

him, he would give me money. He would try to pay us for things we do, like clean the tub, clean his room. He took us out to dinner and stuff. He tried to discipline us. For example, as my brother would say, I done something, he'd see what the problem was, who was in the wrong. He'd get upset with us. I don't remember him much when I was younger. He was barely home.

Coming up, I hardly remember him being around that much. When I was in high school, yes. But most of the time he was in jail as a child, or in group homes. I remember him staying in group homes, sometimes he would come over. When I was about 12 or 13 he was home with us. He didn't like to go to school. He didn't like nobody bothering him, talking about him. He had a bit of a temper. He fought with Debra sometimes. He used to be fat. They used to call him names. And then he was real dark.

Girvies used to bring Beverly food and stuff and help her family out a lot. He used to stay with Jesse sometimes. He always tried to help them, if they run low on food or something. He would cook sometimes for us when we were living together, Polish sausage, biscuits, he liked junk food.

Girvies was the father type, Smitty was real quiet. Girvies would get on Smitty, "Smitty, why don't you get on and make the kids mind?" Girvies was a provider.

Ms. Bernadette Davis (34), another one of Girvies' younger sisters, reported that in about 1974, Girvies' father died "with a whiskey bottle in his hand." The hospital sent back his father's belongings, including the half-empty whiskey bottle, which Girvies poured out. Notably, right after his father's death, Girvies, then age 15 or 16, started drinking heavily. Bernadette herself has been through drug rehabilitation four times. She stated that 12 people in her family still get high, including cousins. She stated that one cousin, "Little Mike," who is in prison, "can't function in society."

Bernadette independently confirmed that her mother had a difficult time handling the demands of motherhood. She stated that her mother, "just didn't know. She ran the streets and had a lot of men friends in her life. Meet guys, need money, turn a trick. She wasn't home with us a lot." She summed up,

Smitty had left her. Our mother had a boyfriend. He stayed drunk all the time. Give her a few dollars and she'd cook and lay

up with him. She'd go over there Friday through Sunday, we didn't like him. We learned on our own. If Girvies had money, he'd buy stuff and put it in the refrigerator. I don't remember him going to school. He couldn't really read. He started reading and writing in Menard. She let him get by with too much, she didn't set a good example. Ozella, one time I found myself leaning on her shoulder and she pushed me away. She taught us to have a baby, go on welfare, get money in your pocket--not to go to school, get a job, get something for yourself.

Bernadette, even though she does not consider herself as particularly close to Girvies, commented that he has "matured and calmed down a lot," and reported that he has tried to intervene constructively in the lives of family members. For example, she stated that,

I'm a recovering addict and alcoholic myself. I got on it real heavy after it all happened to him. He told me I needed to get myself together, to wake up. He was concerned. He told me I had these kids to take care of, and I needed to stay sober to take care of the kids. It worries and upsets him....He has changed his life, become a minister. He was in the bible, but I wasn't really listening, until my situation got worser, I got in several rehabilitations. He was there for me. He would always call me and encourage me....When I'm sitting feeling sorry for myself, spending all my money, and not paying my bills he'd say, "What's it gonna take to straighten you up? You won't listen." He would call Mama to get information about me when my phone got cut off.

Ms. Debra McCrae (35), Girvies' closest sibling in age, described her brother's childhood as follows:

To be honest, I knew he was a disturbed child, he had his moods. Sometimes he was a good guy, sometimes he'd be outraged. Sometimes he was just like a completely nice person, cooking for us. Sometimes he'd get mean, want to fight, start drinking. When he was growing up, he was in jail a lot. Then he'd come back home.

And he didn't like school at all. He was kind of chubby. He was fat and he wanted to be the center of attention. Me and him was in a class together, home room, in 4th or 5th grade at Jackson

School. But if the teacher would ask him a question, he'd get up and leave. He'd come by in the morning, but leave school.

He was always shy at home and school. My sisters would call him fat. By him being emotional he took it serious. I don't remember him staying in class all day. I don't know if he was slow. If the teacher would ask him something, sometimes he would mouth off to her and walk out of the room. My father had a drinking problem. I have a drinking problem. I'm going to classes now for it and doing a lot better.

When asked about her mother, Debra stated,

She was into partying, and going out. She wasn't able to give us much. Smitty was in and out all the time. Back and forth. Off and on. Sometimes she was gone overnight. I don't know how long she stayed out when we was young. When we got older, I was 15 or 16, we were drinking around the house too. With my mother. She loved gin. Used to, anyway. We would drink to get drunk. Even when we were coming up, and especially when I was a teenager. Smitty would drink when she drank. She's 10 years older."

When asked about the kinds of guidance that they got when they were young, Debra stated, "We survived. We were never put in no home or nothing. At times it was O.K. At times it was bad. She never disciplined us enough. She let us get away with a lot. When my dad tried to make us mind, she would stop him. We never got whippings." About the frequent moves, Debra stated, "We never stayed nowhere too long, never. Ozella just got that in her. She can't be still. She was very stingy. That woman loved money, her money and everybody else's money. I never remember getting new clothes, but she would get new clothes, new shoes."

Debra indicated that her family is completely fragmented even though they live close geographically. When asked about affection in the house, Debra stated that the kids never got hugs or any other type of emotional support or affection.

She would not show her feelings at all. She just won't. She said her mother didn't do it with her, so she is like that. She never told any of us that she loved us. It's sad to say, but yes, she's kind of cold. I don't go around her. I follow her a lot because of my kids,

she has my kids. She has my kids....Never went to the park or picnic or zoo...[Girvies] never had that love. We was neglected of love, that's what we was all neglected of.

### **Accounts from Outside of the Family**

I had the opportunity to interview Mrs. Lula Belle Johnson. Mrs. Johnson, a friend of Ozella Smith, is employed as a mental health outreach worker for the state. She raised 12 children of her own. She has known Girvies and his family for many years. She has befriended Girvies and has visited him frequently.

When asked to compare the young Girvies with Girvies now, Mrs. Johnson stated,

He was kind of pretty nervous. Feisty. Rough. It seemed like to me he had a problem in the mind. It seemed like he was thinking way off in space. When he'd get really, really angry, he would shout. I guess I don't know the words for it.

What would set him off is if someone brought something up he didn't want to talk about. It would rouse him. Then he'd apologize. He was a person who would always say he's sorry. He had trouble expressing himself lots of times. Even now, he has a hard time making things plain. You have to take time and listen to him, or you'll just miss out.

Girvies is able to control himself, able to sit down and let you do the talking. He's able to listen and hold his peace. Not jump all of a sudden and get hot. If there's a problem, he'll say, 'Let's pray about it.' He leans on prayer, and he leans on Jesus. He has all kinds of bibles. He marks his verses, and he could tell you exactly where to go to find it. He's well studied up. If you saw him back then, you wouldn't believe it, the change. He was raving like a wild man when he first got down there, he was so nervous. Now he takes time to talk. He has a lot of positive personality changes. No more raving and hollering and fussing, he's calmed down. He's strong for the Word. He wants his life, true enough, but he's striving for the Word."

Mrs. Johnson stated that Girvies, though frustrated with his family and their constant problems, is very concerned about them. She stated,

He helped out his mother, his sisters. His mother, she went through a lot of things. I think her mother had passed. It kind of brought on a pressure on her. Sometimes she seemed way off in space a lot of times....He wanted his mama to make his brothers and sisters stop running around. His brothers stop running the streets. His sisters not having boyfriends at an early age. They had their fusses....Some of them got their problems. Debbie, she has her own drinking problem. She needed guidance real bad. Bernadette, about three years ago, if you saw her then, the drugs. She'd go into the hospital for meetings, would do her good for a day or so.

Girvies helped me through my divorce. He helped draw up some papers. He told me to see a lawyer, Don Collins, in Belleville. He knows Girvies real well."

He's worried about them, fussing, afraid that they'll give his mother a heart attack. His brother Devon is not straight. That worries him so bad. He's afraid he's going to get a problem, AIDS. Running around drinking. It upsets Girvies.

He tries to tell his mother about Bernadette and Debbie, tell them just to stay away from you. Said one of his friend's mothers had a heart attack and died. This gets on him, even though he loves his sisters and brothers.

Mrs. Johnson commented that, "People [officers] at Menard talked about how much Girvies had changed, how he had gotten a lot better, Ms. Betty [Washington], the one that pats you down....I would say that the boy don't deserve the death penalty, because the Bible say thou shalt not kill. Even if he killed, it's not right for them to kill him."

I had the opportunity to interview Mrs. Elvira Geragoshian. Mrs. Geragoshian's mother was a former neighbor of Girvies' family in East St. Louis when they lived on 81st Street. She is a former member of the East St. Louis Board of Education, has worked for the Illinois lottery and Department of Agriculture, and is a former insurance salesperson. Over the years, she has known Girvies family and some of the trials and tribulations that they have experienced. She has positive memories of Girvies, but described that he had a

terrible home environment, one fraught with neglect, and one that had consequences not only for Girvies' but for his other siblings as well. "I always felt that his family did him wrong from the beginning. They created a weak person who wasn't able to say no. It's unfortunate."

Mrs. Geragoshian was in the insurance business during the time that she knew Girvies and his family. She had to venture into the neighborhood to collect life insurance premiums, sometimes at dusk. She stated that Girvies was very protective of her. She stated,

I knew Girvies personally. He was always very, very nice to me, very overprotective. He'd say, "Go in your car, lock your car, and head back home. You don't need to be around here at night by yourself." When I first met Girvies, he had just come out of prison [St. Charles]. Ozella was scared of him. I think he lost respect for his mother. When you lose respect for a person you don't treat them well.

When asked about Girvies' intelligence, Mrs. Geragoshian stated, "I don't think he had the knowledge it took to hold a responsible job. He seemed to be well mannered enough. But he didn't use good common sense."

Mrs. Geragoshian outlined a litany of problems in Girvies' family. She attributes the problems to a lack of guidance on the part of Girvies' mother Ozella, who she described as extremely self-centered and weak.

Girvies comes from a terrible background to begin with. His mother wasn't married. Had men living there. He accused men of sleeping with her daughters. Both daughters were pregnant, neither one married, both have children. Not a very good environment to be raised in to begin with.

Debra was in very bad shape, drugs, living with an older man in his 70's. I followed Ozella from the time they lived in East St. Louis next to my mother. They don't stay too long in one place. Somehow or another they don't pay the rent.

Bernadette wasn't all together. She had a mental problem. She had a child. Ozella used to let the father come and spend the night. They were on relief, nobody's working. They had money for pot, drugs, none to eat with.

I think your home environment shapes your life, for me. They were drinking as young girls, teenagers, one was barely a teenager. They didn't get much supervision.

I have five kids, and they have no problems. I was raised by foster parents, hungry, I left school at 16. But my whole life has been for my children. I took to Bernadette. She was an unfortunate child. I always told her she was too pretty to throw her life away. Not to drink and smoke. But unfortunately, when you're in that environment, and you live under those conditions, you end up like that. Ozella never had money for anything, but she always had money for herself. She'd buy her clothes, play bingo, she always came first. Instead of putting her time in for her kids. I never understood that. She resented any attention that Smitty would give to her children.

These people don't stop to realize that the lessons needed to be learned and taught years ago. Instead of being wrapped up in herself, not involving them in things that they enjoy doing. I felt that Ozella was cheated in life way back, so she's paying the price today with a son in prison and her children not all together. It's just a shame that others have to suffer [for her indiscretions].

I tried to help out. I felt sorry for Ozella. She had trouble with the kids. But they had no respect for her. What came first, the chicken or the egg?

I had the opportunity to interview Mr. Leland Smith, Sr., who has worked for many years at Grandpa's Discount Store in Collinsville. When asked about his reaction to the offense, Mr. Smith stated, "We was stumped. I was."

Mr. Smith has known Girvies' father, Girvies, and his family for years. Mr. Smith stated, "His father, I got him a job as a night watchman. He had just been hanging around. He did odd jobs for people, hang around the service station and here. He was a likable man." Mr. Smith was quite fond of Girvies' father as well as the young Girvies. "Girvies' father drank a lot, too much sometimes. But he was happy, not mean or nothin'." When asked what the young Girvies was like, Mr. Smith stated,

Girvies, he did work for the restaurant man inside [as a dishwasher] for a little while. The boy, he was goofed up then.

He didn't hold that job down. We felt sorry for him, sent him a little food, money. I know that the kid had a rough family life. I just took it for granted he never had no money. I had to bury his daddy, help out, pay for the funeral. The boy was real young then when his father worked here. I just feel sorry for him.

Mr. Smith continues to have periodic written and phone contact with Girvies, and acts like a surrogate family member. "The letters are improved over time. I think he got his education in prison."

His mother and sister, don't know which one, would come up here and ask for things and money. I think his sister and mother was using the money, I'd give her stuff to buy clothes with, underwear. In fact, Girvies wrote me a letter saying not to give her no money. I started sending stuff directly to Girvies. Girvies used to call me all the time. Seemed like he changed. It sounded like he got religion. He's really sincere. I sent him a typewriter, even.

I had the opportunity to interview Ms. Diane Davis (45), Girvies' cousin. Diane is the third of nine brothers and sisters. Her father, Will Davis, was Ozella's brother. He died in April 1988. Diane provided additional insight into Girvies' early family life and what he is like in the present. She and Girvies speak on a daily basis.

When asked about how Ozella was as a mother, Diane stated,

Debbie, her mother used to feed her alcohol. They were at a very young age, elementary school age. A time or two as I got older, I saw her encourage her to drink. You hear grownups in the family tell the same story....She used to feed her alcohol to turn tricks, as a youngster, and her child was born as an alcoholic. And a second child, too....Ozella wanted her extra money for herself.

Ozella would put her kids up to it. Debra got the most of it. Ozella slept with Jesse's ex-husband and Beverly's friends, too. Beverly is not the best of friends with Ozella. I remember her treating Beverly like she wasn't her own daughter. The animosity you could see building. I remember just going by their house as a little girl you could hear the confusion. One time I remember when Ozella--it was the food--Beverly could only cook one egg, the other kid cooked three. Beverly had to add milk to her eggs



to stretch them out. Beverly would have to wear the unfit clothes. These are the little small things that stick in a person's mind and add up. It was very chaotic.

I could hear my mother talking about Ozella, how she used to turn tricks, "clip" men, how their man used to do it, too. It goes down, it's a cycle. And her mother's aunts. They used to act as if they were intoxicated, Ozella's mother and her sisters, and they would clip the men and send them on their way. It's not exaggerating. Ozella did not teach good morals to her kids, look at the facts and look at the results.

Girvies was a small child at the time. I remember the stores, S.S. Kresge's, Sears. She would plant things on Girvies. He was sometimes in a basket, that's how small he was. As he got older, they would test him. "I bet you're too scared to do this, steal this and that."

When you're molding a child, he got old enough to know that she would put things on him and send him out of the stores. But you can't go against your mom. He got older, it was just a natural thing for him. Stealing was a way of life.

His mother would take him to yard sales. His mother would tell him to scout these sales and go back later to get it. Ozella would brag to my mother about it. She's a bragger. She was proud to mold him to do these things. She would send them back to steal.

Girvies is a thief, but he's not a murderer....He was molded to be a thief. But when it comes to murdering, he was not a murderer. A thief, because it was the only thing he knew.

I asked Diane about changes that Girvies has undergone since he's been in prison.

For where he came from to where he is now, the old Girvies is dead. He is not the troublemaker that he used to be. His lifestyle is so different. The old Girvies is like history to me.

This man, he talks to kids, talks about their problems. We depend on him. His life has changed so, it's like a miracle, from

the way his mother molded him. If he could have got away from his mother at an early age, who knows what he would have been?

### **Social History and Placement Investigation Summary of Kenneth Wells**

One of many important documents that shed light on Girvies' background is a June 10, 1969 Social History conducted by Mr. Kenneth Wells, Girvies' former juvenile parole agent, Division of Correctional Services, IDOC. According to Mr. Wells' Social History report,

According to the mother the youth is somewhat retarded and to this day he cannot talk plain....The youth was considered an obedient child at home, was nervous, had a slight temper, and would bite his fingernails. The mother felt that he had a very small attention span, could not concentrate on his studies, and was a lot of trouble at school. She considered him to be babyish and he would stick fairly close to home....He was very dependent on his mother, and in fact when he would make a dollar doing various jobs he would give his mother 75 cents. **She stated she missed it very much, and when the mother said "it", this agent is not sure whether she meant the money or the child (emphasis mine).**

According to the Wells report, Ms. Smith viewed her son Girvies primarily as a conduit for extra financial resources. According to Mr. Wells, Girvies mother ignored recommendations of the school authorities that she seek psychiatric help for her son. "The mother stated that the youth was referred to the local Mental Health Clinic by the school authorities **but she never took him (emphasis mine).** Also the youth has never seen a psychiatrist...."

In the Family History, Marital History of Parents, and Attitude of Family Toward Youth sections of his report, Mr. Wells indicated,

Father: Girvies Stennis is 42 years of age and presently resides in St. Louis, Missouri. The mother seemed to be very secretive about his whereabouts as if this agent were trying to locate him. She thinks he is a night watchman for a local discount store and he comes to the home only occasionally. **She thinks he is the father of three of her children, however she is not too sure**

(emphasis mine). At any rate, Mrs. Smith assured this agent that the ward and Mr. Stennis had no relationship.

Mother: Ozella (Davis) Smith was born 11-11-1931 in Paducah, Kentucky....She is presently an unemployed housewife and a recipient of A.D.C.-U. She is presently married to Dwight Smith whom she lives with and is supported by his A.D.C. grant....**It is this writer's impression that Mrs. Smith is extremely limited as a mother figure. She is concerned, but does not have what it takes....Mrs. Smith has been extremely promiscuous throughout her lifetime and is now paying the bill, and it is felt that in her present marriage to Mr. Smith she has tried to rectify her past mistakes. However, she has married a 27 year old man in extremely poor health who is unemployed, and this is no way to overcome mistakes...(emphasis mine).**

Stepfather: Dwight Smith is a 27 year old...in poor health. He is presently an unemployed drummer and has not worked for the past two years. He is supported by A.D.C.-U. as he is supposed to be unable to work....All during this interview this writer thought that Mr. Smith, who turned out to be the husband, was the mother's handyman or even son, when she finally introduced him as her husband. He is young looking and states that he...is unemployed, but is looking for work. **At the time of the interview it appeared that this man was half intoxicated and was not very easy to relate to (emphasis mine).**

Marital History of Parents: A check with the A.D.C. records indicate that the mother and Mr. Stennis were never married but had a relationship from 1957 to 1964 which produced 4 illegitimate children. Mrs. Smith finally got married to her present husband, Dwight Smith, on 1-24-66, and **I am sure there is no rationale for this marriage unless Mrs. Smith just wanted someone to do her errands and take care of her home (emphasis mine).**

Attitude of Family Toward Youth: The mother tried to rationalize and stated that he was railroaded to the Illinois Youth Commission. When it was brought to her attention that the youth was arrested at age 8 for stealing, this was a different matter....She seems to be carrying a personal grudge for Sgt. Roosevelt Brown...who filed the delinquency petition [Sgt. Brown would

attempt to straighten her out; she resented this]....She has been on the phone continuously to this agent trying to find out if this agent could release her son, all of this without admitting to anyone that she could have been at fault. **During this interview this writer tried to make her examine her own life and the example she has set, but she would not listen (emphasis mine).**

Mr. Wells concluded his Social History,

As stated before, Mrs. Smith has been on the telephone constantly to this agent, trying to get her son out instead of reexamining her life to see and rationalize her own problems and worry about the future placement of her son. **The family is extremely disintegrated, there has never been any father influence in the home....[Girvies] could not look to his stepfather whom he hardly knew, he was a belligerent and antisocial child in the school program, and was almost destined to go to the Illinois Youth Commission. Placement back into this home must be guarded at this time; however, there would be retaliation from the mother if another placement resource were to be used (emphasis mine).**

In the 1970 Placement Investigation Summary, Mr. Wells reiterated that Girvies mother was "of limited intellectual ability, and not particularly impressive as a mother figure." He described Girvies neighborhood, and offered important recommendations.

Neighborhood: [Girvies lives in] **an extremely poor neighborhood** and most of the homes are rental property and there is not much investment in the community. **Delinquency and adult crime is rather high in the area, and recreational facilities consist of only school playgrounds.**

Impressions and Recommendations: Due to the ward's age, it will be mandatory for the ward to attend school on a full time basis. However, in a report...it was noted that in their case review **the ward should be enrolled in the E.M.H. Program, primarily because he is functioning on the first grade level. In the community, prior to his return to the Training School, the ward was enrolled in Jackson Elementary in the 5th grade. At this point in time there is little wonder why his school adjustment was poor. At this time an attempt was made by this counselor**

to enroll the youth in the E.M.H. Program in School District 189, but was told that the program was full, and there was a waiting list of at least 500 students. What this means is that the ward, if returned to this community, will have to be placed back in the regular school program in the 5th grade because he is almost 13 years of age.

In preparing a recommendation for parole for this youngster, it becomes very difficult to rationalize why he should be released from the institution. This counselor knows Girvies and how he operates in the community, knows of his immature, childlike personality, knows of his inability to perform in the classroom, knows that he has learned to steal at an early age to hide his inadequacies, and knows that this black family on A.D.C. lives in the ghetto of East St. Louis....A good start would be to have the ward placed in the E.M.H. Program where he could possibly become interested, kept busy during the day, and then with good supportive counseling and help from the mother, could be kept busy in the evenings also. He needs an education, or at least a partial education until he is old enough to be placed in a training program....This counselor is not trying to discourage parole, yet point out the fact that it will take great effort on the part of all parties concerned to help this youth adjust to a successful parole (emphasis mine).

**Academic History: Mr. Wells' Report, Interview with a Former Teacher, Review of Records**

According to the School History and Religious Background sections of Mr. Wells' Social History of Girvies,

At the time of commitment the youth was attending the A.M. Jackson Elementary School in the 4th grade [Girvies was 11 years old at the time.] The writer talked to his teacher...and her first sentences to this writer was that "he was a vulgar student." He was below average in his ability, aggressive in the classroom, would tear up his report card in front of the teacher, and when the teacher would send for the mother, she would not come to the school....Although the youth was slow in school and behind in his grades, he seemed to have an interest in Bible School and attended the Morningstar Baptist Church for the past four years.

**He joined this church without the mother's consent and managed to attend with some of his friends. This is the extent of what the mother knew about his church attendance (emphasis mine).**

Records were obtained from the schools that Girvies attended: Longfellow (now Miles Davis) and A.M. Jackson elementary schools. Records from Longfellow school indicated that Girvies was enrolled from Johnson Elementary School on March 8, 1965. **He failed the 1st grade**, but was promoted for the following two academic years. Records from 1969 from Jackson School indicate that he received failing marks (F's) in English, history, math, science, and spelling; he received an "E" in physical education and an "I" in reading. **Out of 167 days enrolled, he was absent 78 times.** He was not promoted, but **retained in the 4th grade.** Girvies was 12 years old at the end of the 4th grade.

I interviewed Mrs. Anne Petchulat, the former Mrs. Quinley, who was one of Girvies's fourth grade teachers at Jackson Elementary School, the last full year of record for Mr. Davis. She left Jackson School in 1970. She had a self-contained fourth grade class at that time. About Girvies' attendance she stated, "He probably went to school two days a week. I could always see him come down and he'd sit in a back seat." Mrs. Petchulat stated that Girvies was destined for failure from the start. He was a child with few assets and no guidance.

**I had nothing good or favorable to say about him. His looks, his teeth, his hair, his body size. Many children seem to compensate by singing, dancing, music. He had none of that....He didn't learn very well. Poor home life, etc. A poor, poor, unfortunate child anyway you want to look at it. He just stands out in my mind visibly. I'm sure that there was a boyfriend or stepfather at home. I had read about him in the paper a time or two and kept up with what was going on. I remember him distinctly.**

He had poor dental hygiene. **His whole appearance was strange**, he was overweight, his face bumpy, and something was the matter with his hair. **He had this vacant stare on his face, and a grin like the Cheshire cat.** He's always come in with this grin. Children who seem to have everything against them seem to have that grin, an "idiot grin"--maybe a bad use of words.

In my room, he just sort of sat there. I can't remember calling on him for anything. I used to think I knew my students. I could see him sitting there with that silly grin on his face. A cover up for inadequacy or whatever he felt. Looking back, I don't know why I didn't send him for testing. I usually did. I think he wasn't there enough.

I've had lots of students, sometimes they don't learn well. But they have other things to channel themselves. They operate projectors, they're artistic, excel at basketball, or something. Girvies had no outlets and no interests. He always sat in the back.

Ms. Petchulat summed up her recollections of Girvies as follows: "He had no incentives, no models, no skills. He was just one of those that fell through the cracks."

#### **Academic and Criminal History: Significant Early Intellectual Limitations and Organic Brain Dysfunction**

There is a handwritten Mental Health Center of St. Clair County Intake Interview dated February 18, 1970.

Informant: Mrs. Ozella Smith, mother of the patient, gave the following social history. Mrs. Smith seemed a reliable historian, but gave the impression that she was quite depressed. She was lethargic, slow to answer, showed little interest in the interview. Upon questioning it was found that she sleeps long hours, is chronically fatigued, and tends to sleep as much as possible.

Identification: This is a 12 year old, Negro male referred by school authorities for many behavioral problems (e.g., stealing, fighting, disobedience, truancy, etc.).

