twenty years under an old Georgia law against slave insurrections.

Hicks, Albert W. *The Life, Trial, Confession and Execution for Murder.* New York, 1860.

Hildebrand, C.D. *Eighteen Years Behind the Bars.* Fort Wayne, IN, 1882.

Hill, Joe. *The Letters of Joe Hill.* Edited by Philip S. Foner. New York: Oak, 1965. Includes letters written just before his execution in 1915 on framed-up charges aimed at depriving the I.W.W. of this great songwriter.

Himes, Chester. *"His Last day." Abbott's Monthly and Illustrated News* (Chicago) 5 (November 1932): 33,61-63. Short story about a killer on death row.

*_____. *Prison Mass. Abbott's Monthly* 6 (March 1933): 36,37,61-64; (April 1933): 20,21,48-56; (May 1933): 37,61,62.

*_____. *"I Don't Want to Die."* Abbott's Monthly 6 (October 1933): 20-21.

*_____. "He Knew." *Abbott's Weekly and Illustrated News* 1 (December 2, 1933): 15.

*_____. "Crazy in the Stir," *Esquire* 2 (August 1934): 28, 114, 117.

*_____. "To What Red Hell?" *Esquire* 2 (October 1934): 100-101, 122, 127.

*_____. "The Visiting Hour." *Esquire* 6 (September 1936): 76, 143, 144, 146.

_____. "The Night's for Cryin' " *Esquire* 7 (January 1937): 64, 146, 148.

_____. "Every Opportunity." *Esquire* 7 (May 1937): 99, 129-30. Short story about a parolee who can't make it in the Depression world of unemployment and cheap booze.

_____. "Salute to the Passing." *Opportunity* 17 (March 1939): 74-79. Story.

_____. "Marihuana and a Pistol." *Esquire* 13 (March 1940): 58. Story.

_____. "Face in the Moon." *Coronet* (February 1941). Story.

_____. "The Things You Do." *Opportunity* 19 (May 1941): 141-43. Story.

_____. "Lunching at the Ritzmore." *The Crisis* 49 (October 1942): 314-15,331. Reprinted in *Black on Black.*

_____. "In the Night." *Opportunity* 20 (November 1942): 334-35, 348-349 Reprinted in *Black on Black.*

_____. "Two Soldiers." *Crisis* 50 (January 1943): 13,29. Story.

_____. "Money Don't Spend in the Stir." *Esquire* (April 1944): 75, 174, 175. Story.

_____. "Democracy Is for the Unafraid." *Common Ground* 4 (1944): 53.

*_____. *If He Hollers Let Him Go.* Garden City, NY: Doubleday, Doran, 1945.

_____. "The Something in a Colored Man." *Esquire* (January 1946): 120, 158.

*_____. *Lonely Crusade.* New York: Knopf, 1947.

_____. "Mama's Missionary Money." *Crisis* 56 (November 1949): 303, 307.

*_____. *Cast the First Stone.* New York: Coward-McCann, 1952.

*_____. *The Third Generation.* Cleveland: World, 1954.

*_____. *The Primitive.* New York: New American Library, 1955.

*_____. *For Love of Imabelle.* New York: Fawcett, 1957. Published as *La Reine des Pommes.* Paris, 1957. Reissued as *A Rage in Harlem.* New York: Avon, 1965.

*_____. "The Snake," *Esquire* (October 1959): 147-49.

*_____. *Il pleut des coups durs.* Paris, 1958. Published as *The Real Cool Killers.* New York: Avon, 1959.

_____. *Couché dans le pain.* Paris, 1959. Published as *The Crazy Kill.* New York: Avon, 1960.

*_____. *Dare-Dare.* Paris, 1959. Published as *Run Man Run.* New York: Putnam, 1966.

_____. *Tout pour plaire.* Paris, 1959. Published as *The Big Gold Dream.* New York: Avon, 1960.

_____. *All Shot Up.* New York: Avon, 1960. Published as *Imbroglio Négro.* Paris, 1960.

_____. *Pinktoes.* Paris: Olympia Press, 1961. New York: Putnam, 1965.

_____. *Ne nous énervons pas.* Paris, 1961. Published as *The Heat's On.* New York: Putnam, 1966.

_____. *Une affaire de viol.* Paris: Editions les Yeux Ouverts, 1963.

*_____. *Retour en Afrique.* Paris, 1964. Published as *Cotton Comes to Harlem.* New York: Putnam, 1965.

_____. "Dilemma of the Negro Novelist in the United States." In *Beyond the Angry Black,* edited by John A. Williams. New York: Cooper Square, 1966.

*_____. *Blind Man with a Pistol.* New York: Morrow, 1969. Reissued as *Hot Day, Hot Night.* New York: Dell, 1970.

*_____. *The Quality of Hurt: The Autobiography of Chester Himes, Vol. I.* Garden City, NY: Doubleday, 1972.

*_____. *Black on Black; Baby Sister and Selected Writings.* Garden City, NY Doubleday, 1973

*_____. *My Life of Absurdity: The Autobiography of Chester Himes,* Vol. II. Garden City, NY: Doubleday, 1976.

Hoffa, James Riddle. *Prison Life* (Phonotape). Encyclopedia Americana CBS News Audio Resource Library 05721, 1972. Summary: "Former Teamster President Jimmy Hoffa gives a vivid eyewitness account of the inhumane conditions and regulations of prison life, that he says will inevitably lead to riots."

Hoffman, Leon E.R. *A History of Blasted Hopes; or, Eleven Years in an Indiana Prison.* Huntington, IN, 1904.

Hogan, Michael. *Letters for My Son.* Greensboro, NC: Unicorn Press, 1975. Accomplished poetry by a prisoner in Arizona State Prison. Hogan, a prize-winning poet, has also been active as an editor and reviewer of prison literature.

_____. *If You Ever Get There, Think of Me.* Tempe, AZ: Emerald City Press, 1975.

_____. *April, 1976.* Austin, TX: Cold Mountain Press, 1976.

_____. *Soon It Will Be Morning.* Austin, TX: Cold Mountain Press, 1976.

_____. *Progress.* Isla Vista, CA: Turkey Press, 1977.

_____. *Risky Business.* Lewiston, ME: Great Raven Press, 1977.

_____. *Rust.* Isla Vista, CA: Turkey Press, 1977.

_____. *A Lion at a Cocktail Party.* Arlington, VA: Gallimaufry, 1978.

_____. *The Broken Face of Summer.* Fallon, NV: Duck Down, 1981.

*Holiday, Billie. *Lady Sings the Blues.* 2nd ed. New York: Lancer Books, 1969.

Hollis, Verdon La Mont. *My Chains Fell Off.* New York: Carlton Press, 1966. Narrative of crime and religious conversion.

Horsley, Albert E. *The Confessions and Autobiography of Harry Orchard.* New York, 1907. Narrative of religious conversion by "Harry Orchard," imprisoned activist of the Western Federation of Miners.

Huggins, Ericka. *See* Newton, Huey P.

Hunt, E. Howard. *Undercover: Memoirs of an American Secret Agent.* New York: Berkeley, 1974. Personal narrative by one of the criminals from the Nixon White House.

Hutchins, Elmer. *I'm Going to Let You Touch Me.* Washington, D.C.: King Publications, 1977. Poems.

I Am Waiting to Be Free. Edited by Arthur Sze. Koyemsi Press, P.O. Box 2472, Fanta [sic] Fe, NM 87501, 1981. Anthology of writing from women in the Penitentiary of New Mexico.

*Iceberg Slim (Robert Beck). *Pimp: The Story of My Life.* Los Angeles: Holloway House, 1967.

_____. *Trick Baby.* Los Angeles: Holloway House, 1967. Story of a blue-eyed Black con man called "White Folks." Made into a 1973 movie.

_____. *Mama Black Widow.* Los Angeles: Holloway House, 1969. Novel about the destruction of a Black Southern family in a Northern city.

*_____. *The Naked Soul of Iceberg Slim.* Los Angeles: Holloway House, 1971. Autobiographical and political essays.

_____. *Long White Con.* Los Angeles: Holloway House, 1977. Novel; sequel to *Trick Baby.*

*_____. *Death Wish.* Los Angeles: Holloway House, 1977. Well-crafted novel about a struggle between organized crime and a multi-racial revolutionary organization.

_____. *Airtight Willie & Me.* Los Angeles: Holloway House, 1979. Stories of six "players."

**Illustrated History and Description of State Prison Life. . . .* Toledo, OH, 1871.

Innis, Pauline, ed. *Thoughts from a Women's Prison.* Washington, D.C.: n.p., 1975. Poems by prisoners and staff of the Women's Detention Center of the District of Columbia.

*Jackson, Bruce, ed. *Wake Up Dead Man: Afro-American Worksongs from Texas Prisons.* Cambridge, MA: Harvard University Press, 1972.

_____. *In the Life: Versions of the Criminal Experience.* New York: Holt, Rinehart and Winston, 1973. Interviews with prisoners.

_____. *"Get Your Ass in the Water and Swim Like Me": Narrative Poetry from Black Oral Tradition.* Cambridge, MA: Harvard University Press, 1974. A collection and discussion of toasts, mostly collected in jails and prisons.

*Jackson, George. *Soledad Brother.* New York: Coward-McCann, 1970.

