

xxx 4140

Jan. 24, 1985.

To: Professor John Snykla.

John:

I enjoyed the article in the CRIMSON-WHITE concerning your studies of the impact of capital punishment on the families of those who have been condemned today.

As I have ~~XXXXXX~~ often stated, this little studied aspect of the subject - and its effect on another group of innocent victims - is something that should be more generally understood by the public.

In my opinion, it would be great if University Relations could release an interview with you on this subject to the Associated Press to afford wider circulation.

Regards -



Cathy Andreen,
University Relations.

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CAPITAL PUNISHMENT RESEARCH PROJECT.

From: Watt Espy
To: Dr. John Smykla.

I enjoyed our conversation this afternoon and the purpose of this memorandum is to recapitulate the major points discussed and, perhaps, to add some suggestions to our conversation.

While I am fully aware of the logistical problems involved, the advisory committee can best become acquainted with my work and my "methodology" by coming to Tuscaloosa instead of staying in Birmingham during their meeting in September. It is only about 60 miles, so that a University van could be sent up early on the morning of the meeting to bring them down here for the day. That should give each of them every opportunity not only to see what I have and what your people are doing with it, but also to ask me any questions that they might wish. The van could then take them back to Birmingham in the evening.

I am glad that you share my concern over errors in the first run and that you want to see them corrected just as I do. If, in the last 41 executions that have occurred in the United States, several obvious errors were observed - a Federal execution in 1976 where there were no executions that year and there have been no Federal executions at all since 1963; three executions shown in 1979 while there were only two; 20 in 1984 when there were actually 21; 12 in 1985 while there had been, at that time, only 10; and 10 by lethal injection when there had been only 8 at the time - there is no way of knowing how many exist in the 14,789 executions placed on the computer. However, the probability factor would be so high as to make any analysis based on the data inaccurate. This has been a source of great worry and concern to me, so I am delighted that you agree with the necessity of developing a method of quality control that will identify and correct as many as possible, which must be sufficient to make the work usable. I shall look forward to discussing this with Sam in greater detail and will, of course, be glad to assist in any reasonable manner.

The law student who is to replace Rick Dent is named Michael Smith, and as soon as he gets back to Tuscaloosa, I will ask him to call you for an appointment.

With best wishes, I am,

Sincerely,



P/B862/586

THE

British Journal of Criminology

Delinquency and Deviant Social Behaviour

Volume 25 No. 2 April 1985

The British Journal of The Institute for the Study and
Treatment of Delinquents

STEVENS

it threatens to become no more than a filler between the quotes. I suspect that this might have been a more satisfactory book if there were fewer and longer data extracts with a more critical authorial questioning of exactly what each was intended to achieve, apart from attesting to their own existence.

Finally, there is the problem of linking macro and micro explanations. This is an old ethnographic bugbear. Nobody else has produced an acceptable solution, so this must again temper the criticism. Nevertheless statements are made about the impact of changing political ideologies on probation practice without much evidence of cause and effect. Fielding does have some suggestive material on the influence of short-term local pressures of moral outrage over a particular crime or disposition and of the differential political valuation of probation and social work, but something stronger seems essential if this is to carry more than moral conviction.

If these criticisms seem harsh, it is out of recognition that the work should be judged against a high standard. What is frustrating for this reviewer is that the author undeniably has excellent data and has shown he can write much better books. The text here reads more like a second draft which awaits thorough and self-critical revision. Nevertheless, it does contain many useful things. The material on relations with other agencies and the courts is informative and the idea of drawing on work and organisations literature is worth further development. There is a suggestive discussion of the management of clients. Above all, the text is perfused by a true ethnographic sensitivity to the complex and irresolvable moral problems of front-line social work and a resolute refusal to make simplistic condemnations of people struggling to earn an honourable living from a questionable trade. In this respect, at least, Fielding has set a fine example for the rest of us to follow.

Robert Dingwall

PROBATION AND PAROLE: CRIME CONTROL IN THE COMMUNITY. By J. SMYKLA.
[London: Macmillan, 1984. 330 pp. £24.95.]

THE American system of punishment was recently caricatured as offering no middle ground between being "jammed into prisons" or "allowed a free-and-easy probation" (*Time*, September 24, 1984, p.19). American criminal justice professionals have been grappling with "community control" long enough for most observers to have become sceptical of any reference to a "community" role in the process. In the United States the situation is not as it still largely is in Britain, where "community" is a word seldom bearing negative connotations.

Americans have not needed warnings about the blurring of the boundaries of social control to recognise the motive for this new vogue; as Diana Gordon notes in her foreword, "where the growth of the penitentiary in the Jacksonian period was fuelled by ideology, the move to greater community responsibility for correction is likely to be the result of pragmatic concerns" (p.viii), namely cost. The voters of several states have simply refused to pass the bond issues to pay for new prisons. Meanwhile both prison and probation populations have sustained record growth and the character of probation has been altered by the addition of requirements for restitution, mediation and community service.

A critical look at the potential for community control is therefore apposite. Smykla's (and his nearly unacknowledged co-authors') book is not quite that, but comes passably close. It is concerned with the education of professionals in criminal justice, yet is not simply a textbook (despite its format) because it addresses those who must adjust to the prospect of a "non-statist vision of community corrections". Smykla states three purposes in writing the book—to offer an interdisciplinary introduction to probation and parole, to go beyond the conventional "prescriptive" texts by acknowledging controversy and debating alternatives, and to retail the "systems" approach to crime control. Early chapters review the criminal justice system (with a nice sense of the inter-relatedness of decisions with the "social system" within agencies) and the evolution of contemporary parole and probation practice.