History: Girvies is the oldest of 6 children. He has 3 sisters (10, 8, & 7) and 2 bros (6 & 4). His birth was normal, & early development, as described by mother, was precocious, crawled at 6 mos., walked at 9 mos., voluntarily gave up bottle at 1 yr. His toilet training began at 6 mos. & was completed at 1 yr. Mother says that this training was accomplished easily with this baby.

The patient got along well with other children & entered school and made a good adjustment in first grade. When he was 7 years old, his mother & fr. separated. By the time he was in 3rd grade he began to give the school authorities discipline problems & was often truant. He was caught stealing many times & no discipline seemed to reach him. According to the mother, since 8 yrs. of age, Girvies has been a problem to local juvenile authorities.

In Spring 1969, he & other boys (older) broke Sears store windows to steal merchandise. They were caught & Girvies spent 6 mos. or more at St. Charles Reformatory. He only recently returned home--& school fighting has started again--also stealing. His mother sincerely wants help for him & is convinced he is emotionally disturbed.

Family History: The patient's fr. and mother had a common law relationship for almost 10 years. While living together, the patient's fr. did not support the family & each time another child was born, the IDPA had fr. in court for non-support charges. At the time of Anthony's birth (age 6) it was learned that Mr. Davis [actually Mr. Stennis] had a wife & family in Miss. Mrs. Davis then terminated her relationship with him. She soon met & married Mr. Smith, about 10 yrs. her junior--whose behavior as described by Mrs. Smith suggests a serious emotional illness and/or retardation. One child was born to them & is now about 4 yrs. old. Mr. Smith is no longer in the home, he now lives with his mother in Detroit. He goes home to mother frequently. Mr. Davis, meanwhile, who drinks heavily, parks in front of the house & watches the family. Patient's mother believes that Mr. Davis cares a great deal for his children & is watching them. He is currently employed as a night watchman at Grandpa's Store.

Mr. Smith has gone home to mother many times over the past few years. He seems unable to work when with his wife, but always finds work if with his mother. He is unable to read, is always nervous and sweaty. He plays the drums & tries to earn a living as a musician. His mother disapproved of his marriage. She is 60 years old & is married to a man 30 yrs. old. Mrs. Smith does not feel she made a good marriage.



According to a September 16, 1970 IDOC--Juvenile Division Staff Meeting Record,

Since his parole, the ward has been arrested at least 6 times for stealing and shoplifting. During this time the parole agent states that he attempted to work with the ward because of his age, mental and academic retardation....**The parole agent notes that although the ward is 12 years of age, he is functioning on the first grade level....The ward gives the impression of being quite slow intellectually, and one must be quite careful in phrasing questions to him in that he appears to have difficulty understanding questions and responding....The ward...is functioning on the EMH level and should be enrolled in such a program.**

A February 5, 1971 ISTSB Progress Report for Parole Consideration by Barbara Fredrickson, Case Worker, indicated that,

**It seems that we are dealing with a youth who has the ability to adjust at a very high level in an institutional setting; however, when he returns to the home community where structure is less rigid he does not seem to have the controls to follow through with a positive adjustment. The youth's limited intellectual ability does, of course, make the classroom setting a frustrating one.**

In a December 22, 1971 IDOC Clinical Evaluation, Marianne Chermak, M.D., a psychiatrist, wrote,

I saw Girvies on 5-21-69 and asked that he be referred again if more suspicion of organicity would arise....This is being done now because of strong organic signs on psychological testing and hyperactivity....**He is described as "retarded" and having a speech defect....Today he told me that he used to have headaches (occipital)....He still has them occasionally but they are getting less frequent.**

A December 27, 1971 IDOC EEG Report by F.M. Lorimer, M.D., indicated that Girvies was "referred because of headaches and a past history of head injury and psychological evidence of organicity....The head injury was at the age of 10 while he was hit by a truck while riding a bicycle. There was a short unconscious period...." On the EEG, Girvies exhibited

**Grossly abnormal EEG with shifting spike slow waves and spiking activity in the anterior leads, particularly frontal, temporal. There is also fast activity in varied frequencies. This record is not commonly seen associated with grand mal epilepsy but is a record that would correlate with behavioral disorders.**

An April 25, 1972 St. Clair County MHC Intake Note indicated that Girvies was having severe behavioral problems in the home and at school.

Girvies is not presently attending school. His probation officer is trying to get him into special education. **Therapist discussed the problem with Mr. Bill (the probation officer), he seems to think that the problem lies with Girvies' relationship with his stepfather. It seems that Girvies sees his stepfather as being present to get their welfare assistance.**

Dr. Chermak prescribed medication to stabilize Girvies' brain abnormality. In an August 21, 1972 follow-up IDOC Clinical Evaluation, Dr. Chermak wrote,

**His revised Beta IQ is 78 and his EEG of December 1971 was grossly abnormal. (It is of interest to note that the consultant described the changes to less in keeping with grand mal epilepsy than with behavioral disorders.)...Girvies...seemed much more hyperactive than previously and hardly could sit still. He said he took the medication regularly until he ran out of it....[Because of continued behavior problems] I suggest starting him (in addition to the Valium) on Dilantin....While I certainly would not object to a transfer to the Children's Center I am not sure if he qualifies for that place in view of the organic component and intellectual retardation. If he does, attention should also be paid to his reported overeating and increasing obesity.**

An October 29, 1972 IDOC Clinical Evaluation by Marvin Ziporyn, M.D., indicated that Girvies suffered from "Non-psychotic organic brain syndrome, associated with cerebral trauma." His report stated,

**This youngster displays all of the classical stigmata usually associated with organicity. He is emotionally volatile, displays markedly defective insight and judgment, and, indeed, shows**

some evidence of disorientation as to time, since he is uncertain as to the length of time he has been in the Department of Corrections, or, for that matter, such elementary things as his birthday, tend to elude him. Sensorium is defective....**The history on this youngster is that he has had frequent episodes of headache and received a severe injury to his head at the age of ten when he was hit by a truck. In December, 1971, he received an electroencephalogram which revealed gross abnormality....**In addition, Girvies has been acting out to a great extent....He is quite hyperactive during the examination and finds it quite difficult to hold still long enough to go through the process. In addition, **Girvies is intellectually limited, as indicated by his I.Q. which apparently runs under 80....**It is obvious to me that **Girvies cannot function without anti-convulsant control....**

A follow-up evaluation by Dr. Ziporyn on January 8, 1973 indicated that

This boy has made about as good a response as could be expected considering the severe nature of his disability. It should be noted that today's examination takes place on the 8th of January. **The 5th of January is the boy's birthday, when he turned fifteen years old and yet he was unable to tell me that he had passed his fifteenth birthday since a) he was unaware of what date it was, and b) he was not aware of the date and the month. As I said in October this boy has an almost complete ineptitude and all we can accomplish is to give some kind of anti-convulsive medication for stabilization.....**I would, therefore, recommend that Girvies be allowed to return home with the mandatory provision that he be placed under the supervision of a local physician or mental health facility which will continue to see him on a regular monthly basis and regulate his medication as reported.

According to a July 25, 1975 psychological evaluation by Sherman Sklar, Ph.D., (when Girvies was 17 years old),

The client reported that he made good grades while he was in school, but in actuality, **he is functionally illiterate....**He only reads at a 2.4 grade level, spells at 3.3 grade level, and has arithmetic skills equivalent to a 4.4 grade level. [His]... drawings are grossly inadequate and are very indicative of an organic

condition. It is probable that at least a part of the client's learning problems are attributable to his brain dysfunction....[His]...personality test results contain a great deal of perseveration, which supports the findings...that this youth has an organic brain syndrome....[The tests] show the effects of very impoverished intellectual, social, and emotional life experiences. It appears as though Girvies' level of emotional and intellectual functioning is quite low, and in addition seems to lack any real understanding of people and how to effectively relate to them....If he has not already had a neurological evaluation, then this should be done, and I would strongly recommend that medication be utilized in the management of this youth.

According to a March 24, 1977 Diagnostic Report by Dr. V.J. Thomas,

Girvies Davis is a nineteen year old male, seen in psychiatric evaluation....The patient has been here for a period of three years....[He] was brought here by the mother stating that he is very nervous and that he is suffering from seizure disorder. He is on probation for burglary. He said that he had been in jail recently for violent behavior at home towards the mother and destroying materials in the house....He seems to be functioning at the borderline range of intelligence or probably the level of mild mental retardation....

According to a March 31, 1977 follow-up Progress Report by Dr. V.J. Thomas,

The patient has been in jail for the past two or three days. The mother states that he was picked up by police on a charge that is six months or more old....The mother indicated that he always lives in fear of police and has a fear that he is going to be killed by police or by someone else. The mother stated that he is quite nervous and agitated, especially since he is not getting any medication in jail.

On July 3, 1977, Girvies, then 19 years old, was taken to the emergency room of Christian Welfare Hospital "following an overdose of Elavil and Tranxene and practically comatose" because "'No one cares.'" He was diagnosed, "1. Suicidal gesture, 2. Depressive reaction, 3. Mental retardation (borderline.)"

According to a September 21, 1977 hospital record, Girvies was referred by St. Clair County MHC to the hospital ER for "habitual excessive drinking." Girvies was known to drink a pint of gin in one sitting with no chaser.

An October 13, 1977 note by Bonita Andrews, a psychologist at the St. Clair County Mental Health Center (MHC) indicated that Girvies had been referred for "stealing plus verbally and physically abusive to his other family members." It was noted that Girvies was diagnosed as, "Mental Retardation Borderline Type with Episodic Emotional Dyscontrol Syndrome, Convulsive Disorder, and Depressive Reaction."

According to a July 25, 1978 Mental Health Center of St. Clair County intake form that Girvies filled out, there are several important, notable indications of severe intellectual impairment and emotional difficulties. Girvies, at 20 years old, cannot spell the names of his family members: Debra = "Deabr", Beverly = "Beatter", Regina = "Regine", Anthony = "Aother." He cannot spell the word "brother, instead it's "bother". Notably, for Dwight Smith, Girvies denotes their relationship as "Nothing." Thus, his stepfather's presence in the home continued to be a source of friction for Girvies.

On August 10, 1978, Girvies was seen by his physician, Dr. V.J. Thomas. Dr. Thomas indicated,

The patient was seen today for 15 minutes for a scheduled visit. He states that he continues to be nervous and sleep is disturbed. He [sic] multiple psychosomatic complaints. He feels that he should go to the hospital and "get my system cleaned up." The mother called stating that he's very nervous and it is difficult for her to cope with his behavior at home. Therefore, it was decided that we put him in the hospital for a brief period and arrangements are made to admit to a psychiatric unit in Christian Welfare Hospital.

Girvies had been drinking, reportedly, one pint of whiskey 3 or 4 days per week for one year. "The patient said I have a nervous problem, feel bad, started shaking around a lot of people all my life, getting worse for the last six months....Also complains of trouble in sleeping, worrying about 'lots of things on my mind', 'looking for a job, filling the application, did no good.'"

A March 26, 1981 psychological history by Alan Reeves, M.S., St. Clair County MHC, indicated that, "The rest of the client's life has been filled with

various professionals trying to help him. He missed the one thing he needed most—a stable home environment."

### **Employment History**

In 1976, Girvies applied to enter the U.S. Army. His application was rejected. About this, Girvies stated, "I had one burglary conviction, they wouldn't accept me. I applied at 46th and State in East St. Louis. They may have an application. I just felt it would have been the best for me instead of keeping stealing. Stealing was a bad option, but one that I used. A lot of people may think they failed me, but they did what they could."

A July 30, 1976 presentence report cited in a later, January 1980 presentence report indicated that Girvies may have worked for a short period of time as a vendor for the Delight Wholesale Food Company in St. Louis, Missouri. The earlier report also indicated that he worked briefly at Grandpa's Discount Store in Collinsville, Illinois, and stated, "The defendant was a dishwasher and was reportedly a good employee, easy to get along with." This information was confirmed in my interview of Mr. Leland Smith, Sr., of Grandpa's.

Girvies worked as a cook/trustee while he was incarcerated at the St. Clair County Jail. Girvies stated, "Carl Walker was a deputy sheriff there. We would make omelets. He and his wife Joan have been down [to Menard] to see me."

### **Juvenile Corrections**

Girvies had and continues to have long-standing relationships with people who he had contact with in the course of juvenile corrections. The two people who know him best are Mr. Richard Cosey and Mr. Kenny Wells. Others who knew Girvies through frequent, though informal, contacts were Mr. Larry Spencer and Mr. Bill Whetstone. I had the opportunity to interview all of these individuals in person.

Mr. Kenneth Wells, Girvies' former juvenile parole officer, was interviewed in Springfield, Illinois. Mr. Wells authored a social history and a placement investigation summary that were quoted earlier. He had extensive contact with Girvies during his early contacts with juvenile corrections.

Mr. Wells described Girvies' family as being extremely troubled. He stated that,

We had several Davises, there was criminality throughout the family. Cousins Michael and Will. Ozella Davis Smith was the sister of Will Davis, Girvies' uncle. Mr. Davis was a federal employee at Scott Air Force Base in Belleville. He apparently had a good work ethic and a fairly intact family, but he raised all criminals. There was extensive physical abuse in the family. All of the Davises were angry....[Girvies' anger] was not racially motivated but more anger towards authority.

Mr. Wells stated that Ozella Smith, Girvies mother, did not have the wherewithal, the intellect, to have any insight into her son's situation. "She seemed like a nice person. She was mannerable, courteous, and let us in her home. She was just overwhelmed with those kids, and poor. Kind of pitiful. She tried. She didn't have any raisins in the cake." He stated that his mother would run around with guys who were "well dressed. The kids were running around with basically nothing."

Mr. Wells stated that one reason Girvies' mother might have resisted his removal from the home was that, "With the mother, the ADC money would be cut off if the kid was taken out of the home." He stated that the family was also resistant to following through with psychiatric intervention. "They didn't like that stigma, "crazy." They would never take any kind of counseling. Counseling would be equated with being a sissy. I got him when he was ten years old. They were committing kids to the department then at that age. He was never into any gangs, he was into stealing and truancy."

Mr. Wells stated that Girvies was extremely limited intellectually. He believes that the school socially promoted Girvies. In 5th grade he was working at the 1st grade level. Mr. Wells described Girvies as having been fat and chubby, perhaps clumsy, at about age ten. However, by age 18, he had slimmed and was taller. When younger, he had been the object of everybody's taunts.

Mr. Wells recalled that Girvies had been on seizure medication, Dilantin, that was geared towards controlling his behavior as well. However, Mr. Wells pointed out a problem in the "system." He stated that Girvies, "couldn't come home from the institution with a prescription, there was maybe a two days' dosage until he was hooked with the family doctor or mental health center. But I don't know if the mother or child followed through. We fought like heck

to get at least a three-day prescription, but the institution wouldn't allow it, it was a liability. It was a flaw in the ointment."

Girvies stuttered a lot and would lose his thought, concentration, especially in the heat of the moment. He and his cousin Mike both would lose their train of thought. He wouldn't know what to do....I don't know if he ever went to school. There were truancy problems as early as the first grade. He couldn't read or write. He could cover up his functional illiteracy with slang, curse words, street talk. You could carry on a conversation with Girvies. He had a grin, like a cover. He didn't know anything....[Girvies] had poor, almost illegible handwriting, he could write his name.

Mr. Wells stated that he is "not surprised" that Girvies got along with structure and rules in the adult Department of Corrections.

Mr. Richard Cosey worked for 17 years as a juvenile parole officer and for three years as an adult parole officer. He retired in 1991. He had a stroke in May 1994. He currently works as a pastor in a church. "Girvies was about 13 years old when he was at Pere Marquette. I worked there with him. I got him from Kenny Wells." Notably, Girvies and Mr. Cosey still maintain a close relationship. They talk about twice per week.

When asked his reaction to hearing about the offense, Mr. Cosey stated, "I was really shocked. I know that Girvies had a problem, but not that he'd ever kill nobody. He had a history of violence, but, you know, but it was against his family members. One night I had to go to the house, he tore up the whole house. Girvies needed to be in an institution. He had problems. He acted his problems. He cried all the time. It really surprised me that he would kill somebody. He never raised a hand to me. He was in Alton, Centralia Mental Health Center. He maxed out of there. They couldn't do nothing for him because he was an adult. Then he started going to Alton.

I asked Mr. Cosey if his mother taught Girvies and the rest of the children how to survive. He stated, "No. She just had them, that was it....He had one heck of a life, man, I'll tell you that.

Mr. Cosey stated that Girvies' mother used to drink excessively when he was a child and the Girvies used to drink excessively as well. "His mama, she



doesn't drink now. They used to drink a lot, but now they're in the church." Mr. Cosey added,

His mother, she always took up for him. He dominated her, the whole house, everybody. She did what he wanted her to do. I'm the first man who he really had who would stand up to him. His mother gave him no guidance. She was scared of him. His mother was a drinker. Whatever you want to do, you do it, was what went on in that house.

Sergeant Roosevelt Brown, who's now deceased, would take her to jail when the kids acted up. That's before they had laws back then about that. She didn't know how to deal with the kids. She's kind of a little mentally borderline. She can function, but on a limited basis. As far as survival is concerned, that's basically all she provided.

He didn't have an education. His mama didn't make him go to school. He didn't get an education....The kids [at school], they made fun of him. If a kid knows another kid has a problem, they make him a patsy. So he's stuck with grown folks. At 12, 13, 14, 15, he was shooting dice with grown men. Kids used to make fun of him because he was fat, really fat. He was very sensitive to this. He cried all the time. If something didn't go his way, he'd cry. If you talked to him, he'd apologize. He'd always apologize.

Mr. Cosey indicated that Girvies was extremely limited intellectually. He would compensate and make friends by giving money to people, later on, by buying them drinks.

He could hardly read. You had to read things to him. For example, if I had a form or something, you'd have to tell him what it said....Girvies could turn you off. He'd have that grin and stare on his face. Sometimes you'd wave your hand in front of his face, "Hey Man."....He had his own way about things. You'd have to explain it to him that it don't go like that. Then after you explain it to him, he'd say I'm sorry. He was slow. He wanted to feel that he was smart. He knew the street. He'd give his money to people. He always wanted to give somebody something who could do something for him. He tried to run things through his pocketbook.

Mr. Cosey believes that the Department of Corrections failed Girvies.

I told his family that they should sue the department because the kid was going in and out, in and out, in and out. He should not have been on the street. They couldn't commit him for life, but they could have done more than they did. But that's looking at it in hindsight. I was always at his house, every time he got drunk. He'd have the whole family in the corner. And when I'd come it he's start to cry. I'd ride him around and stuff like that until he was calmed down. He cried, just cried, just cried. [Larry] Spencer would, too.

Mr. Cosey stated that Girvies has made great strides in prison, far beyond his expectations.

He didn't know how to read and write before he went to Menard. He could read his name and stuff like that. But he put on a bluff like he knew stuff, but he really didn't know. He'd put on a front to folks. He'd run around with grown men, didn't deal with too many kids.

Girvies was proud of the fact that he couldn't read or write anything when he got into prison, and now he has some certificates. He sent me these. He said that, "People always said I was crazy." He looked at that as an achievement. He didn't want to court to use the psychological records. They didn't use it at all. They didn't know about three months before he committed these things he was sent to Alton. He committed himself. That had to be why the stuff was going on. And he didn't want nobody to bring his psychological records up. "I'm not crazy, I'm not crazy." And we couldn't do nothing until he said something. He had, oh my God, about 10 or 12 commitments juvenile up there and then Alton. That's why I said, you know, a lot of the police know him. He wasn't even supposed to be on the street when this was going on.

Girvies was afraid that people would think he was mental. "You know good and well you're not balanced, I told him." It would have made a difference. The prosecution didn't have the records. That would have made a difference. They probably would have put him away for life, but not give him the death penalty. All they had to do was take a look at his records.

His life is in the balance. Anybody can see he has a problem. But he don't want folks to know.

Mr. Cosey is witness to the religious conversion that Girvies has undergone in prison. He confirmed that Girvies provided the impetus in the baptism of a former corrections officer at Menard, former Officer Thigpen. When asked about Officer Thigpen's baptism, Mr. Cosey stated that he was baptized at his church. "Girvies got the chaplain. I didn't know Thigpen, but Girvies made it possible for him to get baptized." In addition, when Mr. Cosey had his stroke, Girvies obtained a get-well card and had it signed by many men on the condemned unit.

I had the opportunity to interview Mr. Larry Spencer, who never supervised Girvies directly through IDOC. Nevertheless, Mr. Spencer stated, "We interacted with Girvies on a continual basis." His current title is "Correctional Parole Agent III, now, back then I was a Juvenile Counselor I." He had earlier contact with Girvies at a group home.

When asked about his reaction to hearing about the offenses, Mr. Spencer stated, "The first thing that came to mind was, 'Girvies?' I didn't see him as being a cold-hearted killer....I was very surprised about the murders."

About the young Girvies, Mr. Spencer stated, "At about 15 years old, Girvies was more like a hustler...Girvies was always trying to make some money....He like to go to the race track. An older guy, don't know his name, would take him....He was a jovial, short fat stocky guy--a little butter ball. I didn't see that killer instinct in him....As far as his home life, apparently it was pretty chaotic."

I went out to his house one day. They were gambling in the front room. Him Curtis Boroughs (now dead), a few other guys. Curtis was going with one of Girvies' sisters. His mother was in the back room. There was a long shotgun in the house. Girvies must have been 15 or 16 years old. His mother was scared of him. All of them were on their knees shooting dice. She had no control over what was going on in the home. But I never pictured him as being a murderer. I remember his mother telling me, after he got arrested. I didn't see that maliciousness in him.

Mr. Spencer independently described the incident in which Girvies came into the office drunk and needed to be subdued. However, he emphasized that this was aberrant behavior.

In one incident, he was under the influence. He grabbed Kenny. Howard Peters and myself had to pull Girvies off of him. He was drunk. He called his mother, he cursed her out....This was during the final days of juvenile. He was messed up that day. I had never seen Girvies like that. He had Kenny in a bear hug. Howard and myself literally pulled Girvies off of him. That incident stands out in my mind. He said [incredibly foul things] to his mother.

Mr. Spencer related that Rev. Richard Cosey, Girvies' former juvenile parole officer, had a stroke last summer. Girvies took the initiative and had other inmates on death row write a card conveying biblical passages to Mr. Cosey. About the relationship between Mr. Cosey and Girvies, Mr. Spencer stated, "Mr. Cosey, he was just like a daddy to him. The time I knew Girvies, there was never any mention of his real dad. He was disrespectful of his mother."

I had the opportunity to interview Mr. Bill Whetstone. His current position is IDOC "fugitive apprehension specialist." He's been with the department 25 years. Mr. Whetstone last saw Girvies in 1994. "Last year I went to death row to transport another inmate next to Girvies. We were probably there ten to fifteen minutes. We talked, shot the breeze for a little while. Me and L.C. [Moore]. How are things going type of things, stuff like that. I think he asked me what some of the old staff was doing, I remember telling him Kenny [Wells] was retired."

Mr. Whetstone recalled Girvies from juvenile parole contacts, though he did not have direct supervision of the boy. I asked Mr. Whetstone with what frequency he would see Girvies. He stated, "Girvies just grew up in the system, he liked the people, he adjusted, got along with basically everybody." In contrast to Girvies, Mr. Whetstone stated that,

His cousin 'Little Mike' was crazy. No one knew what to do with him. Real wild. Staff didn't want to be around him. Some of the kids, like little Mike, he hated white people. But with Girvies, he was a happy-go-lucky, smile, be nice to you, polite....There was contact with Girvies weekly. Probably more than normal. Because he was always in and out of the office, where someone

would go over there to the home. He was in out office quite a bit. Once a week, sometimes more, maybe two or three times a week.

Mr. Whetstone recalled Girvies as "short, jovial, laughed, played around a lot. The type of guy that everybody in the office knew. We were like extended family for him. He came from a pretty chaotic family life. Everybody took interest in him when he came in. I really hate what he's been involved now, whether or not he's involved in the things he's accused of." He added, "It was a shock, because I just didn't want to believe that the Girvies I knew as a kid had the potential to do what he was accused of."

From '74 to '76 I had contact with Girvies. He was a very likable young man. It was not abnormal for people to be drawn to Girvies because he had a outgoing personality. Always smiling, laughing, jovial....I personally never had any problems with Girvies. I had a lot of contact with him despite not supervising him. That's why it was a shock when he was accused of these murders. That one time he was sloppy drunk....To my recollection, I can't remember being caught with guns , some kids would....When he had the altercation with Kenny, and cursed out his mother, I never saw him go off or have altercations with anybody else.

He was not one that I had to really ride or get into with. Some of them would really challenge you. The Kenny incident--it seems so out of character, others had a longer base line to judge. He was always grinning, doing something to make somebody laugh. That grin, he had it.

I don't think Girvies got much supervision. He was somewhat docile, even at an early age. He was more or less the man of the house from an early age. He was really messed up that day. I remember that well. He didn't hurt him, he just grabbed him. Everybody knew Girvies. Everybody had a piece of him. Everybody knew him, he knew everybody. People were drawn to him. That's why the day he grabbed Kenny was so out of character for him.

Mr. Whetstone classified Girvies as being a "thief" and had a hard time considering that Girvies was guilty of murder. "Girvies was just someone trying to make a dollar....Kenny sort of raised him in a way. There were a lot

of young ones then. The kids today are a bit different than when Girvies came in the system."