_____. *Blood in My Eye.* New York: Random House, 1972. Political theory and revolutionary strategy.

*Jennings, Alphonso J., and Will Irwin. *Beating Back.* New York, 1914.

Jennings, Alphonso J. *Through the Shadows with O. Henry.* New York, 1921.

_____. *Number 30664, by Number 31539. A Sketch of the Lives of William Sidney Porter (O. Henry) and Al Jennings, the Bandit, by Al Jennings.* Hollywood, CA: Pioneer Press, 1941.

Jennings, James S. *Two Shades of Red.* Nashville, TN; Boardman Press, 1974. Narrative of crime, prison, and conversion.

Jett, Curtis. *From Prison to Pulpit.* Louisville, KY, 1919.

Jewell, Michael W. *As a Madman Thinketh, Is He?* Washington, D.C.: King Publications, 1976. Poems by a prisoner in Huntsville, Texas.

Johnson, E. Richard. *Silver Street.* New York: Harper & Row, 1968. Suspense novel.

_____. *The Pimp Killer.* New York: Harper & Row, 1968. Suspense novel.

_____. *Mongo's Back in Town.* New York: Harper & Row, 1969. Protagonist is a professional killer who ends up being killed.

_____. *The Inside Man.* New York: Harper & Row, 1969. Suspense novel.

*_____. *Cage Five Is Going to Break.* New York: Harper & Row, 1970. Novel set on prison farm.

_____. *The God Keepers.* New York: Harper & Row, 1970. An ex-cop becomes a junkie to get revenge; ends up being gunned down by his ex-colleague on the Los Angeles Police Department.

_____. *Case Load—Maximum.* New York: Harper & Row, 1971. A murder is investigated by the meanest detective on the force.

*_____. *The Judas.* New York: Harper & Row, 1971. Novel.

_____. *Blind Man's Bluff.* New York: St. Martin's Press, 1987. Novel.

_____. *The Hands of Eddy Loyd.* New York: St. Martin's Press, 1988. Novel.

Johnson, Jim. *Crime around the Clock, by Jim Johnson, Convict A-57011.* New York: Vantage Press, 1968.

Johnson, Lester Douglas. *The Devil's Front Porch.* Lawrence: University Press of Kansas, 1970. Narrative about Kansas State Penitentiary by an old-time convict.

Johnson, Ray D., with Mona McCormick. *Too Dangerous to Be at Large.* New York: Quadrangle, 1975. Sterilized by the state as a youth. Later escaped from Folsom. Sentenced to four years in solitary confinement. Now a lecturer at Western Behavioral Sciences Institute and vice president of an organization providing services to ex-convicts.

Jones, Joe. *The Life Story of Joe (Daddy) Jones.* Waco, TX: Davis Brothers Publishing, 1932. Narrative by a man whose innocence was proved after he served a forty-year term for murder.

Jones, Mary. *The Autobiography of Mother Jones.* Chicago: Charles H. Kerr, 1925. Includes the prison experience of the famous United Mine Workers and socialist organizer.

Jones, Oliver F. *Fifteen Years in a Living Hell.* N.p., 1944. Narrative of crime and prison.

Joyce, John Alexander. *A Checkered Life.* Chicago, 1883. Narrative of imprisonment by a convicted revenue agent.

Karpis, Alvin. *The Alvin Karpis Story.* New York: Coward-McCann, 1971. Autobiography of Public Enemy Number One, imprisoned in the 1930s.

Kaufman, Bob. *Solitudes Crowded with Loneliness.* New York: New Directions, 1965. Contains "Jail Poems" by the Black poet who helped form the early Beat movement in San Francisco.

_____. *Golden Sardine.* San Francisco: City Lights Books, 1967.

*Keith, K. Wymand. *Long Line Rider: The Story of Cummins Prison Farm.* New York: McGraw-Hill, 1971.

Kelley, Joseph. *Thirteen Years in the Oregon Penitentiary.* Portland, Oreg., 1908.

Kemp, Arnold. *Eat of Me, I Am the Savior.* New York: Morrow, 1972. Novel about the Black liberation movement.

King, Martin Luther, Jr. "Letter from a Birmingham Jail." in *Why We Can't Wait.* New York: Signet, 1964. His famous epistle on just and unjust laws.

Kirkpatrick, Ernest E. *Voices from Alcatraz.* San Antonio: Naylor, 1947. [Pierce. Not examined.]

**Kites.* Edited by Laverne Hanners. Pine Bluff, AK: Women's Unit, Arkansas Department of Corrections, 1978. A collection of poems by women convicts, containing several works by the extraordinary poet Kay Bynum.

Kizer, Gary. *Let a Single Flower Blossom.* Greenfield Center, NY: Greenfield Review Press, 1977. Poems by an accomplished writer with considerable political sophistication.

Klauck, Daniel L. *Everything Else.* Washington, D.C.: King Publications, 1976. A Volume of powerful poems from a long-time convict in Western Penitentiary, Pennsylvania.

Kneeland, Abner. *A Review of the Trial, Conviction, and Final Imprisonment in the Common Jail of the County of Suffolk, of Abner Kneeland, for the Alleged Crime of Blasphemy.* Boston, 1838.

*Knight, Etheridge. *Poems from Prison.* Detroit: Broadside Press, 1968. Selections available on tape from Broadside Press, as read by Knight in prison.

*_____, ed. *Black Voices from Prison.* New York: Pathfinder Press, 1970.

*_____. *Belly Song and Other Poems.* Detroit: Broadside Press, 1970.

*_____. *Born of a Woman.* Boston: Houghton Mifflin, 1980. Collection of the earlier poems and a number written since.

*_____. *The Essential Etheridge Knight.* Pittsburgh: University of Pittsburgh Press, 1986. This collection, which includes new and older poems, won the American Book Award for 1987 (the original American Book Award, not the title temporarily usurped by the National Book Award).

Krist, Gary Steven. *Life: The Man Who Kidnapped Barbara Mackle.* New York: Olympia Press, 1972.

Kromer, Tom. *Waiting for Nothing.* New York, 1935. Autobiographical novel of life on the bottom of 1930s America "scrawled on Bull Durham papers in box cars, margins of

religious tracts in a hundred missions, jails, one prison, railroad sand-houses, flop-houses."

Kruglick Lewis. *A Letter from Brixton Prison.* Somerville, MA: Augtwofive, 1970.

_____. *The Unknown Angel.* Berkeley, CA: Christopher-Tree, 1970. Poetry.

Lamson, David Albert. *We Who Are About to Die: Prison as Seen by a Condemned Man.* New York: Scribner's, 1935. Autobiography of a man falsely convicted of murdering his wife. He spent thirteen months on death row at San Quentin. (Yvor Winters took a one-year leave from the Stanford English Department to work on Lamson's defense.)

Lane, Dick. *Confessions of a Criminal.* Chicago, 1904.

Lane, Horace. *Five Years in State's Prison.* 5th ed. New York, 1835.

Larson, Roger. *No Winners: The Blue Mumbling of Ray Lee Stankey.* St. Paul, MN: Ipse Dixit Press, 1978. Witty incisive monologues by a fictional imprisoned bookie.

Latitude Pain, Longitude Anger: Poems from Folsom Prison. Edited by Gordon Kirkwood-Yates and John Oliver Simon. Berkeley, CA: Aldebaran Review, 1976.

*Laursen, Ross. *Sweet Tomorrow.* San Francisco: Peace & Pieces Press, 1975.

Laven, Goat. *Rough Stuff: The Life Story of a Gangster.* London: Falcon Books, 1933.

Leary, Timothy. *Jail Notes.* Lakewood, OH: Douglas Books, 1971. Harvard professor imprisoned for LSD.

_____. *Confessions of a Hope Fiend.* New York: Bantam, 1973.

_____. *The Eagle Brief.* San Francisco: City Lights Publishing, 1974.

Lee, Eugene. *Yeggmen in the Shadows.* London: Arthur H. Stockwell, 1935. Includes narrative of life in Folsom.

LeFlore, Ron, with Jim Hawkins. *Breakout: From Prison to the Big Leagues.* New York: Harper & Row, 1976.

Lehman, Dennis. *The Getbacks of Mother Superior.* NY: Arbor House, 1987. Caustic novel about prison life by a convict in the federal penitentiary in Butner, North Carolina.

Leopold, Nathan. *Life Plus Ninety-Nine Years.* Garden City, NY: Doubleday, 1958.

Lepara, Patsy Anthony, and Walter Goodman. *Memoirs of a Scam Man: The Life and Deals of Patsy Anthony Lepara.* New York: Farrar, Straus and Giroux, 1974.

Levine, Stephen, comp. *Death Row: An Affirmation of Life.* San Francisco: Glide Publications, 1972. Writings by death-row prisoners and others. Includes a good introductory selection of the poems of Jack Rainsberger.

Levy, Howard, and David Miller. *Going to Jail.* New York, 1971. Levy, a medical doctor, was court-martialed for his refusal to train enlisted men for Vietnam.

Lewis, David. *The Life and Adventures of David Lewis, the Robber and Counterfeiter. The Terror of the Cumberland Valley.* Edited by C.D. Rishel. Newville, PA, 1890.

Lewison, James. *Golgotha: Letters from Prison.* Greenfield Center, NY: Greenfield Review Press, 1976. Poems.