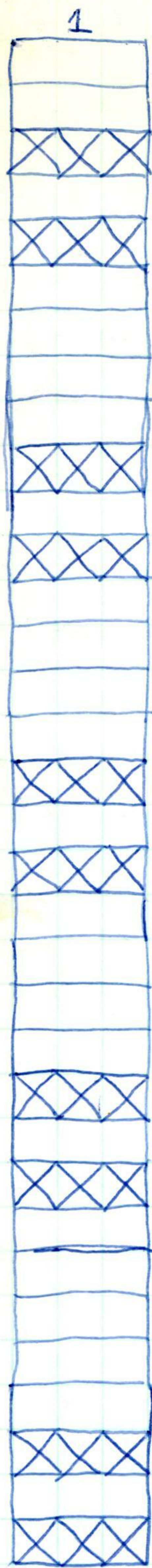
Stimulus for reform has come in part from the perception that these services do comprise a system rather than being independent programmes and agencies, with a consequent search for coherence in the progress of offenders through the system, but the review of pressures for change is wider than this. Probation subsidy schemes, with their element of local jurisdiction, are closely described. There is a sharp and critical review of the "split sentence" innovations of shock probation, shock parole, and weekend jail. Determinate sentencing is diligently evaluated in relation to current practice, and the case for abolition of parole is handled with a suitable sense of its complexity. Prediction and classification strategies "perfected" in parole decisions have been applied to probation much further than in Britain, and the background of this long project is given. A series of rating schemes are illustrated whose surface "objectivity" is then lambasted in a review of research which confirms our wisdom in avoiding them. The consequences of court-ordered prediction in probation and parole determinations are exposed by case studies in which "experts" are coerced into adopting the stance of control agent, and the account the system encourages serves to gloss "crime-provoking inequities" (p.197) in society.

The book's closing chapters concern the practice of probation and parole, but do so in the way invariably used in textbooks. The perspective is that of abstract characterisation of the work, so that one encounters a variety of ways of classifying procedures and enhancing different aspects of the work without having any real idea of what actually happens between officer and client. This disappointing and tepid conventional treatment contrasts with the critical perspective in the concluding discussions of evaluation research, criteria of effectiveness, and the possibility of a "mutual aid" model which organises crime control "from the bottom up". This is a useful specialist read for those involved with control in the community, featuring a good history of recent American policy and a decent grounding in current research, but its level of analysis makes it more germane to the interests of administrators than working officers.

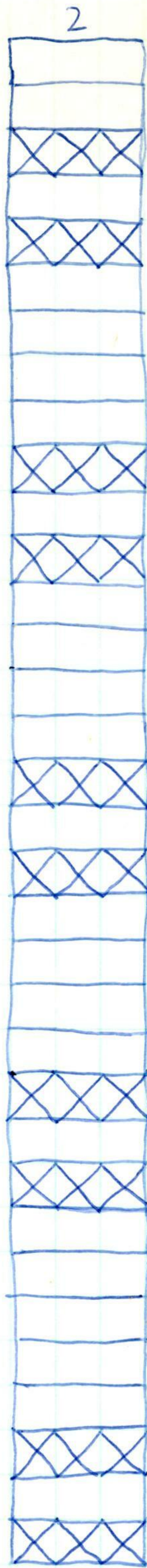
Nigel Fielding

THE TRIALS OF ISRAEL LIPSKI. By MARTIN L. FRIEDLAND. [London: Macmillan, 1984. 219 pp. £8.95.]

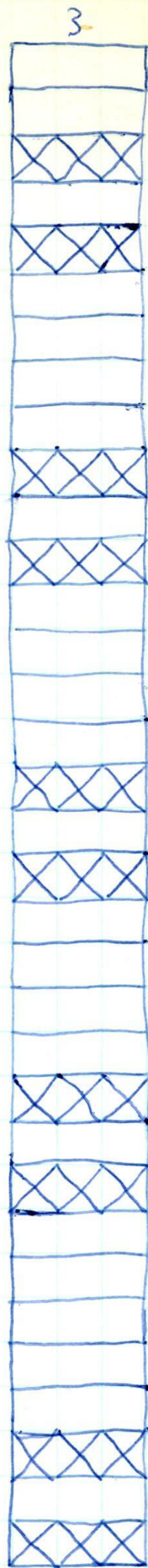
THIS book is a masterly and fascinating account of a most depressing and hitherto



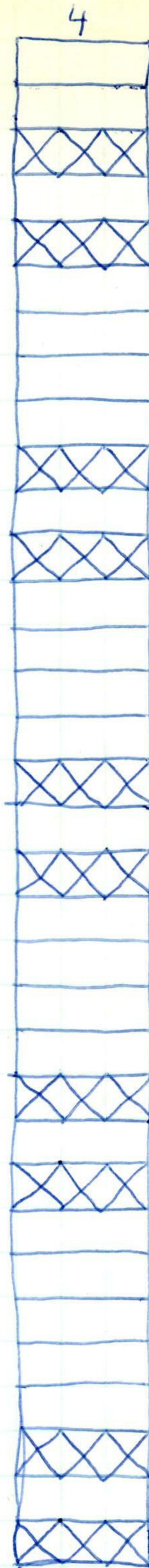
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THE
UNIVERSITY
OF
ALABAMA



OFFICE OF UNIVERSITY RELATIONS

Feb. 25, 1985

TO:

Watt Espy

Watt -

Thank you for your note about John Snytkla's work on the families of death row inmates. Janet Griffith of our office released a story on the subject to the wire services and other media last May. A copy is attached.