### **Adjustment to a Structured Environment**

One of the factors to be considered in whether Girvies Davis represents a continued threat to society and warrants extermination is whether or not he can function appropriately in a prison setting. Several Department of Corrections personnel and others who have had ample opportunity to observe Girvies Davis over an extended period of time were contacted and interviewed in order to evaluate his adjustment. In addition, Girvies Davis' prison record--his Illinois Department of Corrections Master File--was examined.

### **Contacts from the St. Clair County Jail**

Dr. Orville Lester knew Girvies from the St. Clair County Jail, through the court psychologist. He stated that he has a background in counseling and helped with the psychological evaluation at the jail. He outline what he know of Girvies and his family.

I know the family real well. I had contact with Girvies at the jail before. I met Ozella and the family about 12 years ago. They're close-knit, care for each other, got some areas of dysfunctionality. I found him to be just a young man who didn't know what direction to go in. 'Call of the wild.' He wasn't real different from other teenagers who grew up in a large extended family. Loose contact with mothers, fathers. Mother tried to keep the family together. She's concerned about her grandkids, raised Debbie's kids. From time to time she raises the cousins kids. All I've done is kept up with Girvies' life through Ozella. I'd like to visit Girvies. I hear he's turned his life to God, witnessing and preaching to other inmates on death row.

Mr. Carl Walker, a former deputy sheriff, also knew Girvies from his incarceration at the St. Clair County Jail. He is a retired Air Force captain. He has a B.A. in the administration of justice and M.A. in guidance and counseling. He currently works in security management. In his 20 year Air Force stint he spent ten years in the security police.

Mr. Walker met Girvies in 1977 and 1978 when he was a deputy sheriff and worked at the jail until January 1979. Girvies was incarcerated due to a few misdemeanor offenses at that time. Mr. Walker described Girvies' demeanor, as well as his intellectual level.

He was trustworthy enough so that he was a trustee. I worked in the booking department. Normally, he performed clean up duties. While supervising him, we'd strike up conversations. My heart went out to him. He had some problems in his life. His mother used to take him down for disability exams, his intelligence wasn't considered normal. He always did what he was told. I don't recall any infractions. He was very much compliant and respectful. He would do what he was told.

I could remember some of the other inmates, rather prisoners, picking on him. Some of their jokes towards him. 'Coconut head', and other insults they threw at him. I never remember him retaliating or being disrespectful of any of the officers or other inmates. I believe he also helped out in the kitchen, any kind of duties they needed him for.

Mr. Walker left employ at the jail and reentered the Air Force and was stationed in Germany. I returned to the States in 1983. At this time he heard on the radio that Girvies might be executed. "I remembered him, and my heart went out to him. As a Christian, I made contact with him and started corresponding. Through a mutual friend of ours, Jesse Mathes, who went down to visit him. Over the years we corresponded with him, my family, my wife and son who also visited him." Girvies and his family have maintained a 12 year relationship.

I asked Mr. Walker if he has ever noticed that Girvies was racist against whites. He thought that that was an absurd notion, and stated that Girvies does not hate white people. "He got along with everybody that I noticed, white and black guards." He stated that he and his family enjoy their visits with Girvies. "Going down there, his attitude was always a positive one. Even though it was a negative situation, it was a bad place, he kind of bring some light to it."

When asked about what changes Girvies went through compared to the way he used to be, Mr. Walker stated that he made some great changes. "Not only as a Christian, but his intellect. He studies, his demeanor when he talks,

he's really changed over the years. His attitude is better and better. And with what he's dealing with, I don't know if I could stay in that frame of mind."

Notably, Mr. Walker stated Girvies had great difficulty reading and writing when he went to prison. He stated, "When he first started writing to us in '83 or '84, he had another person write for him because he was embarrassed about his poor writing....He's come quite a ways."

I asked Mr. Walker if his conversation and correspondence with Girvies centers primarily around "religious talk" or whether or not there's more personal parts to it. Mr. Walker stated that "it's like a friendship. The majority of the letters, he tells me about his mother, nephew, the folks who are there, other officers, inmates. We explain about our family and what's going on with us. About 20% spiritual, about 80% friendship."

Ms. Spencer is employed by the St. Clair County Sheriff's Department and has been a corrections officer there for the last eight years. Prior to that time she was employed as a house parent in a group home and at the juvenile detention center. It is in those capacities that she met Girvies when he was approximately 12 or 13 years old. At first, Ms. Spencer stated that she didn't remember much about Girvies, but then recalled,

I remember him being a hustler as a young kid. That was really basically it. At that time, the kids back then were not as bad as they are today. He was just an average 12 or 13 year old kid. He had a real protective attitude about me. He would tell the other kids not to bother me. Those are the two main distinctive things that I remember about him, one, that he was a hustler, and two, that he was protective of me.

When asked about her reaction to hearing that Girvies was charged with murder, she stated, "I was really surprised. Like I say, murder would have been the last thing I would have thought of about him. I was truly surprised. My first initial reaction was, 'He couldn't have done that.' I didn't believe it, honestly. I know characters like that, for example, I believe that they would do it. But with Girvies I was truly surprised....He was willing to work. His whole thing was about trying to make some money, to me."

Ms. Spencer stated that, "The contact with Girvies was intermittent over an approximately ten year period. He'd come by and see us. There was always some way I kept in contact with him. He'd stop in at Larry's work [her former husband, Larry Spencer, was a juvenile probation officer]. For example, Larry



would come home and say, 'I saw Girvies today.'...One day we were having breakfast at an IHOP. Girvies came with his girlfriend and sat down and we all had breakfast together."

Ms. Spencer reiterated the qualities that she remembered in Girvies, and she was truly shocked that he was involved in any murders.

The things that made Girvies stand out in my mind, he was always respectful towards me, a protective type of person around me. There were others that stand out because I was afraid of them. But I never had problems with Girvies....Girvies talked a lot. He was a lot of mouth, I remember. He talked a tough game. As far as being violent, his was a lot of talk. I don't recall him being a violent person. He would steal. He was always trying to find a way to make some money. Steal, yes, but murder, it was hard for me to believe.

#### **Menard Correctional Center--Positive Adjustment to Incarceration**

Mr. Robert Caldwell was the condemned unit superintendent at Menard Correctional Center from October 1991 to February 1994--about 30 months. He is currently assigned to East St. Louis Correctional Center. He has known Girvies since 1975, when Girvies was a resident at Pere Marquette, a juvenile corrections facility. Consequently, Mr. Caldwell has known Girvies quite well since his early teen years. During his tenure at Menard, Mr. Caldwell "saw Girvies pretty much on a daily basis, average was five days a week I would talk to him."

Since Mr. Caldwell has known Girvies since his contact with the juvenile corrections authorities, I asked him about his early impressions of Girvies.

From my observation of Girvies as a teenager, he was pretty much a provider for his family. A sole supporter even as a kid. His family depended on him, his little brothers and sisters, depended on him to provide, however he could provide it. He was a man of the house, even as a kid....Girvies liked money. The type of kid who wanted to have his own. There were no problems with drugs as far as I recall.

[His early adjustment to corrections] was kind of up and down. Mostly schooling. Girvies had a job while he was housed at Pere

Marquette, he worked at Alton Mental Health at the laundry over there. He was then promoted to work with patients for about seven months.

When asked if Girvies was malicious as a child and as an adult, he stated, "I guess I would say he was a manipulator. I didn't observe anything like that (maliciousness, lack of conscience). In fact I would *deny* saying that he didn't have a conscience. He had from time to time a younger brother who was up there with him. He looked out for the younger kids."

Girvies often paid social visits to juvenile corrections staff. I asked Superintendent Caldwell about Girvies' tendency to visit whenever he was "in the neighborhood." Mr. Caldwell stated, "He was just that type of guy. He just identified with those people. We were all kind of father images to him, whether he was at Pere Marquette or not, he would usually look you up." Because of information from other interviews indicating that many IDOC people felt an attachment to Girvies, I asked whether or not he felt that Girvies was a likable person. Mr. Caldwell stated,

I thought a lot of Girvies, and still do. When I was down on death row, most of the time on death row was spent talking to Girvies. You have to be a little neutral. I was probably closer to Girvies, knowing him from an early age....Through the last 20 years or so of talking to Reverend Cosey, Whetstone, Kenny Wells, even Director Howard Peters--he was at Pere Marquette, too--each time we met we kind of talked about Girvies. And said it was a sad thing. Here's a guy who we felt would not turn out like this. He was attached to us, we got attached to him.

When asked about Girvies' general adjustment at Menard, Superintendent Caldwell stated,

The whole 30 months I was there there were no problems. Maybe a few minor incidents. I knew him as a person who had matured over the years. I saw an adjustment from when he came as a kid and matured as an adult....There were no threats to staff or other inmates. A couple of [verbal] incidents, standoffs, that could have been avoided if staff acted professional. That is going to happen.

When asked to describe Girvies' demeanor, Mr. Caldwell stated,

He's a gentle type of person....very intelligent, kind of a self-taught, self-trained individual. He never did any schooling. His training and education has been pretty much done in correctional facilities....He self taught, he did attend some GED classes. He passed his GED at Menard and has certificates in bible studies. He did a lot of reading, studying in his cell. I don't recall him attending school a lot, even in the juvenile division.

I asked Mr. Caldwell to speculate as to the nature and purpose of Girvies' religious conversion and beliefs. He sees Girvies' religious conversion as a "means of acceptance."

He showed me some sort of certificate, I think he was an accepted minister at one point. I really do think it's his way of apologizing to the system, to the world. He admitted to me that some of the things he did wouldn't have happened if he was into religion earlier. I think it's a very legitimate thing he's doing.

Mr. Caldwell stated that Girvies has made dramatic changes in his demeanor since his religious experience. These personality changes translate directly into concrete behavioral changes. When asked about his pre- and post-level assessment of Girvies—comparing what Girvies was like in his early years to the Girvies now, Superintendent Caldwell stated,

I would think, the difference in him now, at a mature age, he has accepted the fact that ... he wouldn't make decisions, hasty decisions as he did in his young life. Just from talking to him he tries to talk things through better than he did 15 or 20 years ago. In talking to him on a daily basis, if he hears about problems with his brothers or sisters on the street, he might talk about it with different guys, or the chaplain, and try to make a decision on how to approach things with his family. His family still depends on him, for, if nothing else, just wisdom.

Mr. Caldwell stated that Girvies has a lot of discussions with other inmates about scriptures and that he talks a lot with the visiting chaplains, Chaplain Van Buren and Chaplain Ira Banks.

In order to further assess Girvies' prison adjustment, from the perspective of a corrections officer, I had the opportunity to interview Officer

Dan Rathert. Officer Rathert had positive things to say about Girvies. He said that Girvies is compliant and is primarily occupied with his bible studies.

I've known him a little over 5 years, since 1990, about 1989, somewhere in there. I was there a year before, but have been on the condemned unit for five years. I've just talked to him a lot. He's got into religion. I've seen preachers go up and ask him questions. He went from knowing nothing, to educating himself. I'd call it a kind of a miracle, myself.

I've never had any problems with him. I worked the gallery on midnights for quite a while. I see him reading the bible all the time, mostly. That guy knows that bible, inside and out. If any one has any questions about the bible, ask him. I've talked to him myself. He tells me his problems. I've seen a change in him. He just keeps on reading and reading and reading. He got to where he could control himself. I even talk to him about different things, we've talked about the bible....He shows me pictures of people that write him.

Officer Rathert volunteered his opinion that Girvies has much to offer his fellow inmates and that because of his potential to be a positive influence he ought not be killed. Officer Rathert stated,

If I wouldn't have called you, I would have felt guilty. I never had any problems with him. He's educated himself pretty good. I hate to see them kill somebody like that who can help other people. As far as religion, he could help anybody, just from what I've seen. I've seen him talk to other inmates, and officers, about the bible. He gets into heavy discussions with some of them.

When asked if he believed that Girvies could fit into the general population should his sentence be commuted to life in prison without the possibility of parole, Officer Rathert stated, "Yes, he can fit in there....He's not considered a threat by me. I don't consider him a threat. I haven't seen anything that would indicate that. I get along with him fantastic. I'd rather see somebody like him down in population rather than some of them who are there."

Mr. H.G. Schroeder is a former corrections counselor at Menard. He knew Girvies "well" between 1983 and 1986, when he retired. Consequently, Mr. Schroeder could speak to Girvies' character prior to and following his

religious conversion. When asked about any changes in Girvies during a phone interview, Mr. Schroeder stated that prior to his conversion, Girvies was a difficult inmate. "He seemed to identify with some of the real bad actors up there. After that, with different people, more mild-mannered. It was a remarkable change. He wasn't belligerent anymore. More friendly, kept his appearance and cell better. We got along real well after that. Only minor things after that, not too serious." In a November 7, 1983 Supplemental Program Considerations update, Mr. Schroeder stated that Girvies, "does not seem to understand rather simple explanations." He reported to me that he believed Girvies' "IQ was not high. I didn't think he was too bright." Mr. Schroeder recalled that after his conversion Girvies regularly attended church services.

Mr. Schroeder believes that Girvies can readily adapt to general population should his sentence be commuted to life in prison without the possibility of parole. He stated, "What are you trying to get for him, life? I would favor that. I think he would be certainly manageable in Menard general. Or any one of the correctional centers. But he'd get more visits if he stayed at Menard."

Reverend William Van Buren, chaplain at Menard Correctional Center, provided the following observations concerning Girvies. He has known Girvies Davis since 1984, during the time Girvies was baptized. Girvies is a man who has used his time in incarceration to not only begin to understand himself, but to come to peace. And he has done everything that he could to be a better person. He has God in his life. Christianity has made a complete change in him spiritually. He was a man who was diagnosed functionally and psychologically incapable of learning. He came to grips, and through sharing and encouraging, that he had a mind that could be developed. To the point where he completed his GED. He has tried in every way to make amends for the things which had made him to be a debt to society. He's tried to repay. He's been a force of understanding between inmates and administration. He tries to share with the men their responsibilities and how they can develop new outlooks without being confrontational with administration....I'm glad to share my experience with Girvies. I've found him to be a person who has genuinely changed. Chaplain Van Buren added,

Around '84, he was sharing [in group] that he couldn't learn. Mentally incapable. Was telling him that he didn't have to be limited by this. It was one of the greatest moments when he did graduate [with his GED], despite his handicap. His focus has been to use his mental faculties, his mind. [Please note the

attached "IDOC Department of Education Career Achievement Report" dated May 31, 1994, reflecting the achievement of his GED certificate.]

He has compassion and concern for the victims. He has expressed regret and concern; one of the motivating factors in his self-development has been to make amends by becoming a better person himself.

When asked if Girvies would fit in general population should his death sentence be commuted to life in prison without the possibility of parole, Rev. Van Buren stated, "I'm sure that he would. There would be precedent for that, other men from death row [who have adjusted well]."

Reverend Ira Banks, another chaplain at Menard Correctional Center, has known Girvies Davis for about three years. He, like Girvies, is from East St. Louis, and he stated that he, "used to know where he [Girvies] ran around....I didn't know him before, just a vague idea about him. Knew some of the places he used to go, the guys he ran with. He was a pretty rough guy. Didn't have his head together. He came from a shaky family. He was in dire need of help. He was getting more praise from doing wrong than doing right."

Rev. Banks stated that he has an excellent relationship with Girvies, and added that, "He has really opened up to me. [He told me] 'Banks, when you first came through here, I was reluctant to trust you, now I respect you.' Part of my job is to listen to what they have to say and help in any way I could." According to Rev. Banks,

They're not killing the fella that was involved in things years ago. They're missing that person. Girvies is educated, remorseful, sorry for what he has done. [He has stated such] not just once, but for the last year, 'I realize that even being involved, I realize that was wrong. I wouldn't have done what I did if I was the way I am now.' He is one, who is sorry for what he did....What I admire most about him, after that, he said that, "If I still have to take the lethal injection I won't hold it against anyone. I did wrong enough." I've only heard three others on death row even say that....Girvies is in charge of Bible Studies on Saturdays. [George] Delvechio and Davis shared that nobody has actually said that we put the victims' families through a lot of turmoil. Three or four guys admit it, the other guys grumbled. Girvies, Delvechio, Ron Barrow admit that, "We caused people turmoil

and pain. I'm sorry because not only causing the victims' death, but their family so much turmoil.' A few of the guys get irritated about that. But Girvies really impressed me. Spontaneous.

I heard that Girvies' mother was an alcoholic. From the officers. One time she came in to visit years ago, she was loud, drunk. And some said they thought she was mentally disturbed. Girvies said that, "I don't have the respect for my mother like I have for you and Mr. Cosey." He just thought it was his job to be "dad" at an early age.

Rev. Banks contrasts Girvies Davis from John Wayne Gacy. "I've known Girvies for three years. At this point, they'd be killing the wrong person. With Gacy, three years after talking to him there was no remorse, he never thought that he did anything wrong. He never said he really hated what he got involved in. Hopefully you can differentiate him from Girvies.

I had the opportunity to speak with Reverend Jesse Mathes, of Jesus is the Way Ministries, a 20 year old prison ministry organization. Rev. Mathes has been ministering to Girvies for about the last nine years. Girvies has carte blanche to call Rev. Mathes and his wife collect. He calls about 10 times per year. When asked to describe Girvies, Rev. Mathes stated,

I believe that Girvies is a changed person. I didn't know him before the crimes....I went to visit him quite a few times one-on-one. It's genuine. I'm convinced of that or else I wouldn't have drove down there all these times if I thought he was playing with me. I'm all for him not being executed, in his case. I believe in the death penalty, scripturally. But at the same time, I have mixed emotions. Girvies can get out and be productive, I really think he can.

### **A Positive Influence**

Mr. Everick "Eric" Turner is Girvies' nephew, the son of his sister Jesse. He is engaged to Nicole Miller, with whom he has two twin boys. He and his fiancée are attend John Logan Community College. He is studying criminal justice; she is studying early childhood development. Eric stated that over the last several years he and his young family have established a close and loving relationship with Girvies, who they see about twice a month.

Eric described his early relationship with his uncle Girvies.

I was about seven years old, or eight. We knew him just as our uncle. Personally, he was an average guy to us. He kept us in order. He never disciplined us, but would tell us, Don't do this, don't do that, for example, don't fight with one another, pick up after ourselves, small things like that....After that time I think he'd just gotten married. Used to come over to Ozella's house. She lived just down the street from us, so we'd be there a lot, Girvies, too....He would do little things, and talk to us, sometimes give us money to go to the store. He didn't take us to the park, none of our uncles or aunts did, except Devon, who's closer to our age.

Eric described the type of person Girvies was during his early years, prior to his incarceration at Menard. Eric also described Girvies' home life as being extremely chaotic, with no guidance.

[Girvies] was more like a father, he tried to be like a father to his brothers and sisters instead of a brother or uncle. Like I say, sisters and brothers, a lot of times, the younger ones, they'd keep the house dirty. He would say, "You're too old for this." He didn't make them mind. They smoked and drank at an early age--my younger aunts. Girvies was 19 or 20. They had kids--Bernadette and Debra. They'd be sleeping all day, the babies would be running around, and they had boyfriends who would stay over. Girvies would say, "You care more about these boyfriends than being responsible and keeping the house clean. Girvies's mother Ozella gave no guidance. It was normal to me most of the time. Even my mother smoked at a young age. Ozella drank and partied and different things.

When I saw him get really mad and angry is when Girvies got drunk. When he wasn't drinking he was a nice person. He really didn't fight in front of the kids--me and my brothers and sisters. He'd be verbal. I've never seen him fight, but I've heard that he did with his sisters and brothers. They was pretty loose, pretty much did what they wanted.



I asked Eric when the contact started with Girvies and how their relation evolved. He stated,

Sometimes when he called, it was years after he'd been in. I first visited him at Menard, with my mother, a few times. We talked to him mostly on the phone. He'd ask how everything was, how everybody was doing....Through the years, he would call different people, my father, my grandmother, ask how everything was going in our lives. He knew we weren't old enough to come on our own. I went down maybe once a year, not very often at all.

I had known him back then, but not everyday conversation. But over the years, over the phone, I realized he was someone I wanted to get to know. It seemed like he was different, that he had changed. He seemed all right to me. It just seemed like he was interested in how we were doing, more so than before. I didn't notice his concern before. He calls here pretty regularly. We try to visit or write, too. He calls about once a week, now about once a month [because of financial considerations], and he'll write. We've been visiting him for a couple of years. When I first started I visited him on my own. They were small when I took the twins down. I was living in East St. Louis with my father at 17 or 18 before the kids were born. I didn't visit Girvies regularly until after that....After they were born, I was beginning to settle down a little bit. We got a place of our own. My mother was living down here then, so we came here.

I went down, just to visit. I really enjoyed myself. I was awakened to something. I was expecting him to be like what I heard, how a convict was supposed to be, especially on death row. I expected a person full of hate, anger, a mean and nasty person. But when I got there, it was nothing like that--it was exactly opposite.

When asked to elucidate how Girvies was different from what he expected him to be like, Eric stated,

He was like warm, greeting. Happy to see us. Talked about how big I had gotten....He let me know he was a born again Christian. At first, I didn't expect that. He pointed out different scriptures. He always has his bible with him. He asked us how we were

doing, what kind of problems we were having. And then he'd open up his bible, and have us read passages that applied to the situation. He knows it really well, deep. He'd write us about different scriptures to take home, and study. I know he was sincere and telling the truth and knew what he was talking about. He wanted to meet Nicole, so I brought her down. She was expecting the same thing I was at first. But when she first met him she instantly liked him. He was like a friend to me and to her. This was something I wasn't used to, given my other uncles and aunts. This was something I never experienced, I'll put like that.

Our talk was nothing pertaining to himself....He let us know that things can be happen, so be careful. For example, selling dope is a way of living. If I ever think about it, don't do it because it's poison and destroying not only the person who's doing it but families, too. So don't go that way. And how I don't want to be in prison. And the attitude of some people in there, full of anger. It's through God that he's been able to endure. He's a very positive person.

As far as me and Nicole, he would ask how we get along. He encouraged me in Christian morals. He told us that we needed to get married so we wouldn't hinder our blessings. He gives me bible studies to study at home....He gives the twins candy and different things. They're pretty close to him, they like him too....He had this picture made for us, a Christmas gift. [A beautiful 2 1/2' x 3 1/2' painting on their wall]. He had to pay the guy to make that picture for us.

### **Conclusion**

There are substantial mitigating factors in this case which were not presented to the sentencing jury, which are of the type considered important by judges and juries in making life and death decisions, and which argue strongly against the death penalty being carried out on Girvies Davis. First, Mr. Davis lacked the level of maturation and ability to reason and understand the consequences of his actions which civilized society ordinarily demands before exerting the ultimate penalty. Girvies, prior to his adult incarceration, demonstrated significantly limited intellectual capacity. His intellectual

functioning was measured at the borderline retarded level. He was functionally illiterate. In fifth grade, at 12 years old, he operated on the first grade level, *at the age of ten*. He suffered a head injury after being hit by a truck. Following the head trauma, Girvies demonstrated a grossly abnormal EEG, and was diagnosed with an organic brain syndrome which affected his actions. Medication prescribed to ameliorate his seizure and behavioral condition was not properly monitored. Due to a 500 student waiting list, he was not accepted into E.M.H. classes, which the juvenile authorities considered essential to his progress. Consequently, his school experience was laden with failure, which increased his frustration and poor social adjustment.

Second, other factors over which Girvies had no control seriously impacted Girvies' emotional development and his ability to understand the consequences of his actions, to reason at a level commensurate with his age and to conform his conduct to societal norms. The evidence for a culturally and emotionally deprived childhood environment is overwhelming. Girvies' father was an alcoholic who was present intermittently. When he died, Girvies "lost it" and became an alcoholic himself. His behavior clearly deteriorated after this point. Girvies' mother clearly lacked the ability and failed to provide the proper framework for the development of self-esteem. Instead, she was a self-centered alcoholic who was more concerned with partying and getting laid than with the well-being of her children. Because she did not receive physical affection as a child she was not loving with her children. She was emotionally and intellectually limited. She encouraged antisocial behavior in her children, including alcoholism, premature sexual behavior, and theft. Given his environment, Girvies did not stand a chance. His is a good case to support the notion of the orphanage.

Third, recommendations for regular treatment with medications and the remedial education for which the juvenile authorities pled were immediately abandoned and routinely ignored by Girvies' mother. Yet, Girvies was described by juvenile corrections personnel as a likable, affable adolescent who was a "thief." Even Department of Corrections personnel surmised that Girvies was not the type to engage in such serious crimes. Importantly, Girvies has the capacity to maintain long-term, deep, personal relationships. As you will no doubt see as time passes, many people in his predicament lack the capacity for such relationships. There is every reason to expect that had the personality-affecting drug treatments and remedial educational programs recommended by the IDOC been pursued, Girvies would have been better able to appreciate and be responsible in the ultimate sense for his actions.

A factor which could not have been presented to the sentencing jury, but which should be important to the clemency process is the fact that Girvies has demonstrated a profound commitment for self-improvement. The primary vehicle for his self-improvement has been a religious conversion. Since his conversion in 1984, he has obtained his GED and evidenced an excellent adjustment to incarceration. He is committed to working hard to improve himself should he be permitted to live. He has displayed a temperance and calmness of spirit, compared to his prior self, that is supported by many who know him, corrections personnel and family members alike. Even within a prison environment he can be a positive and calming influence.