_____. *Lead Us Forth from Prison.* Greenfield Center, NY: Greenfield Review Press, 1978. Poems.

Liddy, G. Gordon. *Out of Control.* New York: St. Martin's Press, 1979. Novel by one of the criminals from the Nixon White House.

_____. *Will!* New York: St. Martin's Press, 1980. Personal narrative.

Lipman, Ed. *No Capital Crime.* San Francisco: Second Coming Press, 1975. Poems by a convict in San Quentin.

Living in Speaking Out. Muskegon Correctional Facility, Michigan, 1977. Anthology.

Lock and Key. A Review of Poems from South Carolina Prisons. Edited by Kenneth Denberg. South Carolina Arts

Commission, 829 Richland Street, Columbia, S.C. 29201, 1981.

London, Jack. Only works by London discussed in *Prison Literature in America* are included here, though the influence of his prison experience goes far beyond these titles.

*_____. *The War of the Classes.* New York: Macmillan, 1905. Contains "The Class Struggle," "The Tramp," "How I Became a Socialist," etc.

*_____. *My Life in the Underworld,* published as a series of articles in *Cosmopolitan Magazine* 43-44: "A Reminiscence and a Confession" (May 1907); "Holding Her Down" (June 1907); "Pinched: A Prison Experience" (July 1907); "The 'Pen': Long Days in a County Penitentiary" (August 1907); "Pictures: Stray Memories of Life in the Underworld" (September 1907); "The March of Kelly's Army" (October 1907); "Hoboes that Pass in the Night" (December 1907); "Some Adventures with the Police" (March 1908).

*_____. *The Iron Heel.* New York: Macmillan, 1908.

*_____. *The Star Rover.* New York: Macmillan, 1915. The transmigration theme of the novel derives from the experience of Ed Morrell (*q.v.*) under torture in prison.

**Look for Me in the Whirlwind: The Collective Autobiography of the New York 21.* New York: Random House, 1971.

Lorraine, Charles. *It Can Be Done.* New York: Vantage, 1973. Narrative by an ex-convict who goes straight.

Lowell, Robert. *Land of Unlikeness.* Cummington, MA: The Cummington Press, 1944. A collection of poems published the year after his release from federal penitentiary, after serving five months of his one-year sentence for draft resistance.

_____. *Lord Weary's Castle.* New York: Harcourt, Brace, 1946. Contains "In the Cage," a poem about his prison life.

_____. *Life Studies.* New York: Farrar, Straus and Cudahy, 1959. Includes "Memories of West Street and Lepke," a poem about his prison experience.

*Lowrie, Donald. *My Life in Prison.* New York, 1912.

_____. *My Life Out of Prison.* New York, 1915.

Lucas, Henry N. *My Rhythm Flows from Ah Different Beat.* Washington, D.C.: King Publications, 1976. Poetry by a Black convict in Union CCI, Raiford, Florida. Some of his other poems are anthologized in *Prose and Cons.*

Luckenbach, Lucky. *Who Knows, Some of This Might Be Real.* Providence, RI: Hellcoal Prison Writing, 1975. Letters and poems.

Lyon, Patrick. *The Narrative of Patrick Lyon, Who Suffered Three Months' Severe Imprisonment in Philadelphia Gaol; On Merely a Vague Suspicion, of Being Concerned in the Robbery of the Bank of Pennsylvania . . .* Philadelphia, 1799.

McAllister, Robert, and Floyd Miller. *The Kind of Guy I Am.* New York: McGraw-Hill, 1957. Narrative by a New York policeman jailed while facing a murder charge.

McAnally, Mary. *Warning, Hitch Hikers May Be Escaping Convicts: An Anthology of Poetry from Prisoners in Oklahoma.* La Jolla, CA: Moonlight Publications, 1980.

McCord, James W., Jr. *A Piece of Tape; The Watergate Story: Fact and Fiction.* Rockville, MD: Washington Media Services, 1974. Narrative by one of the criminals from the Nixon White House.

McCune, Billy George. *The Autobiography of Billy George McCune.* San Francisco: Straight Arrow Books, 1973. Horrendous tale of state torture, which leads McCune, convicted of rape, to cut off his penis.

MacDonald, A.R. *Prison Secrets: Things Seen, Suffered, and Recorded During Seven Years in Ludlow Street Jail.* New York, 1893.

McDonald, John General. *Secrets of the Great Whiskey Ring, and Eighteen Months in the Penitentiary.* St. Louis, 1880.

McGrath, Edward F. *I Was Condemned to the Chair.* New York: Stokes, 1934.

McGrath, John. *The Center.* Providence, RI: Hellcoal Press, Brown University, 1973. Novel.

McGregor, Charles. *Up from the Walking Dead.* Garden City, NY: Doubleday, 1978. Personal narrative.

MacIsaac, John. *Half the Fun Was Getting There.* Englewood Cliffs, NJ: Prentice-Hall, 1968. Personal narrative.

*McKnight, Hiram Peck, comp. *Prison Poetry.* Columbus, OH: 1896. Poems by McKnight and other prisoners in the Ohio Penitentiary.

Magruder, Jeb Stuart. *An American Life: One Man's Road to Watergate.* New York: Atheneum, 1974. Personal narrative by one of the criminals from the Nixon White House.

Mahony, Dennis. *The Prisoner of the State.* New York, 1863. Imprisoned during the Civil War for anti-Union writings.

Mahony, Dorah. *Six Months in a House of Correction . . .* Boston, 1835. A Catholic imprisoned for public disorderliness.

*Malcolm X, with the assistance of Alex Haley. *The Autobiography of Malcolm X.* New York: Grove Press, 1965.

Malcolm X. *Malcolm X Speaks.* New York: Merit, 1965. Transcriptions of his speeches in the last months before his assassination. These have the same style as *The Autobiography,* indicating the authenticity of that narrative, and they manifest his most advanced political leadership.

_____. *The End of White World Supremacy.* New York: Merlin House, 1971. Four speeches 1962-63.

Maloney, J.J. *Beyond the Wall.* Greenfield, Center, NY: Greenfield Review Press, 1972. Poems.

Mariah, Paul. *Diana.* San Francisco, CA: Goliards Press, 1968. Poems.

_____. *Christmas 1962.* South San Francisco: Man Root Books, 1972. Poems.

_____. *Love Poems to an Army Deserter Who Is in Jail.* San Francisco: Empty Elevator Shaft, 1972.

_____. *Personae Non Gratae.* San Lorenzo, CA: Shameless Hussy Press, 1973. Poems.

_____. *Apparitions of a Black Pauper's Suit: Thirteen Eulogies.* South San Francisco: Man Root Books, 1974. Poems.

_____. *The Electric Holding Company.* South San Francisco: Man Root Books, 1974. Poems.

_____. *For the Vietnamese Buddhists.* South San Francisco: Man Root Books, 1974. Poems.

_____. *The Juggler at the Cardtable.* San Francisco: Man Root Books, 1974. Poems.

_____. *Letter to Robert Duncan while Bending the Bow.* South San Francisco: Man Root Books, 1974. Poems.

_____. *Six Imaginary Letters of Young Caesar on the Bythenian Tour, 81 B.C.* South San Francisco: Man Root Books, 1974. Poems.

_____. *The Spoon Ring.* South San Francisco: Man Root Books. 1974. Poems.

_____. *In Flight over the Sierras.* San Francisco: Man Root Books, 1974. Poems.

_____. *This Light Will Spread.* San Francisco, CA.: Man Root, 1978. Poems.

Maslin, Thomas. *From Saloon to Prison; From Prison to Pulpit.* Ashland, PA, 1912.

Masterson, William. *The Authentic Confessions of William Masterson, the Cruel Murderer of His Father and Mother . . . .* Richmond, VA, 1854.

Mathis, Dove Paul. *From Symbol to Spear, to Fashion of Fist.* San Francisco: Mother's Hen, 1974. Poems.

Matney, Carl ed. *Night Rider.* Brea, Calif.: Hummingbird Press, 1976. Little magazine edited by Matney, a prisoner in State Farm, Virginia, including some of his own poems.

*Melville, Samuel. *Letters from Attica.* New York: Morrow, 1972.

Merton, Thomas. *Original Child Bomb: Poems for Meditation To Be Scratched on the Walls of a Cave.* Greensboro, NC: Unicorn Press, 1984.

Midnight Dreams Alone: Poems from Raiford Prison. Edited by Mario Petaccia. Syracuse, NY: Pulpartforms, 1977.

Minarik, John Paul. *A Book.* Washington, D.C.: King Publications, 1974. Poems.

_____. *Patterns in the Dust.* Washington, D.C.: King Publications, 1974. Poems.

_____. *Past the Unknown, Remembered Gate.* Greenfield Center, NY: COSMEP Prison Project/Greenfield Review, 1981. Poems.

_____. ed. *Kicking Their Heels with Freedom: Poems from Pennsylvania Prisons.* Pittsburgh: The Academy of Prison Arts, 1981.

Minton, Robert J., Jr., ed. *Inside Prison American Style.* New York: Random House, 1971. Essays, poetry, and fiction from California prisons.

Miranda, Alfredo, comp. *Alma Abierta: Pinto Poetry.* Riverside, CA: Chicano Studies Center, University of California, Riverside, 1980.