Please keep us in mind for other news stories.

Thanks,

Cathy Andreen

MEMO FROM: WATT ESPY

C/O LAW LIBRARY -- P. O. BOX 6205 -- UNIVERSITY, AL. 35486

PHONE (205) 348-~~5925~~ 4140

July 16, 1985.

This memorandum is to make note of a telephone call received by me from John Smykla around 9 o'clock this morning.

Sam Fisher was told at the beginning of this month that I had planned to be in and out during the last two weeks of the month on television and other appearances through the State.

Due to the fact that Criminal Justice had messed up Rick Dent's payroll one month, they owed him two weeks pay which he elected to take as comp. time while he studied by the bar. Michael Smith was told that he would not begin work until the 29th of this month.

When I explained this situation to Sam Fisher, he said that he would have other things for his people to do. Nonetheless, yesterday, he told me that they would be rechecking each other on the small cards. Once again

I explained that I would be out and would not authorize him or anyone else from Criminal Justice to enter my office, the reason being that I consider them all incompetents who have messed up practically everything that they have touched. Rick agreed to be here on the days that I was gone and to check items in and out, but only if he is paid to do so and he should not be expected to do so without compensation. After all, he went to Richmond for a full week, without pay other than living and travel expenses to check the records of executed slaves which was a very fruitful endeavor.

This morning, John Smykla called me around the above mentioned time and ordered me not to leave this campus without turning over my material to his people and then hung up the telephone without even waiting for a reply.

MEMO FROM: WATT ESPY

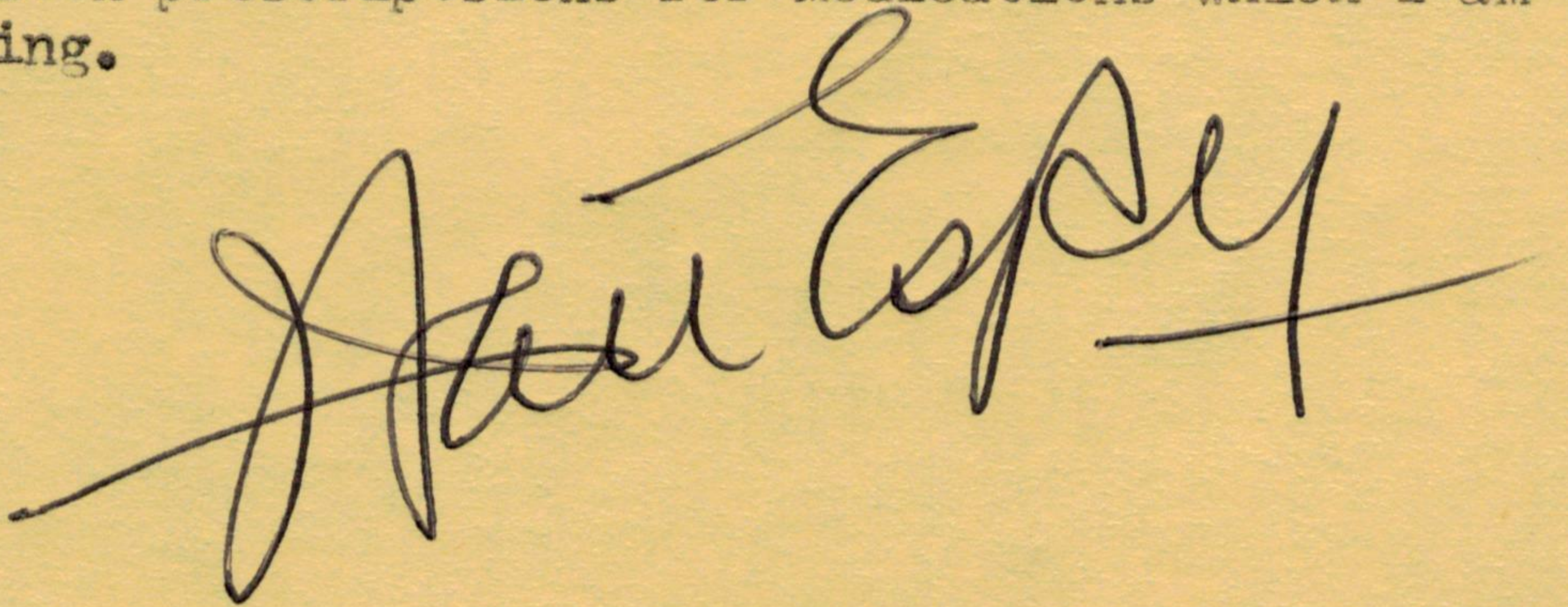
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PHONE (205) 348-5925

Page two

July 16, 1985.

The matter so upset me that I had to have someone drive me to my doctor (my car was in the shop) where I was told my blood pressure had gone high and was advised to go into the hospital. Time will not prevent this, but I was given prescriptions for medications which I am now taking.

A handwritten signature in cursive script, appearing to read "Watt Espy". The signature is written in dark ink and is positioned below the typed text of the letter.