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David M. Randall, Ph.D.

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## VITA

### **Education**

- 1982 - 1994. University of Health Sciences/The Chicago Medical School (UHS/CMS), North Chicago, Illinois. Ph.D. in Clinical Psychology.
- 1980 - 1982. Fairleigh Dickinson University, Teaneck, New Jersey. M.A. in Psychology.
- 1976 - 1980. Muhlenberg College, Allentown, Pennsylvania. A.B. in Psychology.

### **Professional Experience**

*June 1986 - present. Trial and Sentencing Consultant.* Preparation of sentencing memoranda for consideration by state and federal courts. Specialization in preparing psychosocial histories of clients and in devising sentencing alternatives to incarceration. Analysis of risk factors for recidivism. Assisting attorneys in enlisting the cooperation of difficult clients and their families. Locating and interviewing witnesses and developing mitigation for sentencing hearings in capital cases. *Pro bono* consulting to public defender and other agencies. Training attorneys, social workers, and investigators to prepare mitigation and alternative sentencing plans.

*September 1990 - August 1991. Internship in Clinical Psychology.* Westside Veterans Administration Medical Center. Training in inpatient and outpatient diagnosis and treatment, clinical interviewing, psychodiagnostic testing, neuropsychological assessment, consultation/liason to medical staff, psychotherapy for veterans with post-traumatic stress disorder and other mental illnesses. Primary focus was on the assessment and treatment of patients with alcoholism and substance abuse.

*September 1988 - January 1989. Instructor.* Ray College of Design. Chicago, Illinois. Taught an introductory course in psychology to design, advertising, and photography students.

*January 1987 - January 1988. Teacher.* Highland Park High School, 433 Vine Street, Highland Park, Illinois 60035. Taught introductory and social psychology classes to high school students.

*May 1986 - July 1986. Group Psychotherapist.* Conducted a relaxation training and stress management workshop for the staff at a center for the developmentally disabled.

*June 1985 - August 1985. Instructor.* College of Lake County, Grayslake, Illinois 60030. Taught an undergraduate introductory psychology course.

### ***Clinical Experience***

*September 1985 - May 1986. Forensic Psychology.* Supervisor: Sharon Strauss, Ph.D. Lindquist, Gienapp, Strauss & Associates, Lake Bluff, Illinois. Training in psychological evaluation and interview techniques in a private practice setting with emphasis on forensic issues. Administered, scored, and interpreted test batteries and wrote comprehensive reports. Researched and prepared defense presentence investigation reports under the supervision of a former social worker and probation officer. Engaged in multi-disciplinary consultations. Served as a co-therapist in an open, long-term group for problem drinkers and repeat DUI offenders.

*September 1984 - May 1985. Tutorial in Projective Assessment.* Supervisor: Alan Rosenwald, Ph.D. 53 W. Jackson St., Suite 639, Chicago, Illinois. In-depth, one-on-one instruction in the administration, scoring and interpretation of projective techniques with emphasis on the Rorschach Inkblots.

*September 1984 - May 1985. Psychotherapy and Counseling.* Supervisor: Phylis Frankel, Ph.D. Lake Forest College Counseling Center, Lake Forest, Illinois. Provided psychotherapy with groups, couples and individuals. Offered workshops for underachievers, bulimics and problem drinkers. Conducted in-services on the assessment and treatment of depression, problem drinking, and relapse prevention.

*January 1984 - March 1984. Research Assistant.* Supervisor: Joseph J. Ryan, Ph.D. Central Testing Unit, North Chicago Veterans Administration Medical Center. Administered and scored neuropsychological testing with patients presenting with depression, substance use disorders, organic brain syndromes and psychoses.

*September 1983 - May 1984. Psychotherapy and Counseling.* Lake Forest College Counseling Center. Individual and group therapies and psychodiagnostics with college students. Implemented programs for target populations. Participated in weekly staff meetings and psychiatric consultations.

*January 1983 - June 1983. Behavior Therapy.* Supervisor: Allan Markle, Ph.D. Mental Health Clinic, North Chicago VAMC. Employed behavioral and cognitive-behavioral assessments and interventions with outpatient and inpatient male veterans. Therapy experience included leading an inpatient problem-solving/relaxation skills group.

*March 1983 - June 1983. Psychiatric Triage.* Supervisor: Jang-June Chen, M.D. North Chicago VAMC. Conducted comprehensive mental status examinations with acute psychiatric inpatients. Prepared written reports and participated in case conferences, staffings and discharge planning. Presented and participated in case conferences.

### ***Research Experience***

*September 1988 - October 1993. Motivations for Drinking Alcohol Among Persons at High Risk for Developing Problems with Alcohol.* Advisor: W. Miles Cox, Ph.D. UHS/CMS, North Chicago VAMC. Reviewing and evaluating factors which contribute to alcohol use and abuse in people at low and high risk for developing problems with alcohol. Dissertation research.

*January 1984 - December 1986. Reliability and Discriminant Validity of Neuropsychological Tests of Learning and Memory.* Supervisor: Joseph Ryan, Ph.D. Central Testing Unit, North Chicago VAMC. Responsibilities included assisting in research design and development of an alternate form of the Rey Auditory-Verbal Learning Test. Collected and coded data. Utilized statistical packages (SPSS, BMDP) for data analyses. Involved in manuscript preparation.

*June 1984 - September 1984. Etiological and Maintaining Factors in Bulimia Nervosa.* Supervisor: Rolf Peterson, Ph.D. UHS/CMS. Evaluated factors involved in the cause and perpetuation of the "binge-purge syndrome."

*June 1984 - October 1984. Stress Profiling of Vietnam Veterans Post Traumatic Stress Disorder (PTSD).* Supervisor: Bernhard Blum, Ph.D. North Chicago VAMC. Participated in a research project involving the differential diagnoses of PTSD by multimodal psychophysiological stress profiling.

*November 1983. Alcohol Abuse: Societal Costs and Etiological Issues--Implications for Treatment and Prevention.* (unpublished manuscript).

*June 1983 - October 1983. A Critical Examination of Controlled Drinking Approaches for the Treatment of Alcohol Abuse.* Supervisor: David Lansky, Ph.D. UHS/CMS. Reviewed clinical approaches for the treatment of problem drinking with cognitive-behavioral techniques.

*December 1982 - March 1982. Continuous Versus Intermittent Electromyographic Biofeedback.* Supervisor: Janet Sigal, Ph.D. Fairleigh Dickinson University. Critiqued several theories concerning the effectiveness of EMG biofeedback as a stress-management strategy.

### ***Professional Activities and Presentations***

*March 8, 1995. The Development and Use of Mitigation in Capital and Non Capital Cases.* Defense of Prisoners Committee, Chicago Bar Association, Chicago, IL.

*July 16, 1992. Capital Cases: Preparing Mitigation for the Sentencing Hearing.* Office of the Will County Public Defender, Joliet, IL. Conducted a workshop for public defenders focusing on several issues related to death penalty mitigation, such as building rapport with difficult clients and their families.

*August 28, 1991. Death Penalty Mitigation Workshop.* Office of the Cook County Public Defender and University of Chicago Law School, Chicago, IL. Presented mock testimony and participated in a panel discussion to train attorneys and mitigation experts in preparing for death penalty hearings.

*May 26, 1990. Mitigation and Sentencing Alternatives.* National Defenders Investigator Association Midwest Regional Conference, Chicago, IL. Gave a presentation on sentencing issues and on developing mitigation and alternative sentencing plans.

*February, 1990. Seminar: How to Prepare Mitigation for the Death Penalty Sentencing Phase: II.* Office of the Cook County Public Defender, Chicago, IL. Conducted a follow-up supervision workshop for social workers and public defenders on preparation for death penalty sentencing hearings.

*January, 1990. Alternative Sentencing and Private Presentence Investigation Reports.* Guest speaker at the Kenosha County Bar Association January meeting.

*October, 1989. Seminar: How to Prepare Mitigation for the Death Penalty Sentencing Phase: I.* Office of the Cook County Public Defender, Chicago, IL. Conducted a workshop for social workers and public defenders on preparation for death penalty sentencing hearings.



*February, 1985. Guest Lecturer.* Lake Forest College, Lake Forest, IL. Lectured on drugs and their mechanisms of action to a undergraduate class in abnormal psychology.

### ***Workshops and Conferences Attended***

*May 19-22, 1994. American Society of Trial Consultants Annual Conference.* Post-trial juror interviews, strategies for improving voir dire, capital case jury selection. Portland, OR.

*November 10-12, 1993. Trial Consultation Training Program.* Jury Research Institute, Walnut Creek, CA.

*October 10-11, 1991. Mitigation Specialists Training.* National Legal Aid and Defender Association. St. Louis, MO.

*April 19-20, 1991. National Conference on Sentencing Advocacy.* Practising Law Institute and The Sentencing Project. Washington, D.C.

*April 7, 1990. Competency to Confess: Evaluating the Validity of Miranda Rights Waivers and the Trustworthiness of Confessions.* American Academy of Forensic Psychology and John Jay College of Criminal Justice. New York, NY.

*October 5-8, 1989. American Society of Trial Consultants Annual Conference.* Post-trial juror interviews, strategies for improving voir dire, capital case jury selection. Baltimore, MD.

*April 1, 1989. How to Survive the Federal Sentencing Guidelines.* Illinois Institute for Continuing Legal Education. Chicago, IL.

*January 27-28, 1989. National Conference on Sentencing Advocacy.* Practising Law Institute and The Sentencing Project. Washington, D.C.

*November 15, 1988. Post-Trial Motions and Sentencing Under the Illinois Code.* Illinois Institute for Continuing Legal Education. Chicago, IL.

*March 23, 1988. Understanding and Treating the Violent Patient.* James L. Cavanaugh, Jr., M.D. Forest Hospital and Foundation, Des Plaines, IL.

*May 16-17, 1987. Private Practice at Risk: The Changing Health Care System.* Bruce Bennett, Ph.D. Oak Park, IL.

*April 26-27, 1986. Forensic Practice and Personality Assessment.* Irving B. Weiner, Ph.D.; Use of the Rorschach in Forensic Practice. Irving B. Weiner, Ph.D.; Use of the

MMPI and Rorschach in the Assessment of Dangerousness. Eric Ostrov, J.D., Ph.D.;  
Use of the MMPI in Alcohol and Substance Abuse. Richard Greene, Ph.D. Advanced  
Psychological Studies Institute and Northwestern University Medical School, Chicago.

*January 31, 1986. Impulse Control Disorders, Character Disorders, and the Law.*  
David L. Shapiro, Ph.D. North Chicago Veterans Administration Medical Center,  
North Chicago, IL.

*November 29, 1984. Brief Psychotherapy: Focused Problem Resolution.* Richard  
Fisch, M.D. Gurnee, IL.

*June 15-16, 1984. The Human Family and Natural Systems: Family Theory and  
Therapy.* Murray Bowen, M.D. Chicago, IL.

*April 7-8, 1984. Family Therapy Workshop. Gestalt Integrated Family Therapy.*  
Various clinicians. Chicago, IL.

*November, 1984. Association for the Advancement of Behavior Therapy Annual  
Conference. Relapse Prevention.* Alan Marlatt, Ph.D.; *Prevention and Early  
Intervention of Problem Drinking.* William Miller, Ph.D. and Reid Hester, Ph.D.  
Philadelphia, PA.

*March 23, 1984. Group Psychotherapy and Existential Psychotherapy.* Illinois Group  
Psychotherapy Society. Irvin Yalom, M.D.

*January 13, 1984. Cognitive Behavior Modification with Children.* Donald  
Meichenbaum, Ph.D. Chicago, IL.

### ***Honors and Affiliations***

National Association of Sentencing Advocates  
American Society of Trial Consultants  
American Psychological Association  
APA Division 41, Division of Psychology and Law  
APA Division 12, Division of Clinical Psychology  
APA Division 18, Division of Psychologists in Public Service  
1991 APA Science Directorate Dissertation Research Award  
Midwestern Psychological Association  
National Association of Criminal Defense Lawyers  
Illinois Attorneys for Criminal Justice  
California Attorneys for Criminal Justice  
Advisory Committee, *1991 National Conference on Sentencing Advocacy*  
Fairleigh Dickinson University, passed Comprehensive Examinations  
With Distinction, March 1982.

STATE OF ILLINOIS  
TWENTIETH JUDICIAL CIRCUIT  
COURT SERVICES AND PROBATION DEPARTMENT

JERRY F. COSTELLO  
DIRECTOR

ST. CLAIR COUNTY BUILDING  
10 PUBLIC SQUARE BELLEVILLE, ILL. 62220  
PHONE: (618) 277-6600  
FAX: 277-6665  
TDD: (618) 277-6610

January 18, 1980

Honorable John J. Hoban  
Judge of the Circuit Court  
Twentieth Judicial Circuit  
St. Clair County Building  
#10 Public Square  
Belleville, Illinois 62220

RE: GIRVIES, DAVIS  
Case No. 79-CF-720  
Charge: Count I - Murder  
Count II - Attempt (Murder)

Dear Judge Hoban:

A pre-sentence investigation report of the above subject dated January 14, 1980, is subject to additional information as follows:

A letter from Dr. George E. Murphy, M.D., Director, Psychiatry Clinic, dated January 15, 1980 shows that this defendant was a patient at Barnes Out-Patient Services on November 10, 1973, January 8, 1974, August 8, 1974, August 26, 1974, April 22, 1975, May 7, 1975, August 5, 1975 and August 11, 1975, reportedly all out-patient treatment.

These dates are in addition to the recent Emergency Room record of August 30, 1979 pertaining to the gunshot wound received relative to this case now before the Court.

A copy of Dr. Murphy's letter is attached.

Respectfully submitted,



C. E. Shaver  
Probation Officer/Supervisor  
Investigation Unit  
Court Services and Probation  
Twentieth Judicial Circuit

CES/dh

Attachment: Letter from Dr. Murphy

DAVID P. WOHL, JR. MEMORIAL

**W**ASHINGTON  
**U**NIVERSITY  
**C**LINICS

OUT PATIENT SERVICES  
OF BARNES HOSPITAL

4950 AUDUBON AVENUE  
SAINT LOUIS, MISSOURI 63110

January 15, 1980

C. E. Shaver  
Investigating Officer  
Court Services and Probation Department  
20th Judicial Circuit  
State of Illinois  
10 Public Square  
Belleville, Illinois 62220

JAN 18 1980  
RECEIVED  
20TH JUDICIAL CIRCUIT

Re: Girvies Davis  
D.O.B. 1/20/58

Dear Mr. Shaver:

A Washington University Clinic Emergency Room record of 8/30/79 describes the above named person as suffering from a gunshot wound. Radiologic examination of the chest and arm show "metallic fragments" in the left axilla. The patient attended the Dermatology Clinic on 11/20/73, 1/8/74, Screening Clinic on 8/8/74, Medicine Clinic on 8/26/74 and in Psychiatry Clinic on 4/22 and 5/7/75. He did not keep subsequent Psychiatry Clinic appointments but was seen one more time in the Screening Clinic on 8/5/75 and in Dermatology on 8/11/75. There is apparently a prior history in St. Louis Children's Hospital.

Yours truly,

George E. Murphy, M.D.  
Director, Psychiatry Clinic

GEM/cjv

STATE OF ILLINOIS  
TWENTIETH JUDICIAL CIRCUIT  
COURT SERVICES AND PROBATION DEPARTMENT

JERRY F. COSTELLO  
DIRECTOR

ST. CLAIR COUNTY BUILDING  
10 PUBLIC SQUARE, BELLEVILLE, ILL. 62220  
PHONE: (618) 277-6400  
398-3663  
NIGHT NUMBER: 277-6410

April 25, 1980

Honorable William B. Starnes  
Judge of the Circuit Court  
Twentieth Judicial Circuit  
St. Clair County Building  
#10 Public Square  
Belleville, Illinois 62220

RE: DAVIS, GIRVIES  
Case No. 79-CF-720  
Charge: Murder  
Attempt Murder (Trial by Jury)

Dear Judge Starnes:

On Thursday, March 27, 1980, this officer was assigned by your Honorable Court, to conduct an investigation into the character and background of Girvies Davis, black male, age 22, date of birth January 20, 1958.

On the date of that assignment, this defendant appeared in open Court, in person and in the presence of his attorneys, Mr. Patrick Young, Public Defender and Ms. Ann Hatch, Assistant Public Defender, whereupon, he was found guilty, by a Jury, of the offenses of Murder and Attempt Murder.

An up-dated pre-sentence investigation was ordered and a sentencing hearing is scheduled for May 2, 1980.

Previously, on Thursday, December 13, 1979, the defendant had appeared before the Honorable John J. Hoban, whereby, he had been found guilty by a Jury of these same charges. A pre-sentence investigation report was submitted on Monday, January 14, 1980. This matter has been continued and reference in this report will be made to the previous pre-sentence investigation report dated January 14, 1980.

The defendant remains in custody at the St. Clair County Jail, Belleville, Illinois.

INCIDENT

The Grand Jury of St. Clair County charges, in Count I of this Indictment, that on the 30th day of August, 1979, in said county, Girvies Davis, committed the offense of Murder, in that he, without lawful justification and with the intent to kill Frank Cash, shot Frank Cash with a gun, thereby, causing the death of Frank Cash, in violation of Paragraph 9-1a1, Chapter 38, Illinois Revised Statutes.

The Grand Jury of St. Clair County charges, in Count II of this Indictment, that on the 30th day of August, 1979, in said county, Girvies Davis, committed the offense of Attempt (Murder), in that he, with the intent to commit the offense of Murder, in violation of Illinois Revised Statutes, Chapter 38, Section 9-1(a), performed a substantial step towards the commission of that offense, in that he, without lawful justification and with the intent to kill James Ostman, shot James Ostman in the arm with a gun, in violation of Paragraph 8-4(a), Chapter 38, Illinois Revised Statutes.

STATUS SINCE ARREST

The defendant was extradited from the State of Missouri, following his hospitalization in connection with this case. Extradition was waived and the defendant was subsequently booked into the St. Clair County Jail on September 5, 1979 on this charge. He has remained in custody at the St. Clair County Jail since that date. According to Jail Officials, the defendant was charged with Possession of Contraband on December 8, 1979 and voluntarily submitted evidence to jailors. He was given one (1) week without privileges and was confined to maximum security. His privileges were, however, restored on December 14, 1979.

Since the defendant was booked into the County Jail on the instant matter, he has been indicted on another charge of Murder (Case # 79-CF-592) whereby, he was found guilty by a Jury on Tuesday, March 11, 1980. On Friday, April 25, 1980, the defendant was sentenced by the Honorable Circuit Judge, John J. Hoban, to the Department of Corrections for a period of forty (40) years.

BACKGROUND AND CURRENT STATUS

(1) Social and Family:

Girvies Davis, hereafter referred to in this report as the defendant, was questioned in the St. Clair County Jail, Belleville, Illinois, on Monday, April 28, 1980, by the undersigned investigating officer.

The defendant advised that there has been no significant changes pertaining to his background since the last interview by this officer on Monday, March 24, 1980.

Previous investigation and verification reveal that the defendant was born in St. Louis, Missouri on January 20, 1958, that he is married, but has no children, and that he was, prior to his arrest for this offense, residing with his wife at 718 North 71st Street, E. St. Louis, Illinois. His social security number is 345-50-2119.

All information in this section remains the same, according to the defendant. However, an interview with the defendant's mother on March 31, 1980, reveal that the defendant's wife is now residing with her mother, in E. St. Louis, Illinois, exact address not known.

No other changes in the social and family category have been revealed.

(2) Financial and Living Conditions:

A check with the defendant's mother reveal no significant changes, other than the defendant's wife having relocated with her own mother.

EDUCATION

Reference to previous attached pre-sentence investigation report (no subsequent changes noted).

RELIGION

Reference to attached report (no additions or changes).

EMPLOYMENT

The defendant's employment history was indicated in the attached report and no additions are necessary due to the defendant's current confinement.

MILITARY HISTORY

No changes from previous report.

MEDICAL HISTORY

The defendant stated that no significant changes have occurred pertaining to his health. However, he stated that a previously existing physical difficulty is of pertinent current consideration. He emphasized that he has lost seven (7) teeth during a previous encounter with an E. St. Louis Police Officer (prior to his arrest for the instant offense). He stated that the missing teeth create difficulty in eating. Furthermore, he commented that they create an unsightly facial appearance. He advised that he has filed suit against the arresting officer in the E. St. Louis Police Department. He claimed that a previously retained attorney withdrew from the matter due to the current conviction. Consequently, the defendant

claimed that he is pursuing the case on his own without representation.

Otherwise, according to the defendant, no changes are indicated in this section.

HISTORY OF CRIMINALITY AND DELINQUENCY

The pre-sentence investigation report, dated January 14, 1980, contains essentially all of the defendant's previous history of criminality. That report is attached.

In addition, the Court is advised that the defendant was indicted for an offense (Murder) occurring on May 11, 1979, Indictment # 79-CF-592. The defendant has been sentenced into the custody of the Department of Criminal Corrections for a period of forty (40) years.

No other additions to the attached criminal history record have been noted.

The Court is informed that the defendant has an extensive juvenile history of delinquency. This information is available within this department and will be provided to the Court upon request.

RESTITUTIONAL CONSIDERATION

The victim in Count I of this Indictment, Frank Cash, was pronounced dead at St. Mary's Hospital in E. St. Louis, Illinois on August 30, 1979, fatally wounded during the commission of this offense. The cause of death was officially listed as exanguination, penetration of heart, aorta and superior vena cava gunshot wound to the left later thorax. The victim was reportedly married and survived by a wife and unborn child (child subsequently born). The victim was 21 years of age at the time of his death.

The victim in Count II of the Indictment, James Ostman, was the owner of the State Street Auto Supply Shop, scene of the crime. He was hospitalized at St. Mary's Hospital, resulting from a gunshot wound to the left arm. He was also reportedly beaten in the head with a pistol by a defendant in this case. No additional information was observed in the State's Attorney's file or other related police reports which would indicate the victim's subsequent condition.

REHABILITATIVE CONSIDERATION

Reportedly, the defendant has not completed twelve (12) years of schooling. At age 22, additional schooling would be beneficial. In addition, the defendant has no significant record of vocational training or experience. He claims to be self-employed-a mechanic.

*Wife +  
child*



Additional emphasis in that regard may be desirable.

The defendant advised that he is presently in good health, other than his complaint of seven (7) missing teeth, thus, no medical resources have been pursued.

CONCLUSIVE COMMENTS

The information contained in this report is based on initial data obtained from the defendant with subsequent verification and investigation by the undersigned officer.

It is the policy of this department that specific recommendations will not be included. Such matters are left to the wisdom and judgement of the Honorable Court.

Respectfully submitted,



C. E. Shaver  
Probation Officer/Supervisor  
Investigation Unit  
Court Services and Probation  
Twentieth Judicial Circuit

CES/dh

Attachment: Pre-sentence Investigation Report dated January 14, 1980

STATE OF ILLINOIS  
TWENTIETH JUDICIAL CIRCUIT  
COURT SERVICES AND PROBATION DEPARTMENT

JERRY F. COSTELLO  
DIRECTOR

ST. CLAIR COUNTY BUILDING  
10 PUBLIC SQUARE, BELLEVILLE, ILL. 62220  
PHONES (618) 277-6600  
398-3665  
NIGHT NUMBER: 277-6610

January 14, 1980

Honorable John J. Hoban  
Judge of the Circuit Court  
Twentieth Judicial Circuit  
St. Clair County Building  
#10 Public Square  
Belleville, Illinois 62220

RE: DAVIS, GIRVIES  
Case No. 79-CF-720  
Charge: Count I - Murder  
Count II - Attempt (Murder)  
Found Guilty by Jury

Dear Judge Hoban:

On Thursday, December 13, 1979 this officer was assigned by your Honorable Court, to conduct an investigation into the character and background of Girvies Davis, also known as Girvies Lamar Davis, black male, age 21, date of birth January 20, 1958.

On the date of that assignment, this defendant appeared in open Court, in person and in the presence of his attorneys, Mr. Patrick Young and Mr. William Gagen, Public Defender and Assistant Public Defender, whereupon, he was found guilty, by a Jury of the offenses of Murder and Attempt Murder.

A pre-sentence investigation was ordered and a sentencing hearing is scheduled for Friday, January 18, 1980 at the hour of 9:00 a.m.

The defendant is currently in custody at the St. Clair County Jail, Belleville, Illinois.

INCIDENT

The Grand Jury of St. Clair County charges, in Count I of the Indictment, that on the 30th day of August, 1979 in said county, Girvies Davis committed the offense of Murder, in that he, without lawful justification, and with the intent to kill Frank Cash, shot Frank Cash with a gun, thereby causing the death of Frank Cash, in violation of paragraph 9-1a1, Chapter 38, Illinois Revised Statutes.

The Grand Jury of St. Clair County charges, in Count II of the Indictment, that on the 30th day of August, 1979 in said county, Girvies Davis committed the offense of Attempt (Murder), in that he, with the intent to commit the offense of Murder, in violation of Illinois Revised Statutes, Chapter 38, Section 9-1(a), performed a substantial step toward the commission of that offense, in that he, without lawful justification, and with the intent to kill James Ostman, Shot James Ostman in the arm with a gun, in violation of Paragraph 8-4(a), Chapter 38, Illinois Revised Statutes.