Mitchell, Clifford C. "When Prisoners Run Amuck!" *Abbott's Weekly and Illustrated News* (Chicago) 1 (December 23, 1933): 4, 13; (January 6, 1934): 4. Story of riot at Michigan City Prison told by a forty-year-old Black convict who had spent over seventeen years in prison. His columns then run regularly in this journal during the same period when Chester Himes was publishing there.

_____. "Tells Story of Prison's Greatest Confidence Man." *Abbott's* (January 13, 1934): 7, 10.

_____. "The Story of Merril, the Inventor, the Genius of Marquette Prison." *Abbott's* (January 20, 1934): 2, 13.

_____. "How Convict Paid to Have Prison Tunnelled." *Abbott's* (January 27, 1934): 5.

_____. "Many Innocent Men Are in Prison." *Abbott's* (February 3, 1934): 1, 5, 15.

_____. "Education Behind the Bars." *Abbott's* (February 10, 1934): 7.

_____. "Millionaires Behind Bars!" *Abbott's* (February 17, 1934): 7, 14.

_____. "Earn While You Learn." *Abbott's* (February 24, 1934): 3, 13.

Molineux, Roland B. *The Room with the Little Door.* New York: Dillingham, 1903. Narrative of experience in the Tombs and Sing Sing.

Moore, Charles C. *Behind the Bars: 31498.* Lexington, KY, 1899. Personal narrative by an ex-preacher and convict.

Moore, Langdon. *Langdon Moore, His Own Story of His Eventful Life.* Boston, 1893. Personal narrative by an ex-convict from Massachusetts State Prison. With early prison photographs from Concord. [Pierce.]

Moreno, Leonides. *Of Stone and Tears.* Greenfield Center, NY: Greenfield Review Press, 1975. Poetry by a Puerto Rican convict.

*Morrell, Ed. *The Twenty-Fifth Man. The Strange Story of Ed Morrell, the Hero of Jack London's "Star Rover". . .* as told to Mildred Ward. Montclair, NJ, 1924. 2nd rev. ed., New York: Vantage Press, 1955.

Morris, Ed. *Born to Lose.* New York: Mason & Lipscomb, 1974. Sent to the Tombs at the age of fifteen, Morris has undergone twenty-two years of incarceration. He exposes the corruption and brutality of the prison system.

Murphy, Frank. *The Frank Murphy Story: His Years in Florida Prisons, His Rehabilitation and His Conquest of Alcohol.* New York: Dodd, Mead, 1968.

Murphy, Patrick Charles. *Behind Gray Walls.* Caldwell, ID, 1920. 2nd ed., expanded and revised, Caldwell, ID: Caxton Printers, 1927. Life prisoner in the Idaho state Penitentiary. Listed as the author of *A Soldier's Life in the Tropics, The Dying Bugler, Dakota Slim, Confessions of a Confidence Man,* "and other stories."

_____. *Shadows of the Gallows.* Caldwell, ID, 1928.

My Life in Crime: The Autobiography of a Professional Criminal, reported by John Bartlow Martin. New York: Harper & Row, 1952.

"My Life in Prison," *Independent* (New York) 56 (1903): 255-60.

My Light Comes Shining: Women's Writings from Albany County Jail. Albany, NY: Albany City Arts Office, 1978.

Nash, Ide. *My Prison Experience in Oklahoma Bootlegging . . .* Hugo, 1918.

Nation, Carry. *The Use and Need of the Life of Carry A. Nation; Written by Herself.* The temperance crusader describes her experience in prisons across the country.

Nelson, Victor Folke. *Prison Days and Nights.* Boston: Little, Brown, 1933. Prison narrative. Argues for use of psychiatry in prison. A section appeared as "Ethics and Etiquette in Prison." *American Mercury* 27 (1932): 455-62.

Newton, Huey P. *Revolutionary Suicide.* New York: Harcourt, Brace, 1973. Political theory and strategy by the leader of the Black Panther Party.

_____, and Ericka Huggins. *Insights & Poems.* San Francisco: City Lights Books, 1974.

Nichols, T.L. *Journal in Jail, Kept During a Four Months' Imprisonment for Libel, in the Jail of Erie County.* Buffalo, 1840.

"No. 4382." *Prison Tours and Poems: A Sketch of the Oregon State Penitentiary.* Salem, OR, 1904.

No Title at All Is Better Than a Title Like That. Santa Cruz, CA: Santa Cruz Women's Prison Project, 1974.

Norris, Clarence, and Sybil D. Washington. *The Last of the Scottsboro Boys: An Autobiography.* New York: Putnam's, 1979.

Norris, Faith G., and Sharon J. Springer, eds. *Men in Exile: An Anthology of Creative Writing by Inmates of the Oregon State Penitentiary.* Corvallis: Oregon State University Press, 1973.

"Number 1500." *Life in Sing Sing.* Indianapolis: Bobbs-Merrill, 1904. Personal narrative by a convict who still thinks himself superior to "cheap criminals.'

"Number Twenty Fifty-Six." *Bolts, Bonds and Bars.* New York, 1916.

Nunnally, Joe Frederick. *I Was a Conscientious Objector in Camp, in Prisons, on Parole.* Berkeley, CA: Sooner Publishing Co., 1948.

*O'Brien, Edna V. *So I Went to Prison.* New York, 1938.

*O'Dare, Kain. *Philosophy of the Dusk.* New York, 1929. O'Dare published a number of short stories between 1924 and 1929, including "The Night Flower," which he calls "a classic of the underworld" that had appeared in "a nationally known magazine," and a sequel, "Quest for the Night Flower," which was published in "400 newspapers." I have been unable to locate either.

Odlum, Jerome. "The Turn on the Screw." *Esquire* (March 1938): 66, 152-54. Short story about a prisoner who takes life in the hole in order to kill the guard responsible for the death of his friend. Malcolm Braly knew Odlum in San Quentin.

_____. *Each Dawn I Die.* Indianapolis: Bobbs-Merrill, 1938; Paris, 1947. Prison novel in which a hardened criminal comes to the aid of a muckraking reporter who was framed and sent to prison because of his exposure of municipal graft. Made into a 1939 B-movie classic with James Cagney and George Raft.

_____. *Dust Be My Destiny.* New York, 1938. Made into a 1939 movie with John Garfield and Priscilla Lane.

_____. *Nine Lives Are Not Enough.* New York: Sheridan House, 1940. Detective novel.

_____. *Night and No Moon.* New York: Howell, Soskin, 1942. Detective novel.

_____. *The Morgue Is Always Open.* New York: Scribner's, 1944. Detective novel.

_____. *The Mirabilis Diamond.* New York: Scribner's, 1945. Detective novel.

O'Hare, Kate Richards. *Kate O'Hare's Prison Letters.* Girard, Kans., 1919.

_____. *In Prison, Being a Report by Kate Richards O'Hare to the President of the United States as to the Conditions under Which Women Federal Prisoners Are Confined in the Missouri State Penitentiary. . . . Based on the Author's Experience as a Federal Prisoner from April 14, 1919, to May 30, 1920.* St. Louis, Mo., 1920.

_____. *In Prison, Sometime Federal Prisoner 21669.* New York, 1923. Detailed narrative and excellent analysis of the prison system.

On the Wing. Edited by Karen Jaeckel. Women's Advocacy Bureau, 530 Lakeland St., Baton Rouge, LA 70802, 1981. Anthology of poetry from women in prison.

Osborne, J.K. *I Refuse.* Philadelphia: Westminster Press, 1971. Imprisoned for two years for draft resistance.

Osborne, Jimmie, ed. *The Rivers of Many Minds: Echoes from Prison.* Detroit: Harlo Press, 1977. Collection of poems, short stories, and articles by Osborne and other prisoners.

Otey, H.L. "Will." *and me i am like the leaf.* N.p.: Bench Press, 1981. Poems by an inmate on death row in Nebraska.

Overstreet, Philip P. *Miraculous Deliverance.* Cincinnati: God's Bible School and Missionary Training Home, 1934.

_____. *From Prison to Pulpit.* Cincinnati: God's Revivalist Press, 1946.

*Paine, Lewis W. *Six Years in a Georgia Prison.* New York, 1851.

Palmer, John C.R. *Explanation.* Boston, 1831. Narrative of prison in Maine.

Palmer, Russ. *Contraband.* Self-published, 1977. (Available from Fortune Society.) Poetry.

Parnell, Percy R. *The Joint.* San Antonio, TX: Naylor, 1976. Personal narrative.

Parsons, Elmer. *Self-Made Widow.* Greenwich, CT: Fawcett, 1959. Suspense novel by a San Quentin convict.

_____. *Texas Heller.* New York: Dell, 1959. A Texas man who has fought for the Union in the Civil War returns home and encounters hostility.

_____. *The Dark of Summer.* New York: Avon, 1961. Novel.

_____. *Fargo.* Greenwich, CT: Fawcett, 1968. Novel.

Patterson, Haywood, and Earl Conrad. *Scottsboro Boy.* Garden City, NY: Doubleday, 1950. Narrative by one of the Black men convicted on rape charges so dubious they created an international scandal.

Payne, Seth W. *Behind the Bars . . .* New York, 1873. Narrative of life in one of the prisons where total silence was enforced at all times.

Payton, Boyd E. *Scapegoat.* Philadelphia: Whitmore Publishing, 1970. Narrative by a labor leader imprisoned on trumped-up charges during a 1959 strike at a North Carolina textile mill.

Pearce, Donn. *Cool Hand Luke.* New York: Scribner's, 1965, 1986. The novel which the 1967 film was made.