MEMO FROM: WATT ESPY

C/O LAW LIBRARY -- P. O. BOX 6205 -- UNIVERSITY, AL. 35486

PHONE (205) 348-5925

7-15-1985.

R: Smykla.

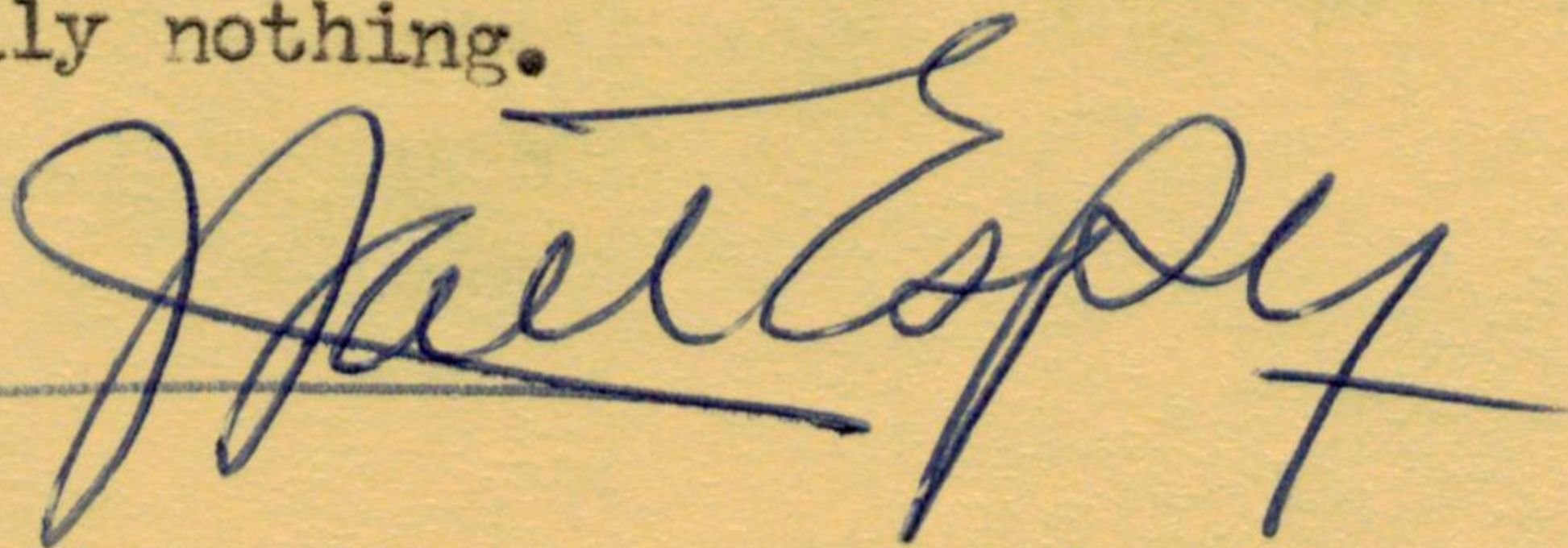
This is an addition to my memorandum of earlier today.

Rick called Smykla offering to work on the days that I would not be here, putting the stuff out for his personnel and taking it in at night, if he was paid for so doing. Smykla finally agreed to this but said it would be my responsibility to have someone do it after Rick left and before the 29th when Michael Smith goes to work.

It was Smykla's people who messed up Rick's time and told Michael not to come to work until the 29th and I will not pay someone to do it. Saw Michael and he is to call Smykla and see what can be worked out there.

Rick said that Smykla was absolutely rude in his conversation.

Had lunch with Scott Morton, one of Smykla's people who informs me that Smykla is hard to get along with and insists on having his own way on everything. Morton, who is leaving to go to work, says the biggest mistake he ever made was being conned into a criminal justice major (he is getting his master's now) as it will lead to virtually nothing.





THE UNIVERSITY OF ALABAMA

College of Arts and Sciences
Department of Criminal Justice

April 30, 1985

Dr. Michael Radelet
Department of Sociology
University of Florida
Gainesville, FL

Dear Dr. Radelet:

This is a good time to write each of you on the capital punishment Advisory Committee because Watt Espy has responded to the methodological questions and issues I presented him on the Committee's behalf after last year's meeting in Ohio. Watt informed me that he mailed you a copy of his response. If you don't have one by now, please let me know and another one will be sent.

We've made good progress on the research. Twelve variables have been coded for approximately 14,700 executions. Detail to data reliability and validity has been paramount and this week we're delivering the first dataset to ICPSR. I hope some of you will request the dataset early this summer from ICPSR and use it in your own research.

The next phase of the research involves drawing a representative sample of the data base and coding an additional forty-two variables per case. The codebook for this phase of the research project benefits immensely from the Committee's meeting in Ohio. Variables on appeals, for example, are included to provide researchers access to a wealth of information for theory building.

We are planning to invite the Advisory Committee to this campus early in the Fall to review our progress. We are also planning to invite you to San Diego in November (in conjunction with American Society of Criminology meetings) for another Advisory Committee meeting. I shall provide you with more detail in the near future.

In the interim, as we prepare a methodological statement to accompany the dataset at ICPSR, please send me your comments on Watt's response to the methodological concerns the Committee raised last Fall. I am enclosing a copy of the questions and issues on the Committee's behalf.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John".