STATUS SINCE ARREST

The defendant was admitted to the Emergency Room at the Barnes Hospital, St. Louis, Missouri, on August 30, 1979 (following the incidents involving charges in this case) where he was treated. He was subsequently moved to the City Hospital #1, where he was charged as a Fugitive from the State of Illinois. An Extradition Waiver was assigned and the defendant was later booked into the St. Clair County Jail on September 5, 1979. He has remained in custody at the St. Clair County Jail since that date. A check with Lieutenant Schaab, Acting Jail Superintendent, St. Clair County Jail, Belleville, Illinois, revealed that the defendant was charged at the County Jail on December 8, 1979 with Possession of Contraband, whereby, he was confined to maximum security without privileges for one (1) week.

BACKGROUND AND CURRENT STATUS

(1) Social and Family:

Girvies Davis, also known as Girvies Lamar Davis, hereafter referred to in this report as the defendant, was questioned in the St. Clair County Jail, 5th and F Street, Belleville, Illinois on Monday, December 17, 1979 by the undersigned investigating officer.

He disclosed that he was born in St. Louis, Missouri, on January 20, 1958, that he is married, but has no children and that he was, prior to his arrest for this offense, residing with his wife at 718 North 71st Street, E. St. Louis, Illinois. His social security number is 345-50-2119.

The defendant stated that his wife has now relocated at the home of the defendant's mother at 839 North 81st Street, E. St. Louis, Illinois.

The defendant advised that he has been a lifelong resident within and adjacent to E. St. Louis, Illinois.

He stated that he married the former Cindy Lott, age 20, in December of 1978 in St. Clair County, Illinois. He stated that the marriage remains intact. He claimed that his wife is employed at a Burger

King Restaurant in St. Louis, Missouri.

He named as his natural biological father, Girvies Stennis, deceased, having succumbed in 1973 at the age of 46 years. He named as his natural biological mother, Ozella Smith, age 48, a homemaker, residing at 839 North 81st Street, E. St. Louis, Illinois. He stated that his mother and father were never actually married, but that his mother has since remarried to Dwight Smith.

He listed the following siblings:

1. Beverly Elliot, age 31, E. St. Louis, Illinois.
2. Jessie Turner, age 25, E. St. Louis, Illinois.
3. Debra Davis, age 20, residing with the defendant's mother.
4. Bernadette Davis, age 19, with the defendant's mother.
5. Regina Davis, age 17, residing with the defendant's mother.
6. Anthony Davis, age 16, residing with the defendant's mother.
7. Deune Smith, age 13, residing with the defendant's mother.

(2) Financial and Living Conditions:

This officer proceeded to the home of the defendant's mother, at 839 North 81st Street, and spoke to the defendant's mother. She stated that the defendant's wife has relocated with her and is temporarily a resident in her home. The residence was observed to be a frame structure, modestly furnished, located in the eastern residential confines of E. St. Louis, Illinois.

The defendant stated that the family income consisted of earnings from his work as a self-employed auto mechanic, that received from his wife's employment at the Burger King Restaurant, and approximately \$208 monthly in his wife's S.S.I. benefits. The defendant stated that he owes no major debts, although, he has no savings or significant financial assets. He stated that he owns a 1974 Vega automobile, but that his driver's license is presently suspended.

EDUCATION

The defendant claimed that he attended public schools in E. St. Louis, Illinois through the 8th grade, at which time he withdrew while a student at the Rock Jr. High School.

Previous attempts by this department, dating back to 1976, have revealed that there is no record at the Rock Jr. High School for this defendant. Furthermore, the defendant's mother subsequently

advised this officer on January 3, 1980 that her son never actually attended Rock Jr. High School. She also advised that his last school attendance was at the Long Fellow Grade School in E. St. Louis, Illinois. She stated that there was additional uncertainty due to the defendant's lack of willingness to attend.

RELIGION

The defendant stated that he is a Protestant and that he occasionally attends services, but at no particular church.

EMPLOYMENT

The defendant stated that he has been a self-employed mechanic for approximately two (2) years, whereby he earned an average of \$200 to \$250 per week. He stated that his primary clientele was friends and referrals.

He stated that he had previously been employed at the Playboy Lounge, located at 38 and State Street, E. St. Louis, Illinois, as a night watchman in 1977. He stated that he had worked for the owner, Mr. Blue McKnight. This officer proceeded to the Playboy Lounge on 38th and State Street, E. St. Louis, Illinois, but learned that Mr. McKnight no longer owns the establishment. The new owner, Mr. Ernest Lockhart, stated that he has no record of such employment, but did indicate that he receives mail at that address with the defendant's name on it.

The defendant stated that he also was employed at the Metro Cab Company, 8th and Martin Luther King Drive, E. St. Louis, Illinois, as a taxi-cab driver. He stated that he worked for that firm in 1977 and 1978. The undersigned proceeded to that location and spoke to Ms. Lucille Town, dispatcher and manager. Ms. Town stated that she has been with the company since 1969 and has never known of anyone by that name working with the company. She further checked the records for any standby personnel, but again, could locate no information pertaining to the defendant's status with that company.

The defendant stated that he had worked for the Delight Wholesale Company in St. Louis, Missouri, 4230 North Broadway. He stated that he was a vendor, paid on a commission basis in 1976. A previous pre-sentence investigation report for this defendant, dated July 30, 1976, shows verification that the defendant had worked there during that year, earning average wages of \$32 per week.

The previous pre-sentence investigation report, dated July 30, 1976, shows that the defendant had been employed at the Watts Concession, located at Grandpa's Discount Store, Collinsville Road-Route 40, Collinsville, Illinois during the early part of 1976. The defendant was a dishwasher and was reportedly a good employee, easy

to get along with. He also reportedly terminated of his own choosing.

MILITARY HISTORY

The defendant claimed that he never served in any branch of the active or inactive U. S. Armed Forces.

MEDICAL HISTORY

This 21 year-old black male is approximately 5' 7" in height, weighs approximately 140 pounds, has black hair and brown eyes.

He stated that he believes his present health is good, although, he showed scars of the recent gunshot wound received in connection with this offense.

The defendant stated that he had been treated at the Alton Mental Health Center, Alton, Illinois in 1977. A report received from the Alton Mental Health Center shows that the defendant was admitted there on September 20, 1977 after having been brought to that facility upon destroying property in his mother's home and apparently threatening family members with a knife. He was treated and released on September 29, 1977, final diagnosis; habitual excessive drinking. His condition on discharge shows "this client exhibited no symptoms of psychosis. He appeared in good contact. The client apparently had several conflicts with his family that he has yet to work out. Physical examination shows no positive findings. Significant laboratory tests were within normal limits. Client is discharged as improved". A copy of the Alton Mental Health Center report is attached for the Court's review.

The defendant stated that he had been a patient at the Barnes Hospital for numerous illnesses since he was a small child. A request for information confirming the defendant's health status at the Barnes Hospital has not been received as of this date. It will be made available to the Court upon its receipt in this department.

HISTORY OF CRIMINALITY AND DELINQUENCY

A check of the National Crime Information Center, Washington, D.C., F.B.I. reports, other federal, state, and local law enforcement authorities, reveal the following:

1. St. Clair County Case #79-CF-169; arrested on March 5, 1979, charged with Burglary, a No True Bill was returned and filed on April 20, 1979.
2. St. Clair County Case #77-CF-194; arrested in St. Clair County on March 22, 1977, charged with Burglary; case dismissed on May 26, 1977.

3. *MISD.* St. Clair County Case #77Q-003162M; arrested in St. Clair County on August 10, 1977, charged with Battery; convicted of Battery, fined \$60.
4. St. Clair County Case #76Q-003724M; arrested on November 26, 1976, charged with Unlawful Use of a Weapon; case dismissed on July 18, 1977.
5. St. Clair County Case #76Q-003723M; arrested on November 26, 1976, charged with No Firearm's Owner's Identification; dismissed on July 18, 1977.
6. St. Clair County Case #76Q-003720M; arrested in St. Clair County on November 26, 1976; charged with Possession of Cannabis; dismissed on July 18, 1977.
7. *MISD.* St. Clair County Case #76Q-033123M; arrested in St. Clair County On August 30, 1976, charged with No Firearm's Owner's Identification; convicted, fined \$20.
8. *BURGL.*  
*FELONY* St. Clair County Case #76-CF-183; arrested in St. Clair County on February 23, 1976, charged with Burglary; found guilty by a Jury of Burglary on May 12, 1976; sentenced to three (3) years probation on August 6, 1976.

The Court is advised that request for revocation proceedings were submitted by officers of this department on four (4) different occasions during the period of probation. The defendant continued his probation sentence until August 6, 1979 whereby, the case was closed, classified "closed unsatisfactorily".

The Court is advised the defendant has a juvenile delinquency record, which is available to the Court upon request.

#### RESTITUTIONAL CONSIDERATION

The victim in Count I of this Indictment, Frank Cash, was pronounced dead at St. Mary's Hospital in E. St. Louis, Illinois on August 30, 1979, fatally wounded during the commission of this offense. The cause of death was officially listed as exanguination, penetration of heart, aorta and superior vena cava gunshot wound to left lateral thorax. The victim was reportedly married and survived by a wife and unborn child. The victim was age 21 at the time of his death.

The victim in Count II of the Indictment, James Ostman, is the owner of the State Street Auto Supply Shop. He was hospitalized at St. Mary's Hospital, resulting from a gunshot wound to the left arm. He was also reportedly beaten in the head with a pistol by a defendant in this case. No additional information was observed in the State's

Attorney's file or other related police reports which would indicate the victim's subsequent condition.

REHABILITATIVE CONSIDERATION

Reportedly, the defendant has not completed twelve (12) years of schooling. Since he is 21 years of age, additional schooling would be beneficial. In addition, the defendant has no significant record of vocational training or experience. He claims to be a self-employed mechanic by trade, thus, additional emphasis in that regard may be desirable.

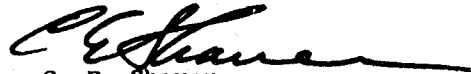
The defendant advised that he is presently in good health, thus, no medical resources have been pursued.

CONCLUSIVE COMMENTS

The information contained in this report is based on initial data obtained from the defendant with subsequent verification and investigation by the undersigned officer.

It is the policy of this department that specific recommendations will not be included. Such matters are left to the judgement and wisdom of the Honorable Court.

Respectfully submitted,



C. E. Shaver  
Probation Officer/Supervisor  
Investigation Unit  
Court Services and Probation  
Twentieth Judicial Circuit

CES/dh

Attachment: Alton Mental Health Medical Report



FIELD SERVICES  
KENNETH A. WELLS, Superintendent

Please direct reply to  
Kenneth A. Wells  
Suite 500 Illinois Building  
East St. Louis, Illinois

June 10, 1969

Mr. Charles A. Handley, Jr., Superintendent  
Reception and Diagnostic Center  
Illinois Youth Commission  
P. O. Box 702  
Joliet, Illinois 60434

SOCIAL HISTORY

IDENTIFYING DATA

Youth: DAVIS, Cirvies Lamar  
IYO#: 9-463-H  
Birthdate: 1-5-58  
Verification of Birthdate was made by the Agent viewing the school records.  
Race: Negro  
Other Agencies who worked with Youth: None  
Social Security Number of Father: Unknown  
Social Security Number of Mother: None  
Social Security Number of Ward: None  
Arrival Date: 4-28-69  
Place: Reception and Diagnostic Center

INDIVIDUALS INTERVIEWED AND AGENCIES CONTACTED

Mrs. Ozella Smith  
723 North 10th Street  
East St. Louis, Illinois  
Mother

Sgt. Roosevelt Brown, Juvenile Division  
East St. Louis Police Department  
East St. Louis, Illinois

Dwight Smith  
723 North 10th Street  
East St. Louis, Illinois  
Stepfather

Mrs. Walse, Caseworker  
Illinois Public Aid  
East St. Louis, Illinois

Records from the 20th Judicial Circuit  
Court, Juvenile Division  
Court House  
Belleville, Illinois

Miss Hunt, 4th grade teacher  
A. M. Jackson Elementary School  
East St. Louis, Illinois

The family does not have any hospitalization insurance; family is on Illinois Public Aid, A.D.C.-U.

### COURT HISTORY

Present Situation: On 4-11-69 the youth was arrested for snatching a purse belonging to Mrs. Christine Lopper of Illinois. He was taken to police headquarters and released to the mother pending a court hearing. On 4-18-69 an amended delinquency petition was filed in Circuit Court charging the youth with purse snatching and being out of the control of the mother. On 4-28-69 the youth appeared in court with his mother, he was adjudicated a delinquent and committed to the Illinois Youth Commission by the St. Clair County Circuit Court charged with theft, the Honorable Judge William P. Fleming presiding.

Previous Delinquencies: The youth first came into contact with the East St. Louis Police Department on 5-11-66 when at age 8 he was arrested for stealing a pair of tennis shoes. His mother made restitution and paid for the tennis shoes.

On 5-24-66 he was arrested for breaking into the Sears & Roebuck Company store along with Ricky Johnson, now an Illinois Youth Commission ward, for taking two B-B guns. On 5-26-66 the East St. Louis Police Department filed a delinquency petition in the St. Clair County Circuit Court but it was dismissed on 7-6-66 because of the youth's age.

On 4-18-67 the youth was arrested for shoplifting at the Jupiter Store. He was lectured, warned, and released to the mother.

On 8-7-68 the ward was arrested for shoplifting at the Sears & Roebuck Company store. He was again lectured, warned, and released to the mother.

On 9-4-63 he was arrested for creating a disturbance at the Bike Shop on Collinsville Avenue, East St. Louis, Illinois. He was lectured, warned, and released to the mother. This brings the record up to the present situation.

### DEVELOPMENTAL HISTORY OF YOUTH

Physical Data: The youth was born 1-3-58 in St. Mary's Infirmary, St. Louis, Missouri. The youth was of normal birth, bottle fed for 12 months, walked at 9 months, talked and was completely toilet trained at 2 years. According to the mother the youth is somewhat retarded and to this day he cannot talk plain. However, the mother volunteered that he was not in any accidents and as far as she knew there was no brain damage. The ward bleeds easily, has had a bad case of ~~measles~~ and has been under the doctors care for this infection. Childhood diseases consisted of measles, mumps, and chicken pox. The youth was involved in no accidents, has had no broken bones, no surgery, and has never been hospitalized. Basically the youth is in good health.

Psychological and Psychiatric Data: The mother stated that the youth was referred to the local Mental Health Clinic by the school authorities but she never took him. Also the youth has never seen a psychiatrist so there are no evaluations available on this youth.

Name

DAVIS, GIRVIES

ITC 69-4634

Page 2

20...  
 Director of the  
 Illinois Youth Commission.

He has been found to be in need of continuous supervision. From all indications, he would need the controls which would be present in a medium security setting.

CLINICAL EVALUATION:

Girvies' IQ score, of 78, on the Revised Beta Test classified him as being in the border-line range of intelligence. His Revised Stanford Achievement Test results indicated very low academic skills. The youth is functioning at, approximately, the 1st grade level. The youth was last enrolled at Jackson Grade School in the 5th grade. A brief school report would indicate that his overall adjustment was unsatisfactory. Academically, the youth wasn't doing well which was, at least, somewhat due to his inability. Also, it has been indicated that his relationship with his teachers and fellow pupils hasn't been very good.

Girvies last lived in the home of his mother, Osella Smith, at 723 North 10th Street, East St. Louis, Illinois. Also, there is a man living in the home but, according to the youth, it isn't his father. Neither his mother nor stepfather are employed and they exist through the support of ADC funds. The youth didn't know why neither of his guardians didn't work but denied that there was any illness in the family. At present, there isn't any information pertaining to this. The youth's father is a policeman who stops by the house periodically. During these periodic visits, the father will sometimes give the youth's mother some money. The youth has about 8 siblings, all of whom live in the home, but their ages are unknown.

From what little Girvies said and what has been indicated, it would appear, he has had a very distant relationship with all authority figures who have lived in the home. Seemingly, the youth has been on his own, to do as he liked, since he was very young. It is to be noted, also, he has quite a lengthy record, although, he is only 11 years of age. He has never learned to respect the rights of others because he has never been taught to.

On the whole, he has been very hard to control and discipline here at the Reception & Diagnostic Center, due to the fact, he has had such a lack of it previously.

Basically, he is a very immature, dependent youth who is striving desperately to overcome his urgent dependency needs.

RECOMMENDATIONS:

- 1) It is the staff's recommend Girvies be transferred to ISTSB. It is felt that, although, he is very young he couldn't adjust in a minimum security setting. The probabilities of him leaving a camp setting are very, very, high.
- 2) He should be involved in the school program at the lower academic 1st grade level or EMH program.
- 3) He should be involved in as much individual and group counseling as is available. The youth should be particularly helped in the area of learning how to control his tendency to do what he wants, exactly when he wants to do it.
- 4) Girvies name should be thoroughly investigated prior to his return here. It is very unlikely that the boy detour from further acting out if he is returned to the former family setting.

ITC-723 8183

*Kathleen Ryan*  
 Kathleen Ryan  
 Social Worker

KK:JW:dp  
 5-26-69

*Jared Weller*  
 Moderator, ITC-111

Page 3  
Social History  
DAVIS, Girvies Lester

The youth was considered an obedient child at home, was nervous, had a slight temper, and would bite his fingernails. The mother felt that he had a very small attention span, could not concentrate on his studies, and was a lot of trouble at school. She considered him to be babyish and he would stick fairly close to home. The mother stated that because there is no father within the home structure, she tried to be both parents and tried to talk and reason with him and tell him where he was heading, but he seemed not to understand. He was very dependent on his mother, and in fact when he would make a dollar doing various jobs he would give his mother 75¢. She stated she missed it very much, and when the mother said "it", this agent is not sure whether she meant the money or the child. She feels that one of his big problems is that his father is not in the home and that the word sees him only occasionally and it disturbs him not to have a relationship with him. Basically he is a problem child within the school, did not get along with adults in the community, and was almost anti-social.

Social Data: The mother stated that he liked to swim, play baseball, and liked to attend the Boy's Club. He liked to watch television and had one friend that he was very fond of playing with, the boy being named "Tousils". In fact this is an interesting relationship in that Tousils comes by every morning even after the word was committed, goes into the house, looks at his bed and starts crying as he misses Girvies very much.

#### FAMILY HISTORY

Father: Girvies Stennis is 42 years of age and presently resides in St. Louis, Missouri. The mother seemed to be very secretive about his whereabouts as if this agent were trying to locate him. She thinks he is a night watchman for a local discount store and he comes to the home only occasionally. She thinks he is the father of three of her children, however she is not too sure. At any rate, Mrs. Smith assured this agent that the word and Mr. Stennis had no relationship.

Mother: Bealle (Davis) Smith was born 11-11-1931 in Paducah, Kentucky. She is an American Negro in good health and of the Baptist faith. She is presently an unemployed housewife and a recipient of A.D.C.-II. She is presently married to Dwight Smith whom she lives with and is supported by his A.D.C. grant. She has never been arrested, obtained 8 years of formal education, is not a veteran and belongs to no fraternal organizations.

It is this writer's impression that Mrs. Smith is extremely concerned about her son but is uneducated and extremely limited as a mother figure. She is concerned, but she does not have what it takes. She has been overly cooperative with this office, as is her reputation with the A.D.C. caseworker, Mrs. Welge, but that is the extent of her cooperativeness. Mrs. Smith has been extremely promiscuous throughout her lifetime and is now paying the bill, and it is felt that in her present marriage to Mr. Smith she has tried to rectify her past mistakes. However, she has married a 27 year old young man in extremely poor health who is unemployed, and this is no way to overcome mistakes. She stated she would cooperate with the Illinois Youth Commission if they would see fit to place the youth back in her home.

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Social History  
DAVIS, Cirvies Leta

Employment: Dwight Smith is a 27 year old American Negro of the protestant faith, in poor health. He is presently an unemployed drummer and has not worked for the past two years. He is supported by A.D.C.-U. as he is supposed to be unable to work. Mr. Smith does not have an arrest record, obtained 8 years of formal education, has never been in the service, and belongs to no organizations.

All during this interview this writer thought that Mr. Smith, who turned out to be the husband, was the mother's handyman or even son, when she finally introduced him as her husband. He is young looking and states that he has just had major surgery, is unemployed, but is looking for work. At the time of this interview it appeared that this man was half intoxicated and was not very easy to relate to.

Marital History of Parents: A check with the A.D.C. records indicate that the mother and Mr. Stannis were never married but had a relationship from 1957 to 1964 which produced 4 illegitimate children. Mrs. Smith finally got married to her present husband, Dwight Smith, on 1-24-66, and I am sure there is no rationale for this marriage unless Mrs. Smith just wanted someone to do her errands and take care of her home.

Siblings: The oldest of Mrs. Smith's children is Beverly Davis, age 21, who is not married and resides in East St. Louis, Illinois. Jessie Davis, age 16, lives in the home and attends Rock Junior High School in the 9th grade. Both of these children were fathered by Fred Horton. Deborah Davis, age 9, lives in the home and attends Longfellow Elementary School in the 3rd grade. Bernadette Davis, age 8, lives in the home and attends Longfellow in the 2nd grade. Regias Davis, age 6, lives in the home and attends Longfellow in the 1st grade. Anthony Davis, age 5, lives in the home and is of preschool age. Youma Smith, age 2, is also of preschool age and lives in the home.

Other Relatives: None.

#### FAMILY INCOME

Mr. and Mrs. Smith are supported by A.D.C.-U. and their grant amounts to \$337.00 per month without the ward in the home. According to the A.D.C. records this family is not receiving any Social Security or veterans benefits.

#### HOME ENVIRONMENT

Mr. and Mrs. Smith and their family reside at 725 North 10th Street, East St. Louis, Illinois in a 6 room and bath brick structure. They have lived here for the past 4 years and rent this dwelling for \$35.00 per month. The home is divided into a kitchen, living room, dining room, and 3 bedrooms, and has a full basement which houses the gas furnace. The interview took place on a sunporch, and what rooms were visible seemed to be sparsely furnished with old and used furniture, but the overall appearance seemed to be fairly clean. Housekeeping standards were only average. The Smith family has benefit from most of the modern conveniences including a gas range, electric refrigerator, television and Hi-Fi. At the time of commitment the ward shared a bedroom with his younger brother Anthony.

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Social History  
DAVIS, Cirvies Lamar

#### NEIGHBORHOOD

The Smith family reside in an all Negro, low income, residential area of East St. Louis, Illinois. This area entertains an extremely high delinquency as well as adult crime rate and most of the property in this area is rental property. Most of the established families in this area have moved out and therefore it is close to becoming a slum area. Recreational facilities consist of one Boy's Club, school playgrounds and street corners.

#### SCHOOL HISTORY

At the time of commitment the youth was attending the A. M. Jackson Elementary School in the 4th grade. This writer talked to his teacher, Miss Hunt, and her first sentence to this writer was that "he was a vulgar student". He was below average in ability, aggressive in the classroom, would tear up his report card in front of the teacher, and when the teacher would send for the mother, she would not come to the school. Miss Hunt stated that he could barely do 4th grade work and needed to be prodded to do this.

#### VOCATIONAL HISTORY

None.

#### RELIGIOUS BACKGROUND

Although the youth was slow in school and behind in his grades, he seemed to have an interest in Bible School and attended the Morningstar Baptist Church for the past four years. He joined this church without the mother's consent and managed to attend with some of his friends. This is the extent of what the mother knows about his church attendance.

#### REPORTS OF OTHER SOCIAL AGENCIES

None.

#### ATTITUDE OF FAMILY TOWARD YOUTH

The mother tried to rationalize and stated that he was railroaded to the Illinois Youth Commission. When it was brought to her attention that the youth was arrested at age 8 for stealing, this was a different matter. This agent agrees that the mother should have had something to say in the court room, and this seems to have her more confused and not rather than the commitment to the Illinois Youth Commission. She seems to be carrying a personal grudge for Sgt. Roosevelt Brown of the East St. Louis Police Department who filed the delinquency petition, and Judge Fleming who sentenced the youth to the Illinois Youth Commission. She has been on the phone continuously to this agent trying to find out if this agent could release her son, all of this without once admitting to anyone that she could have been at fault. During this interview this writer tried to make her examine her own life and the example that she has set, but she would not listen. She stated that she would write and visit when she can.

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Social History  
DAVIS, Girvian Lester

OPINIONS AND RECOMMENDATIONS

As stated before, Mrs. Smith has been on the telephone constantly to this agent, trying to get her son out instead of re-examining her life to see and rationalize her own problems and worry about the future placement of her son. The family is extremely disintegrated, there has never been any father influence in the home, and I am sure the youth was seeking sole identity in the community when he was committed to the Illinois Youth Commission. He could not look to his stepfather whom he hardly knew, he was a belligerent and anti-social child in the school program, and was almost destined to go to the Illinois Youth Commission. Placement back into this home must be guarded at this time; however, there would be retaliation from the mother if another placement resource were to be used.