Peck, James. *We Who Would Not Kill.* New York: Lyle Stuart, 1958. Narrative by a World War II conscientious objector previously arrested for working-class agitation.

_____. *Underdogs vs. Upperdogs.* Canterbury, NH: Greenleaf Books, 1969.

Pell, Eve, ed. *Maximum Security: Letters from California's Prisons.* New York: Dutton, 1972.

"Penparker No. 6874." *Autobiography of a Convict by a Four-Time Loser.* Salem, OR 1913.

Perkins, Josephine Amelia. *The Female Prisoner: A Narrative of the Life and Singular Adventures of Josephine Amelia Perkins.* New York, 1839.

Peterson, David, and Marcello Truzzi, eds. *Criminal Life: Views from the Inside*. Englewood Cliffs, NJ: Prentice-Hall, 1972.

Pettay, Orange L. *Five Years in Hell; or, The Ohio Penitentiary*. Caldwell, OH, 1883.

Philip, Cynthia Owen, ed. *Imprisoned in America: Prison Communications, 1776 to Attica*. New York: Harper & Row, 1973.

Piñero, Miguel. *Short Eyes*. New York: Hill and Wang, 1975. Award-winning play about prison life; made into a movie.

_____. *La Bodega Sold Dreams*. Houston, TX: Arte Publico Press, 1980. Poems.

_____. *Plays: The Sun Always Shines for the Cool; Midnight Moon at the Greasy Spoon; Eulogy for a Small Time Thief*. Houston: Arte Publico Press, 1984. Three plays originally produced between 1976 and 1979.

_____. *Outrageous One Act Plays*. Houston: Arte Publico Press, 1986.

Poems and Prose from Tutwiler Village. Montgomery, AL: Alabama Public Library, 1970.

Poems from Echo Glen. Seattle, WA: King County Library System. 1969 and 1970.

Poems from Workshops. Edited by William J. Higginson and Penny Harter. Clinton, NJ: Clinton Correctional Institution for Women, 1978. Collection of poems by women prisoners.

Poetry Beyond the Wall. Trenton, NJ: Dan Obstein, 1974.

Poetry by the Residents of the Cook County Department of Corrections. Chicago Public Library, Cook County Corrections Project, 1975.

Poetry of Prison: Poems by Black Prisoners. Chicago: Du Sable Museum of African-American History, 1972.

Pomeroy, Jesse Harding. *Autobiography of Jesse H. Pomeroy, Written . . . While Imprisoned in the Suffolk County Jail . . .* Boston, 1875.

*_____. *Selections from the Writings of Jesse Harding Pomeroy, Life Prisoner since 1874*. Boston, 1920.

Porter, William Sidney. *See* Henry, O.

"Portrait of an Ex-Lifer." *American Mercury* 69 (December 1949): 727-36.

"Portrait of a Lifer, by No. 77260." *American Mercury* 37 (February 1936): 175-82.

Powers, Caleb. *My Own Story: An Account of the Conditions in Kentucky Leading to the Assassination of William Goebel, Who Was Declared Governor of the State, and My Indictment and Conviction on the Charge of Complicity in His Murder*. Indianapolis, IN, 1905.

Price, Gerald R. *Drift Would*. Washington, D.C.: King Publications, 1976. Poems by an inmate in Craggy Prison, North Carolina.

"Prison Poems" and "More Prison Poems." *Hyacinths and Biscuits*, 1 and 2. Brea, CA: Hummingbird Press, 1973.

Prison Poetry. Trenton, N.J.: New Jersey State Council on the Arts, 1973. An anthology of works from a creative writing class in the Bordentown Correctional Facility in 1972.

Prison Reform League. *Crime and Criminals, by the Prison Reform League*. Los Angeles, CA, 1910. Contains personal accounts by various convicts of prison conditions in first decade of the twentieth century. Includes a chapter on the women's section of San Quentin, horrifying illustrations of the various modes of torture, and analyses by Griffith J. Griffith, the ex-convict from San Quentin heading the League.

"Prison Writers." *Crime & Delinquency* 28 (October 1982) 514-67. Essays by thirteen prison authors.

Prisoner, The; or, A Collection of Poetical Pieces, Written by a Person Confined in the State-Prison, and Principally Published in the "True American." N.p.: printed by Wilson & Blackwell, 1802.

"Prisoner No. 6435." *The Oregon Penitentiary. . . .* Salem, OR, 1917.

"Prisoner X." *Prison Confidential.* Los Angeles: Medco Books, 1969. Personal narrative.

Prisoners Call Out: Freedom. New York: Prisoners Solidarity Committee, 1971. Political analysis by prisoners from Auburn.

Probst, Anton. *Trial, Life and Execution of Anton Probst.* Philadelphia, 1866. Conventional narrative of crime and repentance.

Pruitt, Allen Carroll. *Poetry Behind Prison Bars.* Columbia, SC: privately printed, 1971.

Rabinowitz, Max. *The Day They Scrambled My Brains at the Funny Factory.* New York: Zebra/Scorpio, 1977.

Rainsberger, Jack. *Poetry of Jack Rainsberger.* Sausalito, CA: Unity Press, 1968.

_____. *My Name Is Man.* San Francisco: Unity Press, 1972. Poems.

Rankin, L. *No. 6847; or, The Horrors of Prison Life . . .* N.p., 1897.

Rathbun, Benjamin. *The Case of Benjamin Rathbun; This Remarkable Financier's Own Statement of His Operations . . . Culminating in Forgery and Imprisonment.* Buffalo, NY: Buffalo Historical Society, 1913.

*Reddy, T.J. *Less Than a Score, but a Point.* New York: Vintage, 1974. Poetry.

_____. *Poems in One/Part Harmony.* Introduction by H. Bruce Franklin. Chapel Hill, NC: Carolina Wren Press, 1980.

Reed, David. *From Harvard to Prison for Peace.* Canterbury, NH: Greenleaf Books, 1967.

Reed, Nathaniel. *The Life of Texas Jack.* Tulsa, OK: Tulsa Printing Co., 1936. Personal narrative.

Remick, Peter. *In Constant Fear: The Brutal True Story of Life within the Walls of the Notorious Walpole State Prison.* As told to James B. Shuman. New York: Reader's Digest Press, 1975. An argument for capital punishment, harsher prisons, tighter security, etc., widely disseminated by Reader's Digest Press.

*[Reno, George]. *Buds and Flowers of Leisure Hours by Harry Hawser, Sailor, &c.* Philadelphia, 1844.

Reno, John. *Life and Career of John Reno . . . Including a Detailed Account of the Great Safe Robbery in Missouri.* Indianapolis, IN, 1879.

_____. *The Life of John Reno, the World's First Train Robber.* Edited by Robert W. Shields. Seymour, IN: Robert W. Shields, 1940.

Resko, John. *Reprieve: The Testament of John Resko.* Garden City, N.Y.: Doubleday, 1956. Narrative by an ex-convict once on death row; made into the movie *Convicts Four* in 1967.

Reynolds, John N. *A Kansas Hell; or, Life in the Kansas Penitentiary.* Atchison, KS, 1889.

_____. *The Twin Hells: A Thrilling Narrative of Life in the Kansas and Missouri Penitentiaries.* Chicago, 1890.

Rice, David L. *Erogenous Zone.* Washington, D.C.: King Publications, 1975. Poetry from Nebraska State Penitentiary by a former Black Panther framed in 1971.

_____. *Life Death and Love.* Eugene, OR: Coalition Press, 1975. Poems.

_____. *Lock This Man Up.* Detroit: Lotus Press, 1978. Poems.

_____. *Om Poetry.* Omaha: Gazette Collective, 197__.

Richardson, George, and Ingrid Frank. *Junkie: The Deadliest Coverup!* [Original title: *Get Up, You're Not Dead!*] New York: Manor Books, 1977.

Rockwell, Frederick K. *The Life and Confession of Frederick Kress Rockwell, Who Was Hanged . . . for Murder . . .* Ridgway, [sic] PA, 1898.

Rodman, Benjamin. *A Voice from the Prison . . .* New Bedford, MA, 1840. Imprisoned for debt.

Rogers, Kenneth Paul. *For One Sweet Grape: The Extraordinary Memoir of a Convicted Rapist-Murderer*. Chicago: Playboy Press, 1974.

Romanes, Alva. *The Great Awakening*. San Francisco, 1927. Poems about crime and prison.

Rosenberg, Ethel and Julius. *Death House Letters*. New York: Jero Publishing Co., 1953. Letters to each other while they awaited execution on the preposterous charge of giving the "secret" of the atomic bomb to the Soviet Union during World War II.

Roth, Samuel. *Stone Walls Do Not . . . The Chronicle of Captivity*. New York: William Faro, 1930. Narrative of imprisonment by a radical bookstore owner arrested on political charges.

Rudensky, Morris (Red), and Don Riley. *The Gonif*. Blue Earth, Minn.: The Piper Co., 1970. Autobiographical narrative.

Runyon, Tom. *In for Life: A Convict's Story*. New York: W.W. Norton, 1973. Personal narrative by a long-time convict whose first job was a 1932 bank robbery.

Sacco, Nicola, and Bartolomeo Vanzetti. *The Letters of Sacco and Vanzetti*. Edited by Marion Denman Frankfurter and Gardner Jackson. New York, 1928; New York: Octagon Books, 1971.