John Ortiz Smykla
Associate Professor

JOS/mgf



THE UNIVERSITY OF ALABAMA

College of Arts and Sciences
Department of Criminal Justice

May 8, 1985

Dr. Michael Radelet
Department of Sociology
University of Florida
Gainesville, FL

Dear Dr. Radelet:

Last Thursday and Friday I traveled to the University of Michigan to deliver the file on 14,700 executions and had a productive working session at ICPSR. One of the many issues we discussed was the sample of executions we plan to draw in the next phase of the project. The purpose of this letter is to ask your opinion of the nature of the sample we propose to draw.

The group discussed several options for drawing a representative sample. We proposed stratifying on the basis of (a) South and Non-South States (South as defined by the original Confederate States) and (b) Eras ((1) Pre-Civil War Era, up to 1860; (2) Civil War and Reconstruction Era, 1861-1888; (3) Progressive Era, 1899-1916; (4) Pre-Depression and Depression Era, 1917-1941; and (5) World War II and Post-War Era, 1941 and beyond). Our rationale for the stratum of South and Non-South States includes the availability of indicators showing that capital punishment is greater in Southern than in non-Southern States, the incidence of homicide is punished differently in Southern than in non-Southern States, and more globally, the politics of Southern and non-Southern States is different.

Our rationale for the use of Eras seemed an appropriate parallel to the stratum of South and Non-South States in terms of changes in public opinion about crime and punishment, role of government and the economy. Stratification based on historical eras was considered more appropriate than stratification based on decade, century or any other choice.

In the interest of moving forward on drawing our first sample of approximately 3,000 cases and coding data for an additional 42 variables per case we ask your opinion of the nature of our proposed sample. If you have suggestions and/or comments, please mail them to me before Monday, May 20, 1985 or call me at my office. (I'll get back to you if I'm not in when you call.) If I don't hear from you by then I'll assume you have no reservations.

The group also discussed future Advisory Committee meetings. In my letter to you of April 30, 1985, I said we were looking at a September meeting here on the campus of The University of Alabama and another one in November in conjunction with the American Society of Criminology in San Diego. Let me ask you about your September schedule and suggest a change in the November meeting. Would you, for example, be available to travel to The University of Alabama here in Tuscaloosa for a one day meeting Friday, September 27, 1985 or Monday, September 30, 1985?

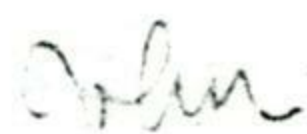
Dr. Michael Radelet
May 8, 1985
Page 2

If connections to Birmingham or Tuscaloosa are a problem perhaps you might want to travel in the day before. If you can look into airline schedules and give me an idea of your availability I'll make arrangements for your accommodations in Tuscaloosa if you need to travel in early or it's necessary for you to spend the night after the meeting as well as pickup you up in Birmingham with travel to Tuscaloosa (one hour's drive). If another date in September is more convenient for you please let me know as soon as you can so that I can coordinate committee members' schedules. What we would expect to do at this meeting is to introduce you to Watt Espy and others, provide you with a first edition of the execution file now being prepared at Michigan, and ask your opinion of the codebook which will accompany the file. The codebook, as you may remember from our Cincinnati meeting, will be designed with the non-technical person in mind. Not only will it introduce the project and its methodology but it will also present some data in tabular form for users without access to computers.

Regarding the proposed November meeting in conjunction with ASC in San Diego it might be better for us to wait and meet in the Spring in Santa Barbara, California, in conjunction with the Law and Society meetings. At that time we will be able to report on the status of the first sample of 3,000 cases which, I expect, will be completed by the end of 1985. I'll provide you with more information about the Spring meeting when you travel to Tuscaloosa.

Please remember, if you have comments or suggestions on the nature of our sample, let me know by Monday, May 20. Thank you.

Sincerely,



John Ortiz Smykla
Associate Professor

JOS/mgf



THE UNIVERSITY OF ALABAMA
College of Arts and Sciences
Department of Criminal Justice

May 22, 1985

MEMORANDUM

Prof Radelet,

TO: Advisory Committee members, Capital Punishment Project

FROM: John Ortiz Smykla

RE: Committee meeting

Recently I wrote each one of you requesting your thoughts on the sample of capital executions cases we plan to draw. Several of you responded, some with very detailed feedback and we appreciate it. We're still hoping others of you will comment on our proposal. The sampling design is a major decision deciding the path for all future analysis.

I am still interested in learning your schedule for a September meeting. Committee members who responded to my earlier letter said a Friday meeting would be more convenient for their work schedules. Our next meeting will be a most important one. Our agenda includes the first data base, the first draft of the methods statement and codebook, and progress of the sample and development of the citation file. We do need your participation. We take your role seriously and value your opinion. Committee review tends to uncover more and better review than individual dialogue. I do hope you will check your September schedule and let me know if you can attend a meeting of the Advisory Committee on Friday, September 27, beginning at noon and ending around 5 p.m. Instead of commuting from Birmingham to the main campus of The University of Alabama in Tuscaloosa (one hour's drive), I am going to suggest we stay in Birmingham. I shall find us a meeting place there. You'll be able to take a taxi from the airport to our meeting place, thereby avoiding excessive travel to and from Tuscaloosa. Hopefully, by meeting in Birmingham, you'll be able to make the connections you need to leave Friday evening. Or, if your schedule needs it, we'll make your hotel reservations for Friday evening. If Friday, September 27 is not convenient for you, please tell me if Friday, September 20 or Friday, October 4 is better.