Kenneth A. Walls  
Juvenile Parole Agent  
District VII

Kenneth R. Absher  
Superintendent

KAW:bls  
Encls. (2)  
cc: Mr. Absher

PLACEMENT INVESTIGATION SUMMARY

Name **GIRVIES DAVIS** Age **13** IVC No. **69-443-11**

Now located at **Illinois State Training School for Boys** Committed **4-28-69**

Source of Information: **Mother**

Home Investigated:

**626 North 7th Street, East St. Louis, Illinois** **St. Clair** **874-3259**  
City County Telephone

Type of neighborhood **All black, low income, rental property area**

Mr. . . . . Relationship Religion Race Age

Occup: . . . . Employer

Mrs. **Opella Smith** Mother Baptist Negro 35  
Relationship Religion Race Age

Occup: **Housekeeper on A.B.C.** Employer

No. of Rooms **7 and bath** Rental **\$92/Monthly** Owned

Length of time at above address **2 years**

Siblings Living in Home:

Name	Age	Employed at—School	Wages—Grade
<b>Debra</b>	<b>11</b>	<b>Jackson Elementary</b>	<b>5th grade</b>
<b>Bernadette</b>	<b>9</b>	<b>Jackson Elementary</b>	<b>3rd grade</b>
<b>Regina</b>	<b>8</b>	<b>Jackson Elementary</b>	<b>3rd grade</b>
<b>Anthony</b>	<b>7</b>	<b>Jackson Elementary</b>	<b>2nd grade</b>
<b>Deven</b>	<b>4</b>	<b>preschool age</b>	

Others in Household:

**None**

Does Family have firearms in home? Yes No **XX** What Disposition?

PLAN FOR YOUTH

Kind of Work: . . . . . Employer

Address . . . . . Wages

School: **A. M. Jackson Elementary** Transcript of credits needed? Yes **XX** No

Has this youth lived in this neighborhood before? **Yes**

Has this home cared for or employed a youth on parole before? If so state name **Yes, ward.**

Will family call for youth: Yes No **XX** Placement in above recommended Yes **XX** No

**Kenneth A. Walls** VII  
Agent District

NOTE: Attach complete narrative report following Home Investigation Outline.

Reported by **Kenneth A. Walls, Family and Youth Counselor**  
Date **March 29, 1971**

cc: Commission—1  
Field Services—1

APR 2 1971



### FAMILY SETTING

Mother: Orella Smith is 39 years of age and presently an unemployed housewife and a recipient of A.D.C. She is of the Baptist faith, does not attend any particular church, has never been arrested, obtained 8 years of formal education, and does not indulge in alcoholic beverages.

Mrs. Smith is seen by this counselor as a heavy set black woman of limited intellectual ability, and not particularly impressive as a mother figure. However, she is soft spoken, very cooperative, and easy to relate to. Mrs. Smith has many problems of her own, of being on A.D.C. and trying to raise 6 children without a father. Where she lacks in intellectual ability, she makes up in desire and willingness to cooperate with authority figures. Mrs. Smith readily admitted to this counselor during this interview that she has learned a great deal herself since Cirvino was returned to the institution as a parole violator. She realizes now that she must spend more time with this ward, make him feel a part of the family, and help instruct the other children and his friends not to make fun of him and not to embarrass him, all in an effort to make him feel at home. Mrs. Smith was more honest during this interview than she has ever been with this counselor, and pledges that if the ward is allowed to return home, she will make every effort to help this counselor supervise this youth.

### INCOME

Mrs. Smith is a recipient of A.D.C. and receives a total grant of \$390 per month, plus food stamps and complete medical coverage.

### HOME ENVIRONMENT

Mrs. Smith and her family reside in a 7 room and bath, frame dwelling in which she rents for \$92 per month. The home is a 2 story structure and is divided into a living room, dining room and kitchen on the first floor, 4 bedrooms upstairs, with a full basement which houses the gas furnace. Although there is adequate space for the size of the family, most of the rooms are furnished with old and run down furniture and the entire dwelling needs renovating. However, this is all Mrs. Smith can afford at this time, she has tried to get her landlord to repair the home, to no avail. The Smith family enjoy some of the modern conveniences such as a gas range, electric refrigerator, worn out television and radio. Housekeeping standards are average, and if parole is granted, Cirvino would have a room of his own.

### NEIGHBORHOOD

Mrs. Smith and her family reside in an all Negro, low income, residential area located in downtown East St. Louis, which is designated as part of Model City. This is an extremely poor neighborhood and most of the houses are rental property and there is not much investment in the community. Delinquency and adult crime is rather high in this area, and recreational facilities consist of only school playgrounds.

### DEPRESSIONS AND RECOMMENDATIONS

Due to the ward's age, it will be mandatory for the ward to attend school on a full time basis. However, in a report received with the ward's plans from Joliet, it was noted that in their case review the ward should be enrolled in the E.M.E. Program, primarily because he is functioning on the first grade level. In the community, prior to his return to the Training School, the ward was enrolled in Jackson Elementary in the 5th grade. At this point there is little wonder why his school adjustment

Page 2  
Placement Investigation Summary  
DAVIS, Girvies

was poor. At this time an attempt was made by this counselor to enroll the youth in the E. M. E. Program in School District 189, but was told that the program was full, and there was a waiting list of at least 500 students. What this means is that the ward, if returned to this community, will have to be placed back in the regular school program in the 5th grade because he is almost 13 years of age.

In preparing a recommendation for parole for this youngster, it becomes very difficult to rationalize why he should be released from the institution. This counselor knows Girvies and how he operates in the community, knows of his immature, childlike personality, knows of his inability to perform in the classroom, knows that he has learned to steal at an early age to hide his inadequacies, and knows that this black family on A.D.C. lives in the ghetto of East St. Louis. However, this Department must realize that institutionalization is not the answer either. A good start would be to have the ward placed in the E.M.E. Program where he could possibly become interested, kept busy during the day, and then with good supportive counseling and help from the mother, could be kept busy in the evenings also. He needs an education, or at least a partial education until he is old enough to be placed in a training program, and this will be this Department's goal during the next 3 years. This counselor is not trying to discourage parole, yet point out the fact that it will take great effort on the part of all parties concerned to help this youth adjust to a successful parole. The mother, through counseling, has come to realize her role in this problem, and it will be this counselor's role to secure a program in the community that will best suit his needs.

Therefore, it is recommended that because of the negative factors brought out in this case, along with the school year coming to a close, that an authorized absence pending parole be granted for at least 90 days in an effort to try and formulate an effective program that will meet the needs of this youngster.

On this basis, it is recommended that AAFP be granted to the home of the ward's mother, Mrs. Ovelle Smith, 626 North 7th Street, East St. Louis, Illinois whenever the Parole and Pardon Board sees fit.

If Authorized Absence Pending Parole is granted, it is also recommended that the youth be returned to this area via public transportation, and that the mother and this counselor be notified in advance of his anticipated time and date of arrival in this area.

*Kenneth A. Walls*  
Kenneth A. Walls  
Family and Youth Counselor  
District VII

Waymond F. Addy  
Acting Superintendent

KAW:bls  
cc: Springfield  
cc: Mr. Olson

APR - 9 1971

## STATE OF ILLINOIS

## RECEPTION AND DIAGNOSTIC CENTER

DEPARTMENT OF CORRECTIONS JUVENILE DIVISION  
STAFF MEETING RECORD

TC-128 (1-77)

RECEPTION AND DIAGNOSTIC CENTER - JOLIET, ILLINOIS  
(Institution or Facility)

Name	Birthday	IYC No.	Date Staffed
DAVIS, CIRVINS	1-5-58(12-7)	69-4634	9-16-70

PRESIDING: Ronald Williams

PRESENTED By: Team III

PRESENT: SPECIAL CASE REVIEWIDENTIFYING DATA:

Cirvins Davis is a 5'0 tall, Protestant, Negro youth, weighing 120 pounds. He has black hair and brown eyes, and there are no apparent identifying marks. Davis was first committed to the DCJ on 4-28-69 as a delinquent by the St. Clair County Circuit Court, charged with theft. The ward was most recently received at the Reception and Diagnostic Center on 8-28-70, after having broken parole, having been paroled from IETS.

PRESENT PROBLEM:

The ward first became involved with the police in May of 1966 when he was approximately 8 years of age. This first offense was that of theft. This theft was followed by a burglary on the 24th of the same month in 1966, a shoplifting in 1967, a shoplifting in 1968, a disturbance on the 4th of September in 1968, and a theft on the 30th of April in 1969. As stated above, the ward was first committed to the DCJ on 4-28-69. On 5-29-69 the ward was transferred to St. Charles IETS. On 9-27-69 the ward was transferred from IETS to a status of authorized absence at which time the ward was vacated. On 10-18-69, the ward was transferred from authorized absence pending parole to an official parole status. On 8-28-70 the ward was recommitted to the R & D Center, charged with RP/Poor Adjustment. Since his parole, the ward has been arrested at least 6 times for stealing and shoplifting. During this time the parole agent states that he attempted to work with the ward because of his age, mental and academic retardation. The ward was also seen by Dr. John Colaburo at St. Clair Mental Health Clinic for his acting out. The parole agent notes that although the ward is 12 years of age, he is functioning on the first grade level; therefore, because of the school problems and because of his acting out this parole counselor felt that the ward should be reassigned to the Department of Corrections, Juvenile Division.

CLINICAL EVALUATION:

The ward gives the impression of being quite slow intellectually, and one must be quite careful in phrasing questions to him in that he appears to have difficulty understanding questions and responding. The ward also appears to be quite mother dependent, looking towards his mother for guidance in meeting his dependency needs. There is a truancy problem in school. The only reason the ward will give for this truancy problem is that he is harassed by other students without being able to receive assistance from any of his teachers. The ward, during the interview stated, "I need help, because I get into too much trouble." The ward, therefore, seems to be aware that he is not functioning adequately and satisfactorily, and he appears to desire assistance. The ward definitely appears to be a follower and not in himself an aggressive person. The pattern of theft would possibly be explained by the suspicions that the family situation is strained and

Name

Page

DAVIS, GIRVIES

ocially and the family as a consequence of this is suffering physical deprivation. It does not appear that the ward has sufficient intellectual capabilities to make a constructive use of an institutionalized setting, and it is suspected that the ward's relationship with his mother is quite positive. The ward's caseworker states that he believes a minimum security setting is adequate for the ward, but due to the fact that the ward is functioning in the EMH level and due to the fact that he seems to be somewhat impulsive and somewhat unable due to his immaturity to behave himself properly, one might have to resort to a medium security setting. If Kansas City Special Education School would accept a boy who is 12 years and 7 months of age, Kansas City might be more appropriate than St. Charles.

The ward's psychologist referred Davis to Dr. Chermak for a psychiatric evaluation due to suspicions of organicity as a result of responses to psychological testing. In response to this Dr. Chermak states, "Girvies is a stocky little boy who was in good contact and cooperated well. He denied any serious illness, accidents, headaches or fainting spells. I found nothing to suspect organicity but if the history gives material to suspect it I would like to review it."

RECOMMENDATIONS:

1. It is recommended that the ward be transferred to either the EMH program of Kansas City Special Education School or the EMH program of St. Charles ISTE. The former recommendation is preferred in that the ward does not appear to be an immediate discipline problem.
2. The ward, as stated above, is functioning on the EMH level and should be enrolled in such a program. The ward who is presently almost 13 years of age is functioning on the 1st grade level.
3. The ward should be given the benefit of a counselling program with an adult who will help him to make the best use of the facilities in an institutional setting. It is not believed that the ward has the intellectual ability to profit from an institutional setup.
4. As mentioned above, it is believed that the ward has a positive relationship with his mother, and due to this fact it is believed that the home is the best parole placement available at this time. The ward, however, will have to learn to say no when approached by peers who are attempting to engage him in delinquent activities. The mother apparently is unable to supply as much supervision as is apparently necessary for this ward as seen in the offenses since his parole from the ISTE. It appears that the mother will not be able to correct his situation, other parole plans will have to be found.

*Ronald Dean Williams*

Ronald D. Williams  
Correctional Counselor I  
Team III

*Tom English*  
Tom English  
DTS, Team III

EDW/ER/12

7-12-70

ILLINOIS STATE TRAINING SCHOOL FOR BOYS

SOCIAL SERVICE DIVISION

PROGRESS REPORT FOR PAROLE CONSIDERATION

3 FEBRUARY 1971

Re: Davis, Girvies  
Crc: St. Clair (CC) Cty.  
4/28/69  
Court #: PG-69-1043  
Revd: Reception 8/28/70  
Charge: RY, Poor Adjustment  
(Original-Theft)

IYC 69-463N  
Born: 1/5/58  
Transf: ISTSS 10/21/70  
Religion: Protestant  
Race: Negro

Parent:  
Mrs. Orelle  
Smith  
626 N. 7th St.  
East St. Louis,  
Illinois  
Phone: 874-3281

Institutional Adjustment: Girvies has made an over-all highly con-  
firming and satisfactory adjustment to our program.

Academically, latest school reports indicate that Girvies does at least  
"C" work. He is described as industrious and hard working student,  
his major problem seemingly being his inability to get along with the  
other boys.

Girvies has been seen in regular supportive group therapy sessions,  
as well as individual counseling contacts during his stay at ISTSS,  
and these appear to be of positive value. The recommendations made by  
the Reception Center, relative to counseling, have been taken into  
consideration.

It seems that we are dealing with a youth who has the ability to adjust  
at a very high level in an institutional setting; however, when he  
returns to the home community where structure is less rigid he does not  
seem to have the controls to follow through with a positive adjustment.  
The youth's limited intellectual ability does, of course, make the  
classroom setting a frustrating one.

There are no pending dental problems. Medically, Girvies remains  
plagued by a skin condition that is treated in our facility by giving  
him special baths and medication. According to Girvies, he was being  
treated for this condition when he was at home and it is our recommenda-  
tion that this matter be continued when he is paroled this time.

Girvies was approved for the sending of the Notice of Eligibility for  
Parole Consideration by the Jackson Cottage staff at its meeting of  
2/3/71.

Previous Diagnostic Workup: Girvies was referred to the consulting  
psychiatrist at the Reception Center on 5/21/69, as a result of indica-  
ted possibility of organicity. There was no history of any serious  
illness, accidents, headaches, nor fainting spells. He was found to be  
in good contact and co-operative. There also was nothing to suspect  
organicity, according to the psychiatrist.

Psychological tests completed at the Reception Center indicated an I.Q. score of 78, on the Revised Beta Test which classifies him as being in the borderline range of intelligence. His Revised Stanford Achievement Test results indicated very low academic skills. The youth is functioning at approximately the first grade level.

PROPOSED PLACEMENT PLANS:

The home of the mother is recommended for evaluation as the primary placement resource. The mother continues to show interest in her son. An example is the fact that she traveled a great distance to visit Gervias during his stay at ISTSS.

Since this is Gervias' second stay with the Department of Corrections, it would seem that the youth is in need of close controls and continued interest, and that possibly the parole agent could counsel Gervias and his mother relative to his delinquent activities.

A regular school plan is mandatory. Considering his intellectual endowment, his past and present adjustment while in the school area, the prognosis for a continued successful school adjustment appears guarded.

The address of the father has been verified by the boy.

MF:sl

*Barbara Friedman*  
Barbara Friedman, Case Worker

Dictated: 2/5/71

Transcribed: 2/5/71

DEPARTMENT OF CORRECTIONS  
 MISSOURI  
 JUVENILE DIVISION

CLINICAL EVALUATION

PSYCHIATRIC Report

Name	DAVIS, GIRVIES	Number	69-4631	Date	12-22-71
Reason for Report	Referral by Mr. E. Spajer	Born		Age	

12-22-71: I saw Girvies on 5-21-69 and asked that he be referred again if more suspicion of organicity would arise (which I did not find at that time.) This is being done now because of strong organic signs on psychological testing and hyperactivity. The history gave no indication of serious illness or head injuries; he is described as "retarded" and having a speech defect. (P)

Girvies recognized me and was cooperative and oriented. Today he told me that he used to have headaches (occipital) which usually were relieved by Aspirin. He still has them occasionally but they are getting less frequent. He has never fainted and has never been knocked unconscious.

The EEG request which I have made out should in no way interfere with the further discretion of his case.

MARIANNE W. CZERNAK, M.D.  
 CONSULTING PSYCHIATRIST

MWC:cm  
 12-22-71

7

E E G REPORT  
DEPARTMENT OF CORRECTIONS

Adult Reception & Diagnostic Services

NO.: 69-4622    NAME: DAVIS, Jerries    REG NO.: 71-424 DEC. 27, 1971  
AGE: 13    SEX: Male    RACE: Negro    PREFERENTIAL DOMINANCE: Right  
REFERRED BY: H.W. Chernak, M.D./Psychiatrist, Juvenile Division of the Illinois Department of Corrections.

BRIEF HISTORY: This student was referred because of headaches and a past history of head injury and psychological evidence of organicity. There is also hyperactivity. The patient describes his headaches as "not bad", diffuse and mild pounding. The head injury was at the age of 10 while he was hit by a truck while riding a bicycle. There was a short unconscious period and he was hospitalized for one day for a leg injury.

E E G REPORT:

Frequency: Quite dysrhythmic record, very little alpha during awake.

Fast : There is considerable fast activity in frequencies ranging from 18 to 22 per sec. to some scattered bursts of 30 per sec. activity predominantly in the anterior leads and more predominantly in the frontal leads.

Slow : There is scattered 6-8 per sec. slow activity throughout the record in all leads. There is considerable high voltage 4-6 per sec. slow waves shifting from right to left in the anterior leads (frontal & anterior temporal). Some of this slow activity is accompanied by a spike such that there is characteristic spike slow waves but of shifting nature rather than focal.

Voltage : Average.

Spiking : Moderate amount of spiking occurring generally with the slow waves but some spiking in the anterior leads appearing independently, but not consistently in any focal area.

Focal : No reliable focus.

Other : Spontaneous sleep obtained with accentuation of the above abnormalities except for the rare fast activity which drops out in deep sleep. There is no build-up with hyperventilation, photic or auditory stimulation.

INTERPRETATION Grossly abnormal EEG with shifting spike slow waves and spiking activity in the anterior leads, particularly frontal, temporal. There is also fast activity in varied frequencies. This record is not commonly seen associated with grand mal epilepsy but is a record that would correlate with behavioral disorders.

RECOMMENDATION Recently the undersigned has been having some unusual and seemingly successful results with the use of Valium in similar cases if the behavioral component is clinically present. However, I have also observed that these individuals are quite sensitive to Valium such that a 10mg. dosage t.i.d. or q.i.d. is too much and causes the individual to be quite atactic with slurred speech etc. However if the lesser dosage (5mg.) is given, it appears that these individuals benefit considerably. This has been the undersigned's experience. I would greatly appreciate a more objective approach by another clinician to this response to Valium. Otherwise I would recommend that the individual be repeated for EEG in about 6 mos. with further clinical information submitted concomitantly with the test.

Technician: Stombaugh  
12/28/71 ghh

  
Electroencephalographer: F.P. Lorimer, M.D.



DEPARTMENT OF CORRECTIONS  
DEPARTMENT OF PUBLIC SAFETY

CLINICAL EVALUATION

SUPPLEMENTAL PSYCHIATRIC

Report

Name	DAVIS, CIRTES	Number	69-4434	Date	1-5-72
Reason for Report		Born		Age	

The EKG shows gross abnormalities. Suggest starting with Valium 2 mg bid and 5 mg at bedtime.

C

MARIANNE J. CHENAR, M.D.  
CONSULTING PSYCHIATRIST

RECEIVED:

1-9-72

STATE OF ILLINOIS  
~~DEPARTMENT OF CORRECTIONS~~  
 DEPARTMENT OF CORRECTIONS - JUVENILE DIVISION

CLINICAL EVALUATION

PSYCHIATRIC

Report

Name	DAVIS, GIRVLES	Number	69-463M	Date	8-21-72
Reason for Report	Referred by: Robert OTIS Schmidt	Born		Age	

8/21/72: I saw Girvles several times in the past. His Revised Beta I.Q. is 78 and his EEG of December 1971 was grossly abnormal. (It is of interest to note that the consultant described the changes to loss in keeping with grand Mal epilepsy than with behavioral disorders.) Medication was prescribed. He is returned because of physical threats to mother with a brick and actually hitting his sister over the head with a broom handle. The parole agent, who has worked with this family for a long time, reports that he attempted to place the boy at the Warren G. Murray Children's Center, but apparently they did not feel this to be indicated.

Girvles recognized me and tried to be polite and acted like a "gentleman". Orientation and memory were unimpaired. He seemed much more hyperactive than previously and hardly could sit still. He said he took the medication regularly until he ran out of it. There are no headaches now. He claimed emphatically that he would never actually have struck his mother although he admitted threatening her; He said he was sorry afterwards when he learned that lack of money was the reason for not buying him the mini-bike. (This is, of course most unlikely since mother certainly told him the reason.) He gave the impression that he feels all is forgotten if he says he is sorry.

I suggest starting him (in addition to the Valium) on Miltarin grain 1 1/2 bid. (To be adjusted according to his response). While I certainly would not object to a transfer to the Children's Center I am not sure it he qualifies for that place in view of the organic component and intellectual retardation. If he does, attention should also be paid to his reported over-eating and increasing obesity.

**MARLENE V. CERNIAK, M.D.**  
**CONSULTING PSYCHIATRIST**

MC:kg

STATE OF ILLINOIS  
DEPARTMENT OF CORRECTIONS

CLINICAL EVALUATION  
PSYCHIATRIC

Report

Name	Davis, Givvies	Number	69-463M	Date	10/29/72
Reason for Report	Psychiatric Examination	Born	1/5/58	Age	

This youngster displays all of the classical stigmata usually associated with organicity. He is emotionally volatile, displays markedly defective insight and judgement, and, indeed, shows some evidence of disorientation as to time, since he is uncertain as to the length of time he has been in the Department of Corrections, or, for that matter, such elementary things as his birthday, tend to elude him. Sensorium is defective, as demonstrated by poor ability to calculate and a markedly defective fund of knowledge. On memory tests, such as Number Sequence and Word Recall, he displays an almost complete ineptitude. The history on this youngster is that he has had frequent episodes of headache and received a severe injury to his head at the age of ten when he was hit by a truck. In December, 1971, he received an electro-encephalogram which revealed gross abnormality with shifting spike slow waves and spiking activity in the anterior leads. In addition, Givvies has been acting out to a great extent, including such things as threatening his mother and actually striking his sister over the head with a broom. He is quite hyperactive during the examination - finds it quite difficult to hold still long enough to go through the process. In addition, Givvies is intellectually limited, as indicated by his I.Q. which apparently runs under 80. The diagnosis is, "Non-psychotic organic brain syndrome, associated with cerebral trauma." (S)

It is obvious to me that Givvies cannot function without anti-convulsant control and, accordingly, I'm prescribing dilantin for him, grns., 1 1/2, to be given at a T.I.D. level. I would suggest that we maintain the youngster on this medication for a two-month period of time, after which I want to re-evaluate him once more to see if stabilization has occurred.

*Marvin C. Ziporyn*  
Marvin C. Ziporyn, M.D.  
Psychiatrist

MCZ:rl

STATE OF ILLINOIS  
YOUTH COMMISSION

*Stromstad  
Davis*

CLINICAL EVALUATION

Psychiatric

Report

Name	DAVIS, Gervies	Number	69-463M	Date	1/8/73
Reason for Report	Psychiatric Evaluation	Born	1/5/58	Age	

This boy has made about as good a response as could be expected considering the severe nature of his disability. It should be noted that today's examination takes place on the 8th of January. The 5th of January is the boy's birthday, when he turned fifteen years old and yet he was unable to tell me that he had passed his fifteenth birthday since a) he was unaware of what date it was, and b) he was not aware of the date and the month.

As I said in October this boy has an almost complete ineptitude and all we can accomplish is to give some kind of anti-convulsive medication for stabilization. Apparently we have done that with the Dilantin that I prescribed for him and there is nothing else that we can do for him in this institution. Further control should be done by an out-patient facility. I would, therefore, recommend that Gervies be allowed to return home with the mandatory provision that he be placed under the supervision of a local physician or mental health facility which will continue to see him on a regular monthly basis and regulate his medication as reported.

*Marvin C. Ziporyn*  
Marvin C. Ziporyn, M.D.  
Psychiatrist

MCZ:rr



... about his problem. He was petitioned to Alton State Hospital  
and released to [unclear] later. He has not been seen [unclear]  
[unclear] was seen [unclear]  
[unclear] [unclear]

1911-4001 STATE STREET  
EAST ST. LOUIS, ILLINOIS 62205

Established Standard Fee Assigned Per Schedule Assigned By

NAME Linnea Davis L. DATE 7-25-78  
(PATIENT)

ADDRESS 839 N 81st TOWNSHIP E. St. Louis

CITY E. St. Louis III COUNTY St. Clair

TELEPHONE 398-2589 SEX MALE RACE Black

AGE 20 BIRTHDATE 1-20-58 FIFTHPLACE MO.

OCCUPATION unemployed EDUCATION 9th RELIGION

PLACE OF EMPLOYMENT N/A SOC. SEC. NO. 361-52-3783  
(NAME)

ADDRESS OF EMPLOYMENT N/A

INCOME SOURCE SSI AMOUNT \$156 month MARITAL STATUS Single

PRIOR PSYCHIATRIC CARE:  (YES) (NO), WHERE

CMHC 1972, 1977 / ASH 1977

NAME (S) OF SPOUSE OR PARENTS: Ozella Smith; Dwight Smith

OCCUPATION OF: (1) Housewife WHERE 839 N. 81st

OCCUPATION OF: (2) \_\_\_\_\_ WHERE \_\_\_\_\_

SOC. SEC. NO. OF: (1) \_\_\_\_\_ OF: (2) \_\_\_\_\_

EDUCATION OF: (1) Mother 9th grade EDUCATION OF: (2) \_\_\_\_\_

FAMILY WITH WHOM PATIENT LIVES: (INCLUDE DEPENDENTS)

Relationship	Birthdate	Age	Name
Mother		46	Ozella Smith
Nothing		39	Dwight Smith
Sister		19	Debra Davis
Sister		18	Beather Davis
Sister		16	Regine Davis
half-Brother		15	Aother Davis
Brother		11	Donna Smith

Case Interview

2000 \_\_\_\_\_ James, Jerome

Informant

Mrs. Cyella Smith, mother of the child, gave the following account of history. Mrs. Smith said a reliable historian, but gave the impression that she was quite busy. She was lethargic, slow to answer, showed little interest in the interview. Upon questioning it was found that in sleep during hours, as chronically fatigued & tends to sleep as much as possible.