Salas, Floyd. *Tattoo the Wicked Cross*. New York: Grove, 1967; Sagaponack, NY: Second Chance Press, 1981. Novel set in a juvenile penal institution, showing how it transforms a fifteen-year-old boy into a remorseless killer.

_____. *What Now My Love*. New York: Grove Press, 1969.

_____. *Lay My Body on the Line*. Berkeley, CA: Y'Bird, 1978.

_____. *Stories and Poems from Close to Home*. Berkeley, CA: Ortalda & Associates, 1986.

Salinas, Raul R. *Viaje/Trip*. Providence, RI: Hellcoal Press, Brown University, 1973. Poetry by a Chicano convict.

Samuel, Jean and Sharon Stricker, eds. *The Bright Fires Book: We're All Doing Time*. Norco, CA: California Rehabilitation Center, 1981. Anthology of women's writing from California Rehabilitation Center.

Sánchez, Ricardo. *Los Cuatro*. Denver, CO: Barrio Publications, 1970. Poems.

_____. *Canto y Grito Mi Liberación*. El Paso, TX: Mictla Publications, 1971; New York: Doubleday-Anchor, 1973. Poems and essays by the Chicano ex-convict. Some in English, some in Spanish, most in both.

_____. *Hechizospells*. Los Angeles: Chicano Studies Center Publications, University of California, Los Angeles, 1976.

_____. *Milhuas Blues and Gritos Nortenos*. Milwaukee: Spanish Speaking Outreach Institute, College of Letters and Science, University of Wisconsin, 1978.

_____. *Brown Bear Honey Madnesses*. Austin, TX: Slough Press, 1981.

_____. *Amsterdam Cantos y Poemas Pistos* Austin, TX: Place of Herons, 1982. Poems.

_____. *Selected Poems*. Houston: Arte Publico Press, 1985.

Sanders, Ed. *Poems from Jail*. San Francisco: City Lights Publishing Co., 1961.

Sands, Bill. *My Shadow Ran Fast*. New York: New American Library, 1964. Personal narrative.

_____. *The Seventh Step*. New York: New American Library, 1967. Sequel. Tells of the Seventh Step Foundation he established to help ex-convicts.

Sanger, Margaret. *An Autobiography*. New York: W.W. Norton, 1938. Jailed for disseminating information on birth control.

Schappes, Morris U. *Letters from the Tombs*. New York: Schappes Defense Committee, 1941. Scholar jailed for union activities and work in the Communist Party.

Scheffler, Judith A., ed. *Wall Tappings: An Anthology of Writings by Women Prisoners*. Boston: Northeastern Uni-

versity Press, 1986. Contains valuable introductions and an annotated bibliography.

Scott, Wellington, pseud. *Seventeen Years in the Underworld* . . . Cincinnati, 1916. Autobiographical account of crime and prison.

*Seale, Bobby, *Seize the Time*. New York: Random House, 1970. Written in jail by the Black Panther Party Leader.

_____. *A Lonely Rage: The Autobiography of Bobby Seale*. New York: Times Books, 1978.

Season in the Hour, A: Poems from the Prisons of South Carolina. Edited by Frank Graziano. Columbia, SC: South Carolina Arts Commission, 1978.

*Shakur, Assata [Joanne Chesimard]. *Assata: An Autobiography*. London: Zed Books, 1987; Westport, CT: Lawrence Hill & Co., 1988.

Sharpe, May Churchill. *Chicago May: Her Story*. New York, 1928. Picaresque autobiography by a professional thief and blackmailer who spent fifteen years in prison.

Shaw, Joseph L. *New-Hampshire State Prison Cruelty Exposed* . . . Exeter, NH, 1839.

Shelly, Gordon. *I Take the Rap*. New York: Frederick Fell, 1957.

Shepperd, Sam. *Endure and Conquer: My Twelve-Year Fight for Vindication*. Cleveland: World Publishing, 1966.

Shepperd, Walt and Ron Cayen, eds. *A Window of Experience: Poems from Auburn Prison*. Syracuse: Pulpartforms Unlimited, 1975.

Shoblad, Richard H. *Doing My Own Time*. Garden City, NY: Doubleday, 1972. Autobiography of an ex-convict rehabilitated despite prison.

Shotwell, Randolph A. *The Papers of Randolph Abbott Shotwell*. Edited by J.G. de Roulhac Hamilton. Raleigh, NC: North Carolina Historical Commission, 1931. Narrative by an imprisoned Klansman.

Shuler, Robert Pierce. *Jailed*. Los Angeles: J.R. Spencer, 193?. A clergyman imprisoned on charges arising from his radio attacks on an oil company.

Siciliano, Vincent ("The Cat"). *Unless They Kill Me First*. New York: Hawthorn Books, 1970. Narrative by a mobster.

Simon, John Oliver and Leslie Simon, eds. *The Caged Collective: The Life & Death of the Folsom Prison Creative Writers' Workshop*. Berkeley, CA: Aldebaran Review, 1978.

Sinclair, John. *Guitar Army: Street Writings and Prison Writings*. Lakewood, OH: Douglas Books, 1972.

_____. *God Vs. We the People*. New York: Exposition, 1977.

_____, and Robert Levin. *Music and Politics*. New York: World Publishing Co., 1971. Essays on theory and practice of revolutionary music by the White Panther leader who spent twenty-nine months in prison for possessing two marijuana cigarettes.

Sipe, Morgan K. *Twenty-nine Hundred Forty-four Days in Hell* . . . Galesburg, KS, 1895. Not examined.

Sisters of Inner Connections, eds. *Writing for Rights*. Muncy, PA: State Correctional Institution at Muncy, 1981. Compilation of writings by women imprisoned at Muncy and elsewhere.

*Smedley, Agnes, "Cell Mates." *The Call Magazine* (February 15, 22, 29, March 14, 1920). Sketches of fellow women prisoners.

_____. "The Parliament of Man." *The Liberator* 4 (October 1921): 13-15.

*_____. *Daughter of Earth*. New York, 1929. Rev. ed. New York, 1935. Autobiographical novel.

_____. Her other writings include: *India and the Next War* (1928); *Chinese Destinies* (1933); *China's Red Army Marches* (1934); *China Fights Back* (1938); *Battle Hymn of China* (1943); *The Great Road* (1956).

Smith, Benjamin Franklin. *A Fugitive from Hell*, Joplin, MO, 1935. Personal narrative.

Smith, D.B. *Two Years in the Slave-Pen of Iowa*. Kansas City, MO, 1885.

Smith, Edgar. *Brief Against Death*. Introduction by William F. Buckley, Jr. New York: Knopf, 1968. Personal narrative written when Smith was on death row.

_____. *A Reasonable Doubt*. New York: Coward-McCann, 1970. Suspense novel.

_____. *Getting Out*. New York: Coward-McCann, 1973.

Smith Poets. New York: Smith Publishing Co., 1973.

Smith, Samuel. *Inside Out, or Roguery Exposed . . .* Hartford, CT, 1827. Personal narrative by a convict in Newgate Prison, Connecticut.

Snelling, William J. *The Rat-Trap; or, Cogitations of a Convict in the House of Correction . . . .* Boston, 1837.

Sobell, Morton. *On Doing Time*. New York: Scribner's, 1974. Discussion of his case and his eighteen years in prison by the codefendant with the Rosenbergs in the infamous anticommunist trial of 1951.

Soledad Prison: University of the Poor. Edited by Karlene Faith. Palo Alto, CA: Science and Behavior Books, 1975. Writings by prisoners from Soledad and students from University of California, Santa Cruz.

Songs from a Free Space: Writings by Women in Prison. Edited by Carol Muske and Gail Rosenblum. New York: Art Without Walls, 1978. Contains two poems by Assata Shakur (Joanne Chesimard).

Soraci, Carmplo. *The Convict and the Stained Glass Windows*. New York: John Day, 1961. Personal narrative by a prison artist.

Sorrentino, Joseph. *Up from Never*. Englewood Cliffs, NJ: Prentice Hall, 1971; New York: Manor Books, 1973. Sent to reform school at fourteen, jail at sixteen, he is now a juvenile court judge.

_____. *The Desperate Years*. Beverly Hills, CA: Wollstonecraft, 1974.

Soulter, John. *Glass Partition*. Fort Smith, AK: South and West, 1972. Poems.

Southack, John. *The Life of John Southack, to Which Is Added a History of the State Prison in Charlestown, with Observations on This Excellent Institution*. Charlestown, MA, 1809.

Spear, Charles, and John M. Spear, comps. *Voices from Prison: Being a Selection of Poetry from Various Prisoners, Written Within the Cell*. Boston, 1847.

Stafford, Norma. *Dear Somebody: The Prison Poetry of Norma Stafford*. Palo Alto, CA: Up Press, 1975. A white working-class prisoner who celebrates her love for other women and the revolutionary struggles of Afro-Americans and the Vietnamese.

Stanford, Sally. *The Lady of the House*. New York: G.P. Putnam's, 1966. A famous madam describes her imprisonment as a young girl.

Starkey, Cyrus. *The Convict's Dream*. Boston: Rockwell & Churchill, 1871. Narrative poem.

Starr, Henry. *Thrilling Events*. Tulsa, OK, 1914. Narrative by a Cherokee who becomes an outlaw after a wrongful imprisonment.