Please let me know as soon as possible. Thank you.

JOS/mgf

*Thanks for your letter.
Any Friday OK?*



DEPARTMENT OF SOCIOLOGY • UNIVERSITY OF FLORIDA
GAINESVILLE • FLORIDA • 32611
904 392-0265

Phone signer direct at: _____

May 28, 1985

Professor John Ortiz Smykla
Department of Criminal Justice
436 Farrah Hall
Box 6365
University of Alabama
University, AL 35486

Dear John,

Thanks for your memo of May 22. Yes, any of the three Friday dates would be fine with me. However, I would strongly urge you to hold the meeting in Tuscaloosa. That would give each of us an opportunity to get to meet Watt Espy, to see his offices, and to better familiarize ourselves with his work. Indeed, if all we need to do is to meet in a hotel somewhere, it would be much easier and cheaper for everyone to meet in Atlanta or some other place with plenty of direct flights.

Best wishes.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Mike Radelet".

Mike Radelet



THE UNIVERSITY OF ALABAMA

College of Arts and Sciences
Department of Criminal Justice

June 6, 1985

MEMORANDUM

TO: Advisory Committee
Capital Punishment Project

FROM: John Ortiz Smykla *Ortiz*

RE: September Meeting

In my earlier memorandum to you I suggested a half day advisory committee meeting on Friday, September 27 in Birmingham. Thinking about the agenda (e.g., your reaction to the first data file on 15,000 cases now being processed at Michigan, sampling and codebook issues for the expanded data file, creation of the citation file to accompany the expanded data file, review of the first draft of project introduction and methodology to accompany the data file, and discussions with Watt Espy) I'm afraid we would not accomplish our goals in a five hour meeting. After talking about it with others, I would like to propose a full day's meeting on the campus of The University of Alabama. I'm sensitive to your work schedule, the beginning of the Fall semester, and the distance and time involved in travel to Tuscaloosa. There are so many important issues to discuss we would be remiss if we didn't provide ample meeting time. You know we value your input on the project. You already helped us shape the data base in a very significant way.

What I'm proposing then is a full day's meeting, either Friday, September 20 or Friday, September 27, from 9 a.m. to 5 p.m. on the campus of The University of Alabama. If you have a conflict with one of these dates let me know. If either Friday is open, let me know that too and I'll schedule the meeting to fit the majority of your schedules.

There are two ways to get to Tuscaloosa by air. You can fly into Birmingham and someone from the University will meet you and drive you the one hour to Tuscaloosa. Or, if you're able to connect in Atlanta, you can fly direct to Tuscaloosa on Atlantic Southeastern Airlines. If you're coming in Thursday evening from Atlanta, the last flight to Tuscaloosa is 8:45 p.m. On Friday, the last Tuscaloosa to Atlanta flight is 5:15 p.m. (we'll get you to the Tuscaloosa Airport on time). If you're unable to make connections after the meeting on Friday, the first Tuscaloosa to Atlanta flight on Saturday is 7 a.m. I will arrange lodging if you are staying in Tuscaloosa Thursday and/or Friday evening and arrange your travel to and from the airport (Tuscaloosa or Birmingham).

I know it's sometimes hard to plan three and one half months in advance but let me ask you to think about your schedule and look into travel arrangements. I'll call you next month to confirm the meeting. Or, if you wish, write me your travel plans and needs.

Thank you for your understanding and I apologize for the confusion.

JOS/mgf



THE UNIVERSITY OF ALABAMA

College of Arts and Sciences
Department of Criminal Justice

June 6, 1985

MEMORANDUM

TO: Advisory Committee
Capital Punishment Project

FROM: John Ortiz Smykla *Ortiz*

RE: September Meeting

In my earlier memorandum to you I suggested a half day advisory committee meeting on Friday, September 27 in Birmingham. Thinking about the agenda (e.g., your reaction to the first data file on 15,000 cases now being processed at Michigan, sampling and codebook issues for the expanded data file, creation of the citation file to accompany the expanded data file, review of the first draft of project introduction and methodology to accompany the data file, and discussions with Watt Espy) I'm afraid we would not accomplish our goals in a five hour meeting. After talking about it with others, I would like to propose a full day's meeting on the campus of The University of Alabama. I'm sensitive to your work schedule, the beginning of the Fall semester, and the distance and time involved in travel to Tuscaloosa. There are so many important issues to discuss we would be remiss if we didn't provide ample meeting time. You know we value your input on the project. You already helped us shape the data base in a very significant way.

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Thank you for your understanding and I apologize for the confusion.

JOS/mgf

The University of Alabama
School of Law

Box 1435
University, Alabama 35486-1435

June 19, 1985

Office of the Dean

Professor John O. Smykla
436 Farrah Hall
Box 6365
University, AL 35486

Dear John:

Watt Espy informed me that the Capital Punishment Project Advisory Committee will meet at the University during September 1985. During a meeting with Dean Gamble, I mentioned the upcoming visit to him. He asked me to communicate with you on this matter and to offer our assistance in making the visit enjoyable and rewarding to these distinguished visitors.

I understand a visit to the site of the operation is proposed. In this respect, we would like to offer you space in the Law Center to conduct your meetings so you and the committee will be near Watt Espy's office and the workroom.