Identification

This is a 10 year old, Negro male referred by school authorities for many behavioral problems (eg. stealing, fighting, disobedience, truancy etc.).

History

Jerome is the eldest of 6 children. He has 3 sisters (10, 8 & 7) & 2 brothers (6 & 4). His birth was normal, & early development, as described by mother, was precocious, crawled at 6 mos., walked at 9 mos. & read with competence at age 4.



was very intelligent & no one  
could say he was stupid. He was  
a very obedient & loving child.

He got along well with other children &  
was a very good student in  
his school. When he was  
in 4th grade, he was separated from his  
mother. He began to quarrel  
with his teachers & was  
often truant. He was caught  
many times & no discipline seemed to reach him.  
According to the mother, since  
her son has been a problem to  
juvenile authorities.

In Spring 1969, he & other boys (older)  
broke several store windows to steal  
merchandise. They were caught &  
sent to the Clarksville  
Reformatory. He only recently returned  
home - & school fighting has started  
again - also stealing. His mother  
is sincerely aware of help for him & is  
convinced he is emotionally disturbed.

## General History

### Medical History

Anthony has been a pt. at St. L. Child's Hospital since birth, because of allergies. He is treated there on a regular basis & has many food allergies, esp. milk. See notes from hospital (en file) for details.

### Family History

The pt's mother had a common-law relationship for about 11 years. While living together, the pt's father did not support the family & each time a sister child was born, the IDPA, had to sue for <sup>non-</sup>support charges. At the time of Anthony's birth (age 6), it was learned that Mr. Davis had a wife & family in Miss. Mrs. Davis then terminated her relationship to him. She soon met & married Mr. Smith, about 10 days her junior - whose behavior, as described by Mrs. Smith, suggests a serious emotional illness and/or retardation. One child was born to them & is now about 4 years old. Mr. Smith is a long-term resident in the home he now lives to his mother in Detroit. He goes home to visit frequently. Mr. Davis, meanwhile, who lives ~~separately~~ <sup>in</sup> the house

L. J. Davis

... the family. The mother is in  
the home because of her children  
and is working them. He is currently employed as  
a night watchman at C. J. & Co. Store.

Mr. Smith has gone home to make money time  
over the past few years. He seems sensible  
in his work and his wife - but always feels  
work of his mother. He is sensible to read,  
is always nervous & sweaty. He plays  
the drums & tries to earn a living as a  
musician. His mother disapproved of his  
marriage. She is 60 years old & is at  
present married to a man 30 years old.  
Mrs. Smith does not feel she had a  
good marriage.

Plan

- ① To have L. J. Davis tested
- ② Staff - Consider placement  
    ① St. John's  
    ② A. S. H.

Mother should be given apto

MJC (4-20-70)

PROSPECT REPORT

James Davis (is 4418)  
Date of Contact 6-8-77  
Medication 6-8-77  
Prescription 6-16-77

The patient was seen today for fifteen minutes with Dr. Thomas. He was seen on 6-19-77 and was seen by Dr. Thakur. At that time he was prescribed Elavil 25 mg. one in the morning and two at bedtime and was asked to return in one week. He did not fill the prescriptions, however, he states that he is feeling better. On 6-22-77 he was prescribed Mellaril 50 mg. three times a day and Dilantin 100 mg. three times a day but apparently he has not taken these medications. He has had no seizures for quite some time. He is quite unreliable and rather resistive of taking medications so no prescriptions are given today, however, it was decided that he should continue in psychotherapy on a weekly basis. In the meantime, he should be referred to the vocational rehabilitation center as he is expressing an interest in finding a job. The patient will be seen by his therapist Mrs. Payne on a weekly basis. He should be evaluated for medications again in two weeks if there is any significant psychiatric or medical problems prior to that.

*V. J. Thomas*  
V. J. Thomas, M.D.

WT:ls

3635-77

PATIENT	FAMILY NAME	FIRST NAME	INITIAL	HOSPITAL No	DATE	ROOM NO	CLASS	RATE	DAY
	DAVIS	GIRVIES		7-03635-0	7-3-77	ICU-1			
STREET	324 PERSHING			DOCTOR	THOMAS				
CITY	E. ST. LOUIS, ILL.			RELIGION	SANTIFIED				
TELEPHONE	398-2589			MAIDEN NAME	SAFE				
SEX & AGE	M-19	BIRTH DATE	01-20-58	PRIOR HOSP	UNION				
ADM DATE	7-3-77	M S W D	Single	DATE	7-9-75				
	B C GRP NO	CERT NO	7112	PATIENTS EMPLOYER	NONE				
				OTHER INS	BPA 03-113-019282 SELF CASE				
ADM DIAG	OVERDOSE			GUARANTOR OR NEAREST RELATIVE	SANTH ONELLA				
				RELATIONSHIP	MOTHER				
				PHONE	SAFE				
				EMPLOYER	7/5/77				
				DISCH DATE	AM Sec Sec				

FINAL DIAGNOSIS-Including Complications

1. Suicidal gesture
2. Depressive reaction.
3. Mental retardation. (borderline)

OPERATIONS:

Code:

970.1

296.2

310

CAUSE FOR ADMISSION:

PERTINENT FINDINGS: i.e. History, Phys. Exam., Lab., X-Ray, etc.

This 19 year old male was taken to the emergency room following an overdose of Elavil and Tranxene and practically comatose. Pupils were equal but constricted and reactive to light. There were no signs or symptoms of anticholinergic poisoning. IV fluids were started and the patient was admitted ICU. He made an uneventful recovery by the next morning and was then transferred to the psychiatric unit. However, he eloped and the family was called, brought back the next morning against his resistance. He does not want to stay in the hospital, he is irritable and hostile. He is very demanding. From the past history, he is potentially violent or to be considered so. He started to sign himself out so the undersigned called the mother and the mother indicated that it is quite OK for him to leave the hospital against our advice. So he is discharged against medical advice. However, he has been given the option to come to the office for further followup care or to attend the Mental Health Clinic.

FINAL SUMMARY OF TREATMENT:

DISCHARGE MEDICATIONS:

CONSULTATION WITH RESULTS:  Recovered  Improved  Not Improved  Not Treated  Diagnosis Only  Died

DISCHARGE TO: \_\_\_\_\_

Cause of Death D: 7/5/77 Autopsy  Yes  No  
T: 7/6/77

13/11

I have examined this medical record on \_\_\_\_\_  
V. J. THOMAS, M. D./dk  
M.D. Attending Ph.

PROGRESS NOTE

RE Cirvis Davis (CS #4938)  
Date of contact: 8/10/78  
Date of Dictation: 8/10/78  
Transcription: 8/18/78

The patient was seen today for 15 minutes for a scheduled visit. He states that he continues to be nervous and sleep is disturbed. He has multiple psychosomatic complaints. He feels that he should go to the hospital and "get my system cleaned up."

The mother called stating that he's very nervous and it is difficult for her to cope with his behavior at home. Therefore, it was decided that we put him in the hospital for a brief period and arrangements are made to admit to a psychiatric unit in Christian Welfare Hospital.

  
V. J. Thomas, M.D.

VJT:db

DIAGNOSTIC REPORT

James Davis, 19-0-77  
Date of Birth 1-17-58  
Date of Admission 1-17-77  
Admission Number 1-17-77

ADMISSION DATA

James Davis is a nineteen year old, male seen in psychiatric clinic on 1-17-77. The patient has been here for a period of three weeks. However, the old chart could not be located.

PRESENT PROBLEMS

The patient was brought here by the mother stating that he is very nervous and that he is suffering from seizure disorder. He is a pre-conviction for burglary. He said he had been in jail recently for violent behavior at home towards the mother and destroying materials in the house. He said the last seizure was at age three months ago. He admitted to being nervous but would not elicit more.

For details of history please refer to the old record when available and also to the intake summary.

MENTAL STATUS

The patient looks about the same as his stated age of nineteen. He is quite defensive and has difficulty in making eye contact. He is also very irritable and appears somewhat hostile. He does not talk spontaneously or answers questions adequately and has to be pushed to get answers. There is moderately high levels of anxiety both somatic and psychic. The impulse control is very poor. He has a tendency to become combative and violent and mild frustrations whenever his needs are not met. There are no psychotic symptoms at this time. He seems to be functioning at the borderline range of intelligence or probably the level of mild mental retardation. Because of his defensiveness and irritability, no attempt was made to assess his intellectual functions. Insight is poor.

DIAGNOSIS

1. Mental Retardation, Borderline Type with Episodic Emotional Dyscontrol Syndrome.

2. Convulsive Disorder Etiopathic *Isopentel*

*3. ~~Personality Disorder~~*

RECOMMENDATION

Since we do not have the old record we should try to assess his intellectual functions by a battery of psychological tests. We should also try to obtain medical records from Dr. Lam in St. Louis who was treating him for his seizure disorders. In the meantime the following medications were prescribed: Dilantin 100 mg. three times a day 50 capsules; Mellaril 50 mg. three times a day 50 tablets. The next appointment is in two weeks.

VJT:ls

*V. J. Thomas, M.D.*

ILLINOIS DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

CLINICAL RECORD FACE SHEET Accomplished by: St. Clair County Deputy

Informant: Patient

LAST NAME <b>DAVIS</b>		FIRST <b>GIRVIES</b>		MIDDLE <b>LAMAR</b>	
LEGAL ADDRESS <b>613 N. 81st St.</b>		STREET		CITY <b>E. St. Louis</b>	
CO. TWPC	STATE <b>Ill</b>	ZIP <b>62205</b>	DATE OF BIRTH MO DAY YR <b>09 20 77</b>	MALE <input checked="" type="checkbox"/>	FEMALE <input type="checkbox"/>
CITY OF BIRTH <b>St. Clair--05</b>		COUNTY OF BIRTH <b>Ill</b>		STATE OF BIRTH <b>Mo</b>	
FACE WHITE <input type="checkbox"/> BLACK <input checked="" type="checkbox"/> HISPANIC <input type="checkbox"/> OTHER <input type="checkbox"/>		VETERAN'S STATUS VETERAN <input type="checkbox"/> CHILD OF VET <input type="checkbox"/> WIDOWER OF VET <input type="checkbox"/>		MARRIAGE <input type="checkbox"/> DIVORCED <input type="checkbox"/>	
MARRIAGE STATUS MARRIED <input checked="" type="checkbox"/> DIVORCED <input type="checkbox"/> SEPARATED <input type="checkbox"/> WIDOWED <input type="checkbox"/> OTHER <input type="checkbox"/>		LEGALLY COMPETENT <b>Yes</b>		LEGALLY INCOMPETENT <input type="checkbox"/>	
PERSON TO CONTACT IN CASE OF EMERGENCY <b>Jesse Turner</b>		ADDRESS OF EMERGENCY CONTACT <b>309 N. 82nd St., E. St. Louis, Ill.</b>		EMERGENCY PHONE NUMBER <b>618 398 3897</b>	
RELATIONSHIP <b>Sister</b>		MEDICARE <input type="checkbox"/>		TYPE OF ADM <b>Emergency</b>	
PRESENT ADDRESS <b>824 Pershing, E. St. Louis, Ill.</b>		ACCEPTED AS IP <input checked="" type="checkbox"/> OP <input type="checkbox"/> DC <input type="checkbox"/> NC <input type="checkbox"/> CP <input type="checkbox"/> OTHER <input type="checkbox"/>		CO OR DOCKET NUMBER <b>Madison</b>	
RELIGION <b>Protestant</b>	EDUCATION <b>H.S. 1</b>	CITIZENSHIP <b>U.S.A.</b>	LENGTH OF ILLINOIS RESIDENCE <b>18 yrs.</b>	CHANGES AND DATES	
FATHER <b>Girvies Lamar Sernia</b>		ADDRESS <b>Deceased</b>		ZIP <b>62205</b>	
MOTHER'S MAIDEN NAME <b>Ozella Davis</b>		ADDRESS <b>613 N. 81st St., E. St. Louis, Ill.</b>		ZIP <b>62205</b>	
SPOUSE		ADDRESS		ZIP	
CONSERVATOR OF GUARDIAN		ADDRESS		ZIP	
CORRESPONDENT <b>Jesse Turner - Sister</b>		ADDRESS <b>309 N. 82nd St., E. St. Louis, Ill.</b>		Phone AREA NUMBER <b>618 398 3897</b>	
CORRESPONDENT <b>Tyrone Turner - Brother-in-law</b>		ADDRESS <b>5F OrrWeathers, E. St. Louis, Ill.</b>		Phone AREA NUMBER <b>618 271 3889</b>	
Client's last employer <b>Elite Wholesale Co.</b>		ADDRESS <b>4230 Broadway, St. Louis, Mo.</b>		LAST EMPLOYED MO DAY YR <b>05 00 77</b>	
PREVIOUS PSYCHIATRIC TREATMENT (ADM DISC DATES)					
SOURCE OF REFERRAL <b>Mental Health Center of St. Clair Co., E. St. Louis, Ill.</b>					
ADMITTING INITIAL IMPRESSION (INCLUDE MENTAL LEVEL) <b>1) Acute schizophrenia episode 2) Habitual excessive drinking</b>					
DATE MO DAY YR <b>09 21 77</b>		FINAL DIAGNOSIS (MENTAL PHYSICAL) <b>Habitual excessive drinking</b>			CODE <b>303.10</b>
<div style="border: 2px solid black; padding: 5px; transform: rotate(-2deg); display: inline-block;"> <b>CONFIDENTIAL DATA</b>                      Redisclosure Of Material                      Is Strictly Prohibited.                 </div>					
OPERATIONS - SPEC A. PROCEDURES AND THERAPIES					
DISCHARGE DATE MO DAY YR <b>09 21 77</b>		TYPE OF DISCHARGE DIRECT <input type="checkbox"/> W/ CASERT <input type="checkbox"/>		CONDITION AMA <input type="checkbox"/> LO ME <input type="checkbox"/>	
DISCHARGE TO <b>9/21/77</b>		REFERRAL SOURCE NAME AND ADDRESS <b>A.D.D.C.O., 2501 Ridge, E. St. Louis, Ill.</b>		LENGTH OF STAY <b>9</b>	

PLACE ADDITIONAL ENTRIES ON REVERSE SIDE Admitted by: Deloris Essington, MH



4091-78

FAMILY NAME		FIRST NAME		INITIAL	DATE	ROOM NO	CLASS	RATE	DAYS
PATIENT <b>DAVIS,</b>		<b>GIRVIES L.</b>			<b>8-10-78</b>	<b>263-02</b>			
STREET <b>839 No. 81st St.</b>					HOSPITAL NO. <b>8-04091-5</b>				
CITY <b>E. St. Louis, Illinois</b>					DOCTOR <b>Thomas Thakur</b>				
TELEPHONE <b>388-2589</b>					RELIGION <b>Prot.</b>				
SEX & AGE <b>M 20</b>		MSWD <b>Single</b>		MAIDEN NAME PRIOR HOSP DATE <b>Yes/1977 3635-77</b>					
ADM DATE <b>8-10-78</b>		TIME <b>11:45 AM</b>		PATIENTS EMPLOYER <b>None.</b>					
B C GRP NO		CPT NO		OTHER INS <b>Medicare # 427-32-5712-C-6</b>					
ADM DIAG <b>Emotional Dyscontrol Syndrome / Mental Retardation</b>					GUARANTOR OR NEAREST RELATIVE <b>Opella Smith</b> RELATIONSHIP <b>mother</b>				
Boarderline					DISCH DATE <b>8-16-78</b> AM PM Sec. Sec. # <b>bf</b>				

FINAL DIAGNOSIS-Including Complications

<b>Depressive Neurosis 6 months</b>	Code: <b>300.4</b>
<b>Eczematous Dermatitis since childhood</b>	<b>692.9</b>
<b>OPERATIONS: 8-14-78 Excision of skin lesions Papilloma of Rt thigh and Left Axilla.</b>	<b>92.1</b>

CAUSE FOR ADMISSION:

PERTINENT FINDINGS: i.e. History, Phys. Exam., Lab, X-Ray, etc. **This is a 20-year old black male admitted 8/10/78 because of feeling nervous, shaky and sick. The patient said I have a nervous problem, feel bad, started shaking around a lot of people all my life, getting worse for the last six months. Also gave history of skin rash and eczema, left elbow, since early childhood, multiple warts of right thigh and left axilla, since age 10 years, which get worse when "I am nervous". Gives history of scratching too much, getting easily upset. Also complains of trouble in sleeping, worrying about "lots of things on my mind", "looking for a job, filling the application, did no good". The patient also complains of headaches after drinking too much whiskey, about one pint, 3 to 4 days a week, for one year. Physical exam suggested that he had eczematous type of rash, left elbow, and multiple warts of right thigh and left axilla. Psychiatric exam suggested that he appeared worried, tense, having anxious and depressed mood. Routine lab work was within normal limits. EEG was normal. For depression he was treated with anti-depressant medications, supportive psycho-therapy, occupational therapy and ward milieu therapy. For multiple warts he was treated in consultation with Dr. Erememis. (Page 1 of 2 pages)**

FINAL SUMMARY OF TREATMENT:

DISCHARGE MEDICATIONS:

CONSULTATION WITH RESULTS: **Dr. Erememis**  
 Recovered  Improved  Not Improved  Not Treated  Diagnosis Only  Died  
**P. Thakur, M.D./mev**

DISCHARGE TO:

Cause of Death \_\_\_\_\_ Autopsy  Yes  No

I have examined this medical record on \_\_\_\_\_ 19\_\_

CHRISTIAN WELFARE HOSPITAL  
SUMMARY SHEET

Signed \_\_\_\_\_ M.D. Attending Phys.

Davis, Girvies  
4091-78

ADMISSION DATE: 8/10/78  
DISCHARGE DATE: 8/16/78

DISCHARGE SUMMARY, (cont)—For excessive drinking he was treated with explanation counseling, psycho-therapy. Response to the treatment was good. At the time of discharge he had no unusual anxiety and no depression. Eczematous dermatitis was much improved.

DISPOSITION: Tablets—Mellaril 25 mg. t.i.d.: Ointment for the surgical scars.

Follow up by Dr. Thomas. Appointment arranged.

D: 8/25/78  
T: 8/25/78

  
\_\_\_\_\_  
P. Thakur, M.D./nev

## PSYCHOLOGICAL HISTORY

NAME: GIRVIS DAVIS  
DATE OF BIRTH: January 20, 1958  
AGE AT PRESENT: 22 Years  
RELIGION: J sisters, one brother, one half brother  
DATE OF REPORT: March 26, 1981

The client's history is sketchy at best to a point. His mother and father lived together for ten (10) years before his mother discovered that Mr. Davis was married and had another family. The interaction between the mother and father is vague. The father never worked, and the mother was on Public Aid throughout their relationship. Impressions are that neither parent was effective as parents. Of the five children, four have been identified by this mental health center.

Mrs. Smith later married Dwight Smith, who also does not work and is ineffective as a father. He appeared to be very subservient to Mrs. Smith and the children.

The client's health history only reveals numerous visits to the hospital because of an allergy. He is allergic to milk, and some other things not mentioned in the medical report from Children's Hospital.

There is no other recorded history until 1969 when the client was seen by Dr. Morianne W. Chermok, M.D. (Psychiatrist). At that time, the client had been identified by the Juvenile Corrections Office because of various anti-social acts (stealing, burglary, etc.) At that time, Girvis was exhibiting signs of organicity through psychological testing, acquired by Dr. Chermok for the Juvenile Corrections' Office. In 1972, an EKG done by Dr. Chermok revealed gross abnormalities, and the patient was placed on valium. The patient complained of headaches and backaches at that time, and was not given aspirin.


In 1973, a report from Dr. Marvin C. Piporyn of the Department of Juvenile Corrections substantiated Dr. Chermok's findings of organicity. The following symptoms were noted and have followed the client to the present day. Emotionally volatile, displays markedly defective insight and judgement, disorientation as to time, defective sensorium sleep disturbance, markedly defective foad of knowledge, pc. ~~mor~~, head aches, backaches, gross abnormal EKG, (shifting spiked slow waves and spike activity in the anterior leads), acting out towards mother and physically attacking sisters. Hyperactive, low I.Q. (runs under 80 probably lower now (3/26/81)). He was diagnosed: "Non-psychotic organic brain syndrome associated with cerebral trauma". The diagnosis also was substantiated by the fact that the client was involved in accident in which he suffered severe injury to head at the age of ten when he was hit by a truck.

PSYCHOLOGICAL HISTORY cont.  
David  
page 2

1367-1675  
He was not identified in the school system until 1970, which corresponds with the accident and his involvement with Juvenile Correction in 1969. He was admitted to this center in 1970-closed 1971, opened 1971-closed 1975, opened 1977-closed 1977, opened 1977-closed 1978. He was in attendance the latter part of 1978 but the chart was not opened. He also saw the doctor (Thomas) on 2/7/79 (with out being opened and given medication). The last recorded contact was on May 22, 1979 (phone contact). The last note was on June 7, 1979- "Client failed to keep appointment to see Physician". Dr. Thomas gave him several diagnosis to include: Mental Retardation, Episodic Emotional Dyscontrol Syndrome, Depressive Reaction and Convulsive disorder.

Throughout contact with this mental health center, the client has been inconsistent in his attendance. He has been linked with Department of Correction, Special Education, Division of Vocational Rehabilitation, SSI Administration, and Alton State Hospital with no change in his life course.

The rest of the client's life has been filled with various professionals trying to help him. He missed the one thing he needed most-a stable home environment.

  
Alan Reeves, M.S.  
Coordinator Satellite Program

# Community Psychological Associates

P. O. Box 371  
Jerseyville, Illinois 62052

Telephone 682 5741

Name: Girvies Davis  
Age: 17

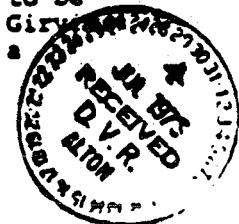
Date: July 25, 1975

Reason For Referral: Evaluation of Aptitudes and Abilities  
and Determination of a Personality Disorder

Tests Administered: Revised Beta Examination  
Bender Gestalt  
Wide Range Achievement Test  
Geist Picture Interest Inventory  
Graves Design Judgment Test  
Minnesota Clerical Test  
Purdue Pegboard  
Rorschach  
TAT

This youth was tested at the Pere Marquette Resident Center where he has been committed for the third time. Girvies reported that his original commitment was on charges of shooting a woman during a holdup. The reason for his present stay was his inability to adjust to a group home regime and some anti-social behavior. According to Girvies, he is to leave the camp and live with his sister in Lebanon, Illinois. Girvies exhibited many problems during this testing session. Foremost was his lack of concern for the testing process or his performance. He saw no value in taking the tests, which along with his limited attention span and poor reading skills, resulted in a very low motivational level and lack of effort in his performance. The validity of these test results are definitely influenced by these negative factors.

According to Girvies, he is from East St. Louis, where he attended school through the seventh grade. He has no desire to return to school or any inclination to attempt to get a GED certificate. The client reported that he made good grades while he was in school, but in actuality, he is functionally illiterate. Girvies attributed his dropping out of school to his inability to get along with his teachers. His interests are limited to fishing and baseball. His vocational goals are also very limited. His ambition is to be a janitor in a hospital or a gas station attendant. Girvies reported that his relatives have gotten him a job as a



janitor in a laundromat, when he returns to the community.

Girvies denied having any physical or emotional problems, and denied the use of alcohol or drugs. However, he did acknowledge that he gets into a lot of conflict with his siblings when he is at home, and that he also has very distrustful and suspicious attitudes towards people.

TEST RESULTS:

Girvies is functioning within the **BELOW AVERAGE** range of intelligence. His Beta IQ is 85. His greatest difficulty is in dealing with abstract material. The learning problems suggested by the above test result, are evident in this youth's performance on the Wide Range Achievement Test. He only reads at a 2.4 grade level, spells at a 3.3 grade level, and has arithmetic skills equivalent to a 4.4 grade level. Girvies' Bender Gestalt drawings are grossly inaccurate and are very indicative of an organic condition. It is probable that at least a part of the client's learning problems are attributable to his brain dysfunction.

Girvies' interest profile shows him to have two strongly preferred activity areas. These are the mechanical and artistic fields, with the scale scores in the **HIGH INTEREST** category (T score 70 and T score 73, respectively). The client's lowest score was obtained on the computational scale, (T score 19). This type of profile suggests that Girvies would get satisfaction from jobs that emphasized working with his hands, tools and machines, and being creative at manual tasks.