*Stell, James, and John Null. *Convict Verse*. Fort Madison, IA, 1908.

Stern, Susan. *With the Weathermen: The Personal Journal of a Revolutionary Woman*. Garden City, NY: Doubleday, 1975.

Stevens, Doris C. *Jailed for Freedom*. New York, 1920. Prison narrative by a woman imprisoned for suffrage activities.

Still Life: Inside Southern Prisons. Special issue of *Southern Exposure*, 4 (Winter 1978). Articles, poems, and art by and about convicts.

Stone, John T. *Going for Broke: How I Built an Empire from Scratch and Lost $20 Million*. New York: Henry Regnery, 1976. Written from Dane County Jail (Wisconsin). Autobiography by a forty-three-year-old entrepreneur who got caught. Claims his main goal is to correct abuses in the banking system.

Story of a Strange Career, The. Being the Autobiography of a Convict. An Authentic Document. Edited by Stanley Waterloo. New York, 1902.

Street, Leroy. *I Was a Drug Addict*. New Rochelle, NY: Arlington House, 1973. Prison narrative.

Strong Voices from Bedford Hills. Edited by Walter Keller and Betty Ebert. Union City, CA: The Fault, 1975. Poetry and fiction from a women's prison.

Stroud, Robert. *Diseases of Canaries*. Kansas City, MO, 1933. The first book by "the Birdman of Alcatraz," who spent his last forty-two years in solitary confinement on the order of Attorney General Mitchell Palmer. After rescuing four baby sparrows, Stroud dedicated himself to raising birds and studying their diseases. He built an aviary out of cigar boxes, dissected birds that died, and mastered several sciences. He began publishing articles and selling rights to effective remedies he had developed. In 1931, as part of the national repression of prison writing, federal authorities ordered him to stop making the results of his research public. Instead, he smuggled out the 60,000-word manuscript of *Diseases of Canaries* and, in 1942, his monumental work, the *Digest on the Diseases of Birds*. For this "serious breach of prison rules" he was separated from his birds, shipped to Alcatraz, and forbidden to continue his research. His book on American prisons was confiscated by prison authorities and presumably destroyed. In 1963 a federal court refused permission to publish his revised *Digest on the Diseases of Birds* and ordered the manuscript, written "in violation of prison rules," confiscated.

_____. *Digest on the Diseases of Birds*. Minneapolis, MN, 1943.

*Stuart, William. *Sketches of the Life of William Stuart, the First and Most Celebrated Counterfeiter of Connecticut: Comprising Startling Details of Daring Feats Performed by Himself—Perils by Sea and Land—Frequent Arrests and Imprisonments—As Given by Himself*. Bridgeport, CT, 1854.

*Sutton, Willie. *Where the Money Was: Memoirs of a Bank Robber*. New York: Viking, 1976.

Talamantez, Luis. "Reflections of a Convict." *Liberation* 16 (November 1971): 10-15. Poems by one of the San Quentin Six.

_____. *Life within the Heart Imprisoned: The Collected Poems of Luis Talamantez*. Illustrated by Sue Martinez. San Jose, CA: Fidelity Printing, 1976.

Talents Inside. Orlando, FL: American Association of University Women, Orlando-Winter Park Branch, 1978. Poems, prose, and art by prisoners in Orange and Seminole Counties, Florida.

Tambuzi. *A Voice Within*. Washington, D.C.: King Publications, 1979. Poems.

Tannenbaum, Frank. *Wall Shadows: A Study in American Prisons*. New York 1927. Political prisoner who served a year for unlawful assembly (1913-14), then later worked on prison reform.

Tasker, Robert Joyce. "First Day." *American Mercury* 10 (March 1927): 292-99.

_____. *Grimhaven*. New York: Knopf, 1928. Narrative of life in San Quentin.

Taylor, Vic. *Musings of a Captive Scholar*. New York: International Pentahuman Publications, 1978. This Black high-school dropout achieved national media attention for his extraordinary academic achievements in prison. Later he was held for two straight years in solitary confinement.

Teale, Christopher. *Behind These Walls*. New York: Frederick Fell, Inc., 1957. [Pierce. Not examined.]

Teresa, Vincent. *My Life in the Mafia*. New York: Dutton, 1973.

_____. *Wiseguys*. New York: Dutton, 1978. Novel about the Mafia by an ex-member.

Thomas, Evan. "Disciplinary Barracks: The Experience of a Military Prisoner at Fort Leavenworth." *Survey* 41 (1919): 625-29.

Thomas, Mack. *Gumbo*. New York: Grove Press, 1965. Impressive first novel about a small boy's world in a southern town in the Depression. The author, a musician, Air Force veteran, and man of many professions, spent five years in a Texas penitentiary for possession of narcotics.

_____. *The Total Beast*. New York: Simon & Schuster, 1970. Powerful prison novel set in thinly-disguised Huntsville Prison, Texas; one interesting effect is achieved by having all authority figures speak in italics.

Thomas, Piri. *Down These Mean Streets*. New York: Alfred Knopf, 1967. First of three influential personal narratives by the Puerto Rican ex-convict and political activist.

_____. *Savior, Savior, Hold My Hand*. Garden City, NY: Doubleday, 1972.

_____. *Seven Long Times*. New York: Praeger, 1974.

_____. *Stories from El Barrio*. New York: Alfred A. Knopf, 1978.

Thompson, Bertha, and Ben L. Reitman. *Sister of the Road; The Autobiography of Box-Car Bertha*. New York: Macaulay, 1937.

Thompson, George. *Prison Life and Reflections*. Oberlin, OH: printed by J.M. Fitch, 1847. Served four years in prison for abolitionist work.

_____. *The Prison Bard; or, Poems on Various Subjects. Written in Prison*. Hartford, CT: Burleigh, 1848.

Thoreau, Henry David. "Civil Disobedience." First printed as "Resistance to Civil Government" in Elizabeth Peabody's *Aesthetic Papers*. Boston 1849. Contains the narrative of Thoreau's experience in jail, including his observations of mid-nineteenth-century prison life based on his one night's incarceration.

Thornton, Alice. "The Pound of Flesh," *Atlantic* 135 (April 1925): 433- 46; "Merely Justice," *Atlantic* 135 (May 1925): 611-23. The two essays are exceptionally interesting narratives of prison life based on her several years of incarceration.

Thru the Mill "4342"; A Prison Story That's Different. St. Paul, MN, 1915. Narrative by an ex-convict just out of Minnesota State Prison at Stillwater.

*Tisdale, Celes, ed. *Betcha Ain't: Poems from Attica*. Detroit: Broadside Press, 1974.

Tomlin, Henry. *Henry Tomlin, the Man Who Fought the Brutality and Oppression*. 7th ed. Dallas, TX, 1906.

*Toole, Gerald. *An Autobiography of Gerald Toole, the State's Convict, Who Murdered Daniel Webster, Warden of the Connecticut State Prison . . .* Hartford, CT, 1862.

Torok, Lou. *The Strange World of Prison*. Indianapolis, IN: Bobbs-Merrill, 1973.

_____. *Straight Talk from Prison: A Convict Reflects on Youth, Crime and Society*. New York: Human Sciences Press, 1974.

Touhy, Roger. *The Stolen Years*. Cleveland: Pennington Press, 1959. Personal narrative.

*Trantino, Tommy. *Lock the Lock*. New York: Knopf, 1973.

Traversie, Rick. *Trails from Cheyenne River*. Greenfield Center, NY: Greenfield Review Press, 1981. A collection of poems written while the author, a Cheyenne Sioux, was an inmate in the South Dakota State Prison.

Trupin, James E., ed. *In Prison: Writings and Poems about the Prison Experience*. Intro. by Thomas E. Gaddis. New York: New American Library, 1975.

The Truth about the State Penitentiary at McAlester, by Convict No. 6000; The Facts about the Terrible Tragedy on January 19th, 1914, When Four Officers and Three Convicts Were Killed. Boston, 1914.

*Tufts, Henry. A Narrative of the Life, Adventures, Travels and Sufferings of Henry Tufts . . . Dover, NH, 1807.

*Tully, Jim. *Emmett Lawler.* New York, 1922.

*_____. *Beggars of Life.* Garden City, NY, 1924.

*_____. His contributions to the *American Mercury*: "The Tamer" (1925); "Bright Eyes" (1925); "Bull Horrors" (1927); "A California Holiday" (1928); "Two-Time Losers" (1928); "Jungle Justice" (1928); "Thieves and Vagabonds" (1928); "The Giver of Life" (1928); "Shanty Irish" (1928); "Jailbirds" (1928); "Sapping Day" (1929); "The Graveyard That Moved" (1929); "Yeggs" (1933); "Jack Dempsey" (1933).

*_____. *Jarnegan.* New York, 1925.

*_____. *Circus Parade.* New York, 1927.

*_____. *Shanty Irish.* New York, 1928.

*_____. *Shadows of Men.* New York, 1930.

*_____. *Blood on the Moon.* New York, 1931.

*_____. *Laughter in Hell.* New York, 1932.

*_____. *The Bruiser.* New York, 1936.

_____. "The Double Slasher." *Esquire* (June 1936): 86, 87, 150.

_____. "Case of Convict 1174." *Esquire* (February 1937): 48, 203-4. Short story about a long-time prisoner.

"Valtin, Jan" (pseud.) *Out of the Night.* London and Toronto: W. Heinemann, 1941. Long anticommunist narrative by Richard Julius Herman Krebs, a German who claimed to have been a double agent and who spent three years in San Quentin for assault with a deadly weapon.