We understand that time may be limited, however, Dean Gamble indicated that he would be open to hosting a social event for the visitors. An early morning coffee or a late afternoon reception with the criminal justice, faculty and law faculty could be arranged at the Law Center. Another option would be to host a dinner for the visitors, two people from each school and Watt Espy. I will be glad to make the necessary arrangements.

Thank you and we look forward to discussing the matter with you.

Sincerely,



Roy R. Wade
Assistant Dean

RRW:sm

cc: Dean Charles Gamble
Dean Richard Peck
Vice Dean Nathaniel Hansford
Mr. Watt Espy ✓

Members of Advisory Committee:

Dr. William J. Bowers,
Northeastern University
Center for Applied Social Research
35 Lake Hall
Boston, Mass. 02115

Dr. Hugo A. Bedau
Department of Philosophy
Tufts University
Medford, Massachusetts 02155

--
Dr. Michael Radelet
Department of Sociology
University of Florida
Gainesville, FL 32611

Professor Stanton Wheeler
452 Humphrey Street
New Haven, CT 06511

Professor Eric Monkkonen
Department of History,
University of California - Los Angeles
Los Angeles, CA 90024.

Professor Colin Loftin,
Institute of Criminal Justice,
2220 Lefrak Hall
University of Maryland,
College Park, Maryland 20742.

Dr. Fred DuBow
American Bar Foundation
750 N. Lakeshore Drive
Chicago, Illinois 60611

(Over)

Professor David Baldus
Law School
University of Iowa
Iowa City, Iowa 52242.

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THE UNIVERSITY OF ALABAMA

College of Arts and Sciences
Department of Criminal Justice

July 17, 1985

Mr. Watt Espy
Law School
University, Alabama

Dear Watt:

The purpose of this letter is to inform you that I checked the time cards turned in by Rick Dent for the month of May and found out that in the first two weeks in May, he reported working each Tuesday and Thursday from 8 a.m. to 1 p.m. This differs from the twenty hours per week he reported working in all previous months, still this is what was reported on his timesheet, by him. Then, for the last two weeks in May he did not go to the department office at all to report his hours. My secretary, Maureen Furney, being the good-natured person she is, went out on a limb and reported hours for him for the third and fourth weeks in May. Not knowing exactly what to report but wanting to report something so he could get paid, she used the hours he reported in the first two weeks of May as her model for the third and fourth weeks. Thus, she reported forty hours for Rick for the month of May. Rick says he worked eighty. It was his obligation to record and sign his time cards in the first place. Your blame of me and my staff is misplaced.

Duly,

John Ortiz Smykla
Associate Professor

JOS/mgf

MEMO FROM: WATT ESPY

C/O LAW LIBRARY -- P. O. BOX 6205 -- UNIVERSITY, AL. 35486

PHONE (205) 348-5925 ~~25~~ 4140

July 17, 1985.

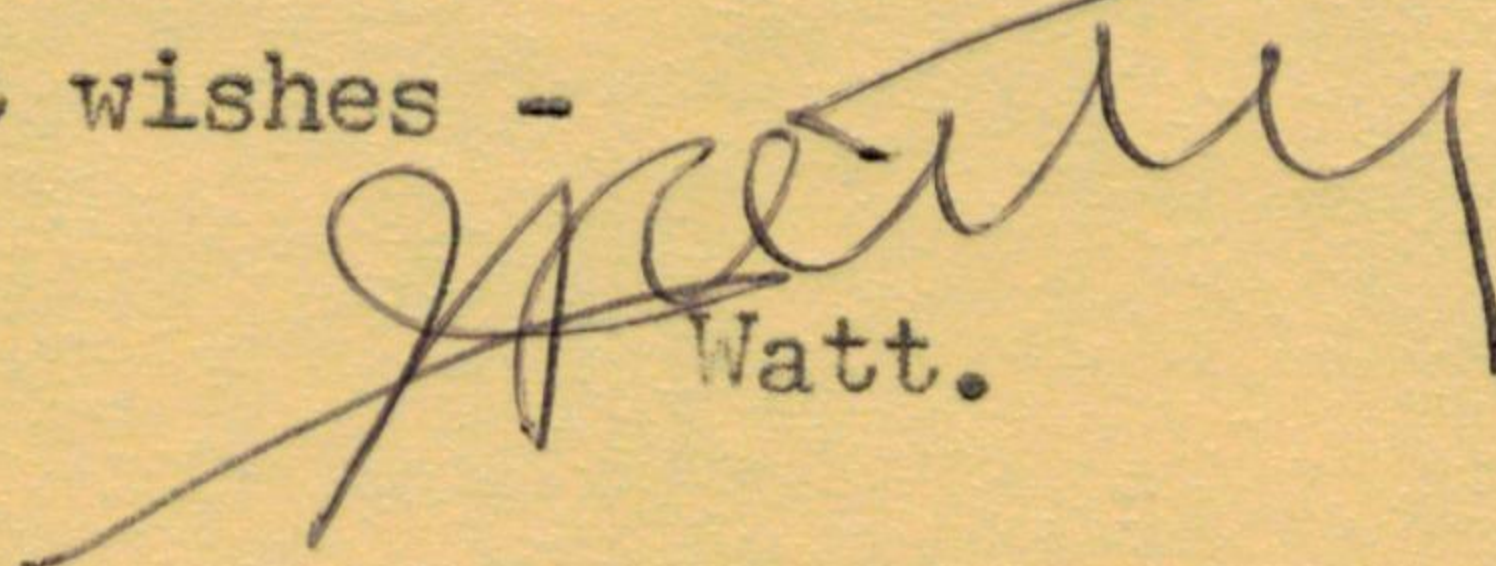
The enclosed items are self-explanatory. I sincerely hope that at the meeting in September I can meet with ~~with~~ friends such as yourself and make a new will and agreement that will not make my material inaccessible to responsible members of the academic community and others. You, and some others, of course, I would like to have access to the material, but ~~anti~~ after something else is developed, this must stand.

I am to leave tomorrow for Mobile, and will be in Birmingham Sunday and Monday, Montgomery on Tuesday and Huntsville Wednesday and Thursday of next week.

Will appear on a tv show here this afternoon. Am going to do my best to help our position, but with Smykla constantly firing at my rear my nerves are a wreck. The doctor has advised me to cancel trips, but I am committed and will proceed - I might add, incidentally, that the OpEd for the Constitution has already gone off. The one for the Times would have been written yesterday had it not been for the trauma that Smykla has seen fit to put me through.

If he wants to continue with the grant and not have to pay the money back, he had better hope that I live or do not become incapacitated. Both of these documents were written and drafted with legal assistance.

Regards and best wishes -


Watt.

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CAPITAL PUNISHMENT RESEARCH PROJECT.

July 16, 1985.

To: Ms. Cherry Thomas, Acting Law Librarian,
Dean Charles Gamble, School of Law.

In the event of my incapacitation due to a stroke, accident, operation or other impairment, physical or mental, I direct that all of my materials, books, ledgers, cards, worksheets, magazines, papers or any other material relating to the capital punishment research project be locked up and sealed here in the Law School until such time as I have recovered sufficiently to continue with my work, at which time I will resume control myself and the computerization under the grant proposal will continue. In no event do I want Profess or John Smykla or any other person connected with him in any way to have any access to this material during said incapacitation.

In the event of my death, the terms of my holographic will, a copy of which is included will go into effect.

Major Watt Espy, Jr.
MAJOR WATT ESPY, JR.

Witness by: *Mary Freyer*

Witness by: *W. Spencer*

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July 16, 1985

Last Will and Testament:

The following I, Major Matt Espy, Jr.,
do make as my last Will and Testament.

In the event of my death, I give all
books, ledgers, card, worksheets, papers
magazines or any other materials of matters
pertaining to my research into the subject
of Capital Punishment, commonly known
as the Capital Punishment Research Project
to the University of Alabama Law Center
with the provision that all of it be
immediately sealed upon my death for a
period of 25 years after which it may
be made available to ~~some~~ such persons
for research as shall be approved by the
Administrators of the University of Alabama Law
School.

Under no circumstances is any of this
material to be made available to John Sample
or anyone else connected with the computerization
of the data contained therein. The only future
period and thereafter this 25-year-
period shall be after this 25-year-
from and supervised at the University of
Alabama Law Center.

Witnessed by:

William L. Andrew
T. H. McNeill

Major Matt Espy, Jr.

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July 16, 1985

To whom it may concern:

Until such time as I shall draft a more formal last will and testament, I do, insofar as my research project on the death penalty in the United States is concerned make the following bequest:

That all materials, Books, Ledgers, cards, workshits, papers, magazines or any other matter pertaining to my work be given into the custody of the Law School at the University of Alabama in Tuscaloosa with the provision that all such material be immediately sealed and be kept unavaiable for a period of 25 years after my death.

In the case of my incapacitation due to a stroke or other unforeseen circumstance, this same ~~be~~ bequest is made. However, upon my return to health, I shall ~~continue~~ ~~to control~~ resume control of my material. Under no circumstances is John Smyke or anyone connected with him to have access to any of this under the terms & provisions of this document.

Dear Watt -

I appreciate your steady flow of correspondence! Your letter to Wayne Ritter was good. I hope he and the others on the row feel some comfort with the knowledge of our organizing efforts. I also am thankful that you told him about my research project. My secretary has had my letter + information sheet ready for weeks to send to each of the folks on the row but Cathy Ansheles is behind getting my secretary an up to date listing of names and AIS numbers. I hope it's not delayed much longer. To date I've rec'd no word from the Chicago Resource Foundation per my grant. Word was supposed to come early in July. I've asked my secretary there to look into it for me. As it stands now I look only for a fall semester sabbatical in which to do field interviews. Once January rolls around the hecticness of teaching and committee work becomes time-consuming again. Am still waiting for final galley to do the index on my book. Up to this point I'm pleased with context and packaging. Also had an article accepted for publication in the J. Cr. Just while I was here. It's

on the impact of prison on the local economy looking at about 20 variables in 3 counties in AL w. prison matched w. 3 AL counties w/o prison. Find no discernible differences. In fact, some positive outcomes appeared in prison counties re: property values, farm acreage values, new industries. I feel some moral weight in having done the Rsch if someone comes around now and uses it in policy-making with the attitude that the Rsch supports new and more prison construction. That happened in Montgomery already.

Getting ready for our return on the 31st. Our week in St. Thomas was all it could be. Today we're going to the art museum in Ponce. Tomorrow to stroll around the campus of the Univ. of PR. Looks like I'll be back in March for a few days to deliver/participate in a symposium on law + soc. science at Interamerican Univ in San Juan. I look forward to it.

See you soon. John -