_____. *Bend in the River, and Other Stories.* New York: Alliance Book Co., 1942. Short stories and sketches done during his incarceration in San Quentin.

Victor, Mrs. Sarah M. *The Life Story of Sarah M. Victor . . . Convicted of Murdering Her Brother . . . Told by Herself.* Cleveland, 1887.

Viereck, George Sylvester. *Men Into Beasts.* New York: Fawcett, 1952. Autobiographical narrative by a writer imprisoned during World War II for pro-Nazi propaganda.

_____. *Gloria, a Novel.* London: Duckworth, 1952.

_____. *The Nude in the Mirror.* New York: Woodford Press, 1953.

_____. *The Bankrupt.* New York: Pyramid, 1955. Poem.

"Voice from the House of Correction, A." Boston, 1938. Broadside.

Voices from Within: The Poetry of Women in Prison. New York: Fortune Society, 1975. Poetry by women in Bedford Hills Prison, New York.

Waite, Lemoyne. *Worst Hotel in Town, Bar None: Poetry from Prison.* Edited by Alice C. Parker. Providence, RI: The Gray Flannel Press, 1979. Excellent poetry by a Black convict.

Walker, Jonathan. *Trial and Imprisonment of Jonathan Walker at Pensacola, for Aiding Slaves to Escape from Bondage.* Boston, 1845.

Walker, William, and Thomas S. Gaines. *Buried Alive (Behind Prison Walls) for a Quarter of a Century. Life of William Walker.* Saginaw, MI, 1892. Narrative by a prisoner and former slave.

Wall Writing: An Inmate Poetry Collection. Massachusetts, 1975. By ten inmates at the Hampshire County Jail.

Wallace, Charles. *A Confession of the Awful Bloody Transactions in the Life of Charles Wallace.* New Orleans, 1851.

Walmsley, Amasa E. *Life and Confessions of Amasa E. Walmsley.* Providence, RI, 1832.

Walson, Daniel Tobias. *Tobias Faire.* Washington, D.C.: King Publications, 1976. Poems by an inmate at Atascadero State Hospital, California.

Wantling, William. *Machine and Destiny: A Dirge for Three Artists.* Torrance, CA: Hors Commerce Press, 1965. Poems.

_____. *Heroin Haikus.* N.p.: Fenian Head Centre Press, 1965. Poems.

_____. *Down, Off & Out.* Bensenville, IL: Mimeo Press, 1965. Poems.

*_____. *The Source.* El Cerrito, DA: Dustbooks, 1966.

_____. *From the Jungle's Edge.* Denver: Swallow, 1966.

_____. The Awakening. London: Turret Books, 1967; London: Rapp & Whiting, 1968. Poems.

*_____. *San Quentin's Stranger.* Dunedin, New Zealand: Caveman Press, 1973.

*_____. *7 on Style.* San Francisco: Second Coming Press, 1975.

Ward, Thomas. *The American Trenck; or, The Memoirs of Thomas Ward, Now in Confinement in the Baltimore Jail, Under a Sentence of Ten Years for Robbing the U.S. Mail . . .* Baltimore, 1829.

Warner, Matt, and Murray E. King. *Last of the Bandit Raiders.* Caldwell, ID: Caxton Printers, 1940.

Warren, Jackie. *Change Chilly to Cold.* Syracuse: Pulpartforms Unlimited, 1975. Poems.

Warren, Paul. *Next Time Is for the Life.* New York: Dell, 1953.

*Washington, Jerome. *A Bright Spot in the Yard: Notes and Stories from a Prison Journal.* Trumansburg, NY: The Crossing Press, 1981. Powerful and incisive views of prison by a Black civil-rights and anti-war activist incarcerated in Attica and Green Haven.

We Are Attica: Interviews with Prisoners from Attica. New York: Attica Defense Committee, 1972.

Weaver, Flave J. *Six Years in Bondage and Freedom at Last.* Rich Hill, MO, 1900. Useful description of prison labor as part of personal narrative.

Weil, Joseph ("Yellow Kid"). "Crime and the Deacon" as told to Alfred C. Houser. *Esquire* 6 (September 1936): 96, 97, 134.

_____. *"Yellow Kid" Weil. The Autobiography of America's Master Swindler,* as told to W.T. Brannon. Chicago: Ziff-Davis, 1948. One of Weil's confidence games was the basis for the movie *The Sting.*

Weiss, Karel. *Prison Experience: An Anthology.* New York: Delacorte Press, 1976.

Wells, Charles Knox Polk. *Life and Adventures of Polk Wells.* Halls, MO, 1907.

*Wharton, Charles Stuart. *The House of Whispering Hate.* Chicago: Madelaine Mendelsohn, 1932.

Wheeler, Moses S. *Moses S. Wheeler; or, The Eight Years' Imprisonment of an Innocent Man.* Boston, 1876.

White, Bouck. *Letters from Prison; Socialism, a Spiritual Sunrise.* Boston, 1915.

White, George Miles. *From Boniface to Bank Burglar; Or the Price of Persecution; How a Successful Business Man, Through the Miscarriage of Justice, Became a Notorious Bank Looter.* Bellows Falls, VT, 1905.

Who Is the Real Criminal? San Francisco: Julian Richardson Associates, 1975. Poetry by Soledad Prison convicts.

**Who Took the Weight? Black Voices from Norfolk Prison.* Boston: Little, Brown, 1972.

Who Took the Weight. Weston, CT: Magic Circle Press, 1977. Anthology of women's prison writings.

Wiegand, Regina, ed. *Within & Without.* La Jolla, CA: Moonlight Publications, 1978. Anthology.

Wierse, Paul. *Eight-eight Weeks in Purgatory or Life in the U.S. Penitentiary in Atlanta, Georgia.* Charleston, SC: McFarlane Printing and Publishing, 1920.

Wilkerson, John Wm. *You Cried.* Washington, D.C.: King Publications, 1974. Poems by a Black prisoner in the Sierra Conservation Center, Jamestown, California.

Wilkes, George. *The Mysteries of the Tombs . . . .* New York, 1844. Narrative of thirty days' imprisonment for libel.

Willard, Josiah Flynt. *My Life*. New York, 1908. Picaresque narrative of crime and incarceration.

Williams, Frank. *The Unluckiest Man in the World: The Life History of Frank Williams, Convict No. 24798*. Baltimore: Williams, 1924.

Williams, Willie J. *A Flower Blooming in Concrete*. Detroit: Lotus Press, 1976. Poems.

Williamson, Henry (pseud.). *Hustler! The Autobiography of a Thief*. Edited by R. Lincoln Keiser. Garden City, NY: Doubleday, 1965. Personal narrative by a Black man from Alabama who becomes a thief to survive in Chicago.

Willis, William. *Damned and Damned Again*. New York: Dell, 1974.

Wills, Henry O. *Twice Born; or, The Two Lives of Henry O. Wills, Evangelist. Being a Narrative of Mr. Wills's Remarkable Experiences as a Wharf-Rat, a Sneak-Thief, a Convict, a Soldier . . .* Cincinnati, 1890.

Wilson, Herbert Emerson, and Thomas P. Kelley. *I Stole $16,000,000*. New York: New American Library, 1956.

Winning, James R. *Behind These Walls*. New York: Macmillan, 1933. Includes a description of the fire in the Ohio Penitentiary that killed 300 prisoners (also described in "To What Red Hell?" by Chester Himes).

With the Rest of My Body: Poems from South Carolina Prisons. Columbia, SC: South Carolina Arts Commission, 1978.

Women Behind Bars. Washington, D.C.: Resources for Community Change, 1976. Includes articles and narratives by women prisoners.

Wood, Otto. *Life History of Otto Wood, Inmate of State Prison*. Raleigh, NC, 1926.

*Woodcock, Dale. *Ruled by the Whip: Hell Behind Bars in America's Devil's Island—the Arkansas State Penitentiary*. New York: Exposition Press, 1958.

Woodroff, Horace. *Stone Wall College*. Nashville, TN: Aurora Publishers, 1970. Narrative of thirty-two years in prison.

Wright, George B. *Two Years Experience as a Prisoner in the United States Penitentiary at Leavenworth, Kansas*. Leavenworth, 1915.

Wyman, Seth. *The Life and Adventures of Seth Wyman . . . a Life Spent in Robbery, Theft, Gambling, Passing Counterfeit Money . . . Written by Himself*. Manchester, NH, 1843.

Younger, Cole. *The Story of Cole Younger, by Himself; Being an Autobiography of the Missouri Guerrilla Captain and Outlaw, His Capture and Prison Life, and the Only Authentic Account of the Northfield Raid . . . Chicago, 1903*.

Zientek, James R. *Solitary Key Hole*. Auburn, NY: Eyesore Publications 1981. Poems by a man who at one time was the youngest convict in Attica.

Zimmer, Timothy W.L. *Letters of a C.O. from Prison*. Valley Forge, PA: Judson Press, 1969.

Zimmerman, Isidore. *Punishment Without Crime: The True Story of a Man Who Spent Twenty-four Years in Prison for a Crime He Did Not Commit*. New York: Clarkson N. Potter, 1964.