Girvies' aptitude test results tend to be congruent with his interests and are generally positive. Along with the client's interest in artistic work, he also has a good design judgment. On the Graves Design Judgment Test, using the norms of high school seniors and juniors majoring in crafts and related arts, he scores in the 81st percentile. Girvies also has fairly good manual dexterity for working with small objects rapidly and with accuracy. On the Purdue Pegboard Task, using the norms of male maintenance and service employees, he scores in the 75th percentile using his right hand, the 35th percentile using his left hand, the 80th percentile using both hands, and the 25th percentile on the more complex assembly task. Finally, the client has a moderate interest in clerical tasks (T score 63) and a fairly good aptitude for clerical tasks. On the Minnesota Clerical Test, using the norms of 10th grade boys, Girvies scores in the 66th

Page 3 - Girvies Davis - 7/25/75

percentile. This result suggests that this youth has the aptitude for working rapidly and accurately with detailed and repetitive clerical-type tasks.

Girvies' personality test results contain a great deal of perseveration, which supports the findings of the Bender, that this youth has an organic brain syndrome. On the Rorschach, he sees butterflies and eagles in almost every one of the stimulus cards, and his TAT stories show the effects of very impoverished intellectual, social and emotional life experiences. It appears as though Girvies' level of emotional and intellectual functioning is quite low, and in addition seems to lack any real understanding of people and how to effectively relate to them.

Girvies has some problems with his impulse control, and he has a low level of frustration tolerance. It appears as though the best situation for this youth is a very low level vocational placement, e.g. maintenance work or work adjustment training in a vocational workshop, such as SAVE in Belleville. Efforts to push Girvies into anything more complex will probably result in unbearable frustration for this youth, which in turn is likely to lead to some kind of anti-social acting out behavior. If he has not already had a neurological evaluation, then this should be done, and I would strongly recommend that medication be utilized in the management of this youth.



Sherman Sklar  
Clinical Psychologist

SS/sp

STATE OF ILLINOIS  
DEPARTMENT OF CORRECTIONS  
ADULT RECEPTION AND DIAGNOSTIC SERVICES  
MENARD, ILLINOIS

PSYCHOLOGICAL REPORT

Number: N-06107 Birthdate: 1/20/58 Age: 22 Date: 5/19/80  
 Resident: DAVIS, G. Education: 3 Years  
 Reason for Report: INTAKE PSYCHOLOGICAL

The resident is a 22 year old male who is presently incarcerated at the Menard Correctional Center for the offense of Murder and Attempt Murder. The resident states he has completed eight years of formal education and withdrew from school because of trouble with school authorities. He states he was previously employed as a mechanic prior to his incarceration. He denies any drug or alcohol abuse. He describes his overall physical and mental condition as being good.

During the resident's stay in R&C, he was administered a battery of psychological examinations. Testing indicates that he is functioning within the mentally deficient range of intelligence with a nonverbal I.Q. of 76 as determined by the Revised BETA. The resident invalidated his MMPI. Invalidation is probably the resultant factor of poor reading ability and verbal comprehension. Results of the Mooney Problem Checklist indicate that the resident perceives himself as having concerns in the areas of economic status, sociability, personality, and family relationships. He describes himself as an individual who speaks or acts without thinking, is too self-centered, and desires further vocational and educational training.

Mr. Davis may have difficulty in adapting to the correctional environment here at Menard. This assessment is based on the resident's intellectual functioning, personality dynamics, and use of judgement. Mr. Davis impresses as an individual who has a considerable amount of internal hostility and is subject to aggressive behaviors. Considering the length of his incarceration, he may become a difficult resident to work with. It is recommended that he participate in the counseling, educational, and vocational training programs.

*W. Donaldson*  
 William Donaldson  
 Psychologist

WD:pk



## ADULT CLINICAL SERVICES

MENARD

UNIT

## NOTICE TO ATTORNEYS

In accordance with prevailing medical practice and professional procedures, it is against the policy of the department to furnish inmates with copies of progress reports or other diagnostic studies. Your cooperation is requested.

## SUPPLEMENTAL PROGRAM CONSIDERATIONS

PURPOSE: CONDEMNED UNIT UPDATE

DATE: 5/9/85

NAME: DAVIS, GIRVIES

NO: N06107

PREPARED BY: Correctional Counselor

IDENTIFICATION DATA:

Offense: Murder, Murder, Attempted Murder, Murder and Murder.  
 Sentence: 40 years, 40 years, 30 years (cs), 80 years (aggregated sentence) and Death by Electrocution (2)  
 Security: Maximum.  
 Grade: "A"  
 Date of Birth: 1/20/58.  
 Race: Black.  
 Dependents: None.  
 Admitted: 5/9/80.  
 Date of Sentence: 4/25/80, 5/2/80 and 4/10/81.  
 County: St. Clair and Madison.

DISCIPLINARY ADJUSTMENT: Mr. Davis has had no disciplinary reports in more than a year.

COMMENTS: During this period, Davis has been friendly and cooperative with his counselor. He makes frequent changes in his visiting list. Davis has had seven personal visits during this update. He participates in yard, law library, church and bible study. He engages in religious discussions with other inmates and they share books on religious subjects.

*H. G. Schroeder*

H. G. Schroeder  
 Correctional Counselor

HGS:cmp

*Rev*  
 Review and/or comments:

*A. Smith*  
 Clinical Services Supervisor

## ADULT CLINICAL SERVICES

MENARD

UNIT

**NOTICE TO ATTORNEYS**

In accordance with prevailing medical practice and professional procedures, it is against the policy of the department to furnish inmates with copies of program reports or other diagnostic studies. Your cooperation is requested.

## SUPPLEMENTAL PROGRAM CONSIDERATIONS

PURPOSE: CONDEMNED UNIT UPDATE

DATE: 5/6/86

NAME: DAVIS, GIRVIES

NO: N06107

Correctional Counselor

PREPARED BY:

IDENTIFICATION DATA:

Offense: Murder, Murder, Attempted Murder, Murder, Murder

Sentence: 40 years, 40 years, aggregated to 80 years with 30 years consecutive; and Death and Death

Security: Maximum

Grade: "A"

Date of Birth: 1/20/58

Race: Black

Dependents: 1

Admitted: 5/9/80

Date of Sentence: 4/25/80, 5/2/80, 12/5/80, 4/10/81

County: St. Clair, Madison

DISCIPLINARY ADJUSTMENT: Davis had one minor disciplinary report during this update.

COMMENTS: Davis continues to make a satisfactory adjustment to the Condemned Unit. He is very friendly and cooperative with his counselor. Davis keeps an unusually clean cell. He attends Protestant church services. Davis also participates in yard and he has had five personal visits during this update.

H. G. Schroeder  
Correctional Counselor

HGS:pk

PC  
Review and/or comments:

*F. Leonard A/CSS*  
Clinical Services Supervisor

Department of Education  
**CAREER ACHIEVEMENT REPORT**

CM

DAVIS, GIRVIES N06107  
(Name and Number)

MAY 31, 1994  
(Date)

The above named inmate has completed the following course(s) and has received the credits and grades shown from \_\_\_\_\_

G.E.D. CERTIFICATE ACHIEVED.  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED: Girvies J. Davis, Jr. N-06107

Counselors Office  
Record Office  
IL 426-17732  
DCA 30553 05'92

Gene Bloomly  
Education Administrator

Exhibit  
29

54276

IN THE CIRCUIT COURT  
TWENTIETH JUDICIAL CIRCUIT OF ILLINOIS  
ST. CLAIR COUNTY

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PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
VS. ) NO. 79-CF-771  
 )  
GIRVIES DAVIS, ) Charge: Murder  
 )  
Defendant. )

Before the HON. STEPHEN M. KERNAN, Judge

TRANSCRIPT OF DEATH PENALTY HEARING

October 28, 1980

**FILED**  
JAN 3 1981  
3  
CLERK

APPEARANCES:

MR. CLYDE KUEHN, State's Attorney  
MR. RICHARD STURGEON, Assistant State's Attorney  
On Behalf of the People  
  
MR. PATRICK YOUNG, Public Defender  
MS. ANN HATCH, Assistant Public Defender  
On Behalf of the Defendant

SANDRA ROE  
Official Court Reporter

**FILED**

FEB 5 - 1981

CLELL L. WOODS, Clerk

PERUAS CO. STATORNE. N.J. 17002 FORM H 443

1 MR. YOUNG: Let's go in the courtroom.

2 (The following proceedings were then had in the  
3 courtroom, but out of the presence and hearing  
4 of the jury:)

5 THE COURT: Mr. Young, it's my understanding you want  
6 to get something on the record?

7 MR. YOUNG: Yes, Your Honor. We are now currently  
8 preparing to go into the last phase of the death penalty  
9 trial of Mr. Girvies Davis. As his appointed counsel,  
10 I have the responsibility to put on before this jury  
11 every aspect and every bit of evidence that I feel would  
12 be relevant to mitigate the death penalty for this  
13 defendant. In the course of preparing the defense for  
14 this defendant, it has become apparent to me in the  
15 course of the investigation from talking to representatives  
16 of the St. Clair County Mental Health Department that Mr.  
17 Davis has suffered for a number of years from a mental  
18 condition and has received mental treatment for a number  
19 of years from his early childhood on. And that they  
20 would testify that he had had brain damage when he was a  
21 child due to a severe blow on the head, and that, in fact,  
22 this was determined from E.E.G.'s being very abnormal  
23 from psychological testing in St. Louis and that possibly  
24 this evidence would fit into the mitigating factor that

1 the Legislature has seen fit, one of the mitigating  
2 factors being under Chapter 38, Section 9-1. That the  
3 murder was committed while the defendant was under the  
4 influence of extreme mental or emotional disturbance,  
5 although not such as to constitute a defense to the  
6 prosecution. That in fact there would be testimony that  
7 I believe would be very relevant to that mitigating fact,  
8 the testimony that I have previously stated and the  
9 mental health treatment that Mr. Davis has received from  
10 his early childhood days. As late as yesterday, I was  
11 informed by my client that in fact I could put that  
12 testimony on and I have Mr. Joe May of the St. Clair  
13 County Mental Health Center under subpoena, and subpoena  
14 duces tecum, to bring all of Mr. Davis' records to trial  
15 and anticipated putting him on. When our portion of the  
16 hearing was had this afternoon. Mr. Davis has informed  
17 me this morning that he does not wish any of that  
18 evidence to go before the jury. And that he has instructed  
19 me, although I have advised him against it, and I feel  
20 it's definitely in his best interest that that information  
21 be put before this jury, and that, in fact, it could  
22 very well lend itself to the mitigating factor that could  
23 preclude the imposition of the death sentence. He has  
24 informed me this morning and he stands on that decision,

1 he does not want any of that information before the jury  
2 and I feel at this time I must make a record of that and  
3 bring this before the Court.

4 THE COURT: Is that correct, Mr. Davis?

5 THE DEFENDANT: That's correct.

6 THE COURT: All right. Bring in the jurors.

7 (The jurors were then brought into the courtroom  
8 and the following proceedings were had in the  
9 presence and hearing of the jury:)

10 THE COURT: Good morning, ladies and gentlemen.

11 In the first stage of this sentence hearing you found  
12 that the defendant had attained the age of 18 at the  
13 time of the commission of the murder and that one  
14 statutory aggravating factor existed. Upon these two  
15 findings, you have established that the defendant is  
16 eligible for the death penalty. In this second stage of  
17 the hearing, you may hear evidence of aggravation and  
18 mitigation concerning the defendant. You will then  
19 determine whether, after instruction by the Court, there  
20 are any mitigating factors sufficient to preclude  
21 the imposition of the death sentence against the defendant.  
22 Based upon your findings, this Court shall either impose  
23 the death penalty upon the defendant or sentence the  
24 defendant to a term of imprisonment. As in the first



Exhibit  
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IN THE CIRCUIT COURT  
TWENTIETH JUDICIAL CIRCUIT OF ILLINOIS  
ST. CLAIR COUNTY

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MS. ANN HATCH, Assistant Public Defender  
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SANDRA ROE  
Official Court Reporter

**FILED**

FEB 5 - 1981

CLELL L. WOODS, Clerk

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A JUROR: Yes, sir. I'm slightly hard of hearing anyway and it was quite difficult to understand.

THE COURT: Okay. I'll tell you what we can do, we can admit the transcript into evidence and have a copy made without the personal notes.

MR. YOUNG: Fine.

THE COURT: Any other witnesses or evidence, Mr. Young?

MR. YOUNG: Your Honor, may I have one minute, please?

(Pause) Your Honor, at this time we'd call Cindy Davis.

\* \* \* \* \*

CINDY DAVIS,

called as a witness on behalf of the defendant, having been first duly sworn, deposes and states as follows:

DIRECT EXAMINATION

BY MR. YOUNG:

Q Cindy, please keep your voice up so the ladies and gentlemen of the jury can hear you, okay?

A Okay.

Q Will you please state your name for the record?

A My name is Cindy Davis.

Q That microphone doesn't work, so don't worry about it.

A Okay.

PHOTOCOPYED BY [unreadable]

1 Q And how old of a woman are you?

2 A 22.

3 Q And have you had the occasion to know the defendant,  
4 Girvies Davis, in this case?

5 A Yes, I have.

6 Q And how have you know him?

7 A He's my husband.

8 Q And how long have you been married?

9 A A year and ten months.

10 Q When were you married?

11 A December 29th.

12 Q What year?

13 A '78.

14 Q After you were married, did you live in the same  
15 home with Mr. Davis?

16 A Yes, I did.

17 Q Until he was, in fact, incarcerated in the St. Clair  
18 County Jail?

19 A Yes.

20 Q August of the following year?

21 A Uh-huh.

22 Q And over the last year, he's been incarcerated,  
23 hasn't he?

24 A Right.

1 Q Have you visited him while he's been in jail and in  
2 the penitentiary?

3 A Yes, I have.

4 Q If the jury in this case would decide not to give  
5 him the death penalty in this case, would you still visit him  
6 in the penitentiary?

7 A Yes, I would.

8 Q And you are still currently married to him?

9 A Yes.

10 MR. YOUNG: I have no further questions.

11 THE COURT: Cross.

12 CROSS EXAMINATION

13 BY MR. KUEHN:

14 Q Did your husband during the course of your marriage  
15 ever exhibit any violence towards you?

16 A No, he hasn't.

17 Q Did you ever receive any gunshot wounds?

18 A No.

19 MR. KUEHN: That's all I have.

20 RE-DIRECT EXAMINATION

21 BY MR. YOUNG:

22 Q I'd ask one question, Cindy. In fact, Mr. Kuehn  
23 asked you if your husband ever exhibited any violence to you  
24 and if you ever received any gunshot wounds. Did your husband

1 ever shoot you?

2 A No, he didn't.

3 Q Did there come a time at one time that, in fact,  
4 you did get injured in your front yard?

5 A Not in our front yard, his mother's front yard.

6 Q Oh, in fact, was it due to your husband-- any actions  
7 of your husband at all?

8 A No.

9 Q Did he immediately take you to the hospital as a  
10 result of that?

11 A Uh-huh.

12 MR. YOUNG: No further questions.

13 RE-CROSS EXAMINATION

14 BY MR. KUEHN:

15 Q What were those injuries that you received in the  
16 front yard?

17 A Gunshot wound.

18 Q How many?

19 A Three.

20 Q Three. And who did that to you?

21 A A dude named Robert Flowers.

22 Q Who?

23 A Robert Flowers.

24 MR. KUEHN: That's all I have.

1 THE COURT: You're excused.

2 MR. YOUNG: Cindy, one other, if I may.

3 FURTHER RE-DIRECT EXAMINATION

4 BY MR. YOUNG:

5 Q When was that?

6 A I can't remember the date.

7 Q Prior to Girvies being incarcerated though, wasn't it?

8 A Huh?

9 Q Was it prior to Girvies being incarcerated, wasn't  
10 it, before being put in jail?

11 A Huh?

12 Q I say prior to his being put in jail in August of  
13 last year?

14 A Huh-uh.

15 Q You don't understand what I'm saying, do you? Was  
16 it before Girvies was arrested last summer?

17 A Yes, it was before.

18 Q Approximately how much do you know, what time?

19 A I think it was March or sometime, I really don't know.

20 Q Is that the night after Girvies had taken you to  
21 the hospital that all of his teeth were knocked out?

22 A Yes, that's the night.

23 Q By an East St. Louis police officer in an East St.  
24 Louis hospital parking lot?

1 A Uh-huh.

2 MR. YOUNG: No further questions.

3 THE COURT: Any further? You're excused.

4 A Okay.

5 THE COURT: Any other witnesses or evidence?

6 MR. YOUNG: No, Your Honor, at this time the  
7 defense rests.

8 MR. KUEHN: No rebuttal.

9 THE COURT: Would counsel approach the bench for a  
10 moment.

11 (Whereupon a discussion was had at the bench and  
12 off the record.)

13 THE COURT: Ladies and gentlemen, you have heard all  
14 the evidence in this case and once again it's time for the  
15 attorneys to give you closing arguments. As I had  
16 mentioned to you before, what the attorneys themselves  
17 say in closing arguments is not to be considered by you  
18 as evidence. The only evidence by which you would decide  
19 this case ~~has~~ come from the testimony of the witnesses  
20 on the witness stand and the exhibits offered and  
21 received. Mr. Kuehn.

22 MR. KUEHN: May it please the Court, and Mr. Young,  
23 Miss Hatch. Ladies and gentlemen, it's been a tedious,  
24 I guess seven days now, and this is the final-- well, I



Exhibit

31

AFFIDAVIT

County of Cook        )  
                                  ) SS  
State of Illinois     )

Sister Miriam Wilson, having been duly sworn, hereby states and affirms:

1.     My name is Sister Miriam Wilson, and I am 68 years old. I live at 7430 Ridge Blvd., Chicago, Illinois 60645. I am a Benedictine nun.

2.     On March 10, 1995, I accompanied Norbert B. Knapke II, an attorney with the law firm of Jenner & Block, to Sauget, Illinois to interview Karole K. Rich. Jenner & Block represents Girvies L. Davis, a death row inmate scheduled to be executed on May 17, 1995. I have known Mr. Davis since he first entered the Condemned Unit at Menard.

3.     Mrs. Rich was a juror in the October 1980 trial of People of the State of Illinois v. Girvies L. Davis.

4.     Mr. Knapke and I arrived at Mrs. Rich's home at about 4:30 p.m. Mr. Knapke identified himself as an attorney with the law firm of Jenner & Block in Chicago, Illinois, which represents Mr. Davis in his appeals and in Mr. Davis' efforts to obtain clemency from Governor Edgar. Mr. Knapke identified me as someone who has known Mr. Davis since he was put on death row and who is interested in his fate. Mr. Knapke asked Mrs. Rich if he and I could speak with her about her experience on the jury; he made it clear that she was under no obligation to speak with us. Mrs. Rich agreed to speak with us and in fact invited us into her home. The interview lasted about 45 minutes.

5. Mrs. Rich remembered that Mr. Davis was on trial for the murder of Charles Biebel, an elderly man in a wheelchair who was shot in his rural trailer-home during a robbery. She told us that she had approached her duties as a juror seriously. She said that she made certain that her decision to vote for guilt was made strictly on the basis of the evidence. She told us that she approached her decision to vote in favor of the death penalty in a similar fashion.

6. Mr. Knapke then informed Mrs. Rich about important mitigating evidence about Mr. Davis which was not presented to the jury. Mr. Knapke told her that Mr. Davis' attorney, Patrick Young, wanted to present evidence that Mr. Davis suffered from mental disabilities, but that Mr. Young could not present this evidence because, at the last minute, Mr. Davis did not want the information released. Mr. Knapke told her that Mr. Davis' mental health records were protected by confidentiality laws, which meant that the records could not be released without Mr. Davis' authorization. Mrs. Rich confirmed for us that she had never heard any of this mitigating evidence concerning Mr. Davis' mental disabilities or prior mental health treatment. Mr. Knapke had copies of Mr. Davis' mental health records with him, and he offered them to Mrs. Rich for her review. She did not review them at that time.

7. Mr. Knapke informed Mrs. Rich that the mental health records would have shown that Mr. Davis had a long documented history of mental illness, including treatment with medication; that tests had determined that he was borderline mentally retarded; and that a doctor had determined that Mr. Davis suffered permanent organic brain damage when, at the age of ten, he was hit by a truck while riding his bicycle. Mr.

Knapke also told her that, at the time of the trial, Mr. Davis could barely read or write, if at all.

8. After hearing this evidence, Mrs. Rich told us that, had this evidence been presented during the sentencing phase of the trial, she would not have voted for the death penalty. She said that during the trial she could not understand why Mr. Davis would have committed the crime for which he was charged; she had been led to believe that there were no mitigating circumstances because the jury was not shown any evidence about Mr. Davis' character, motivation and personal history. Had she known about the mental defects which Mr. Knapke described, she would have thought differently and concluded that death was not the appropriate penalty for Mr. Davis' crime.

9. Mrs. Rich told us that she was a bus driver for special education children, and as a result she has learned that children or young adults with mental handicaps like Mr. Davis frequently cannot understand the consequences of their decisions, especially in complicated situations. She opined that someone with Mr. Davis' problems and lack of education probably would not have understood the serious consequences of such an important decision to keep from the jury strong evidence on whether the death penalty was appropriate.

10. She also told us that driving her bus has taught her that one often cannot tell whether a person has a mental problem by just looking at the person. Thus, she said that she could not have known (and did not know) about Mr. Davis' mental disabilities unless until someone told her about them.

11. Mr. Knapke also told Mrs. Rich that Mr. Young also could have presented evidence that Mr. Davis came from a poor dysfunctional family, and that he had

virtually no parental guidance as he was growing up. Mrs. Rich told us that such evidence would have had an impact on her decision to vote for the death penalty.

12. Mr. Knapke explained to Mrs. Rich that, had Mr. Young been able to present Mr. Davis' mental health and family history to the jury, the prosecutor would have had the chance to try to rebut the mitigating evidence. Mrs. Rich told us that she understood, but she stated that the evidence of Mr. Davis' organic brain damage, mental retardation, mental illness and upbringing was so compelling that it would have caused her to decline to vote for death.

13. I give this statement freely and without any offer of compensation. I authorize its use in support of Mr. Davis' planned clemency petition.

Signed: Sister Miriam Wilson, OSB  
Sister Miriam Wilson, OSB

Dated: 20 April 1995

Subscribed and sworn to before me  
this 20th day of April, 1995. 4 pages

Sister Margaret Ann Holtz  
Notary Public

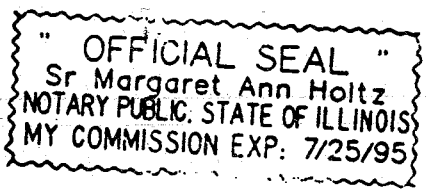


Exhibit  
32

## STATEMENT

1. My name is Rebecca Zarzecki, and I live at 244 Eagle Ridge in O'Fallon, Illinois. I work in the Woodriver, Illinois office of Invest, Inc.

2. In October 1980, I was selected to the jury in the case of The People of the State of Illinois v. Girvies L. Davis. The trial was held in Belleville, Illinois. I recall that Mr. Davis was charged with murdering an elderly man named Charles Biebel during a robbery; I also recall that the prosecutor presented evidence of Mr. Davis' involvement in other murders.

3. I approached my duties as a juror seriously. I tried my best to give Mr. Davis the benefit of the doubt, because I understood the seriousness of the decision we were making. After the guilt phase of the trial, I voted to convict Mr. Davis of murder; after the penalty phase of the trial, I voted to sentence Mr. Davis to death. Both of these decisions came after hard deliberations. I have recently learned, however, that there was substantial mitigating evidence about Mr. Davis which was never presented to the jury. I believe that this evidence would have been important to my deliberations about whether Mr. Davis deserved a life sentence and could well have led me to conclude that the death sentence was not called for in the case.

4. On April 4, 1995, I received a telephone call from Norbert B. Knapke II. Mr. Knapke identified himself as an attorney from the law firm of Jenner & Block in Chicago, Illinois. Mr. Knapke told me that his firm represented Mr. Davis, and was in the process of preparing a clemency petition to Governor Edgar in an attempt to stop Mr. Davis's scheduled execution. He asked if I would be willing to speak with him about my experiences as a juror, and I agreed.

5. During the conversation, Mr. Knapke informed me that, at the sentencing hearing, Mr. Davis' attorney had intended to introduce evidence that Mr. Davis suffered from various mental health problems, including borderline mental retardation, brain damage Mr. Davis suffered when he was hit by a truck as a boy, and mental illness, including a suicide attempt. Mr. Knapke explained that at the last moment Mr. Davis refused to allow his attorney to introduce the mental health evidence; because confidentiality laws prohibited the disclosure of these records without Mr. Davis' authorization, the evidence could not be presented to the jury. I have reviewed the portions of this mental health evidence which are attached to this statement under Tab A. Mr. Knapke also explained that Mr. Davis' attorney could have presented but failed to present evidence that Mr. Davis came from a very poor and dysfunctional family.

6. Had I known about the mitigating evidence described above, I might have voted for the lesser penalty of life in prison. A person close to me has suffered from mental illness in the past, and I believe that demonstrated mental illness often lessens a person's ability to make good decisions for himself or herself. I also believe that all too often the legal system looks at mental illness in black and white -- a person is either insane, and therefore not responsible for his or her actions, or is totally responsible for his or her actions. I believe that in some cases a person who is mentally ill may not be innocent, but may be less responsible for his or her actions. Thus a person's mental capacity and health should be taken into account in determining the appropriate sentence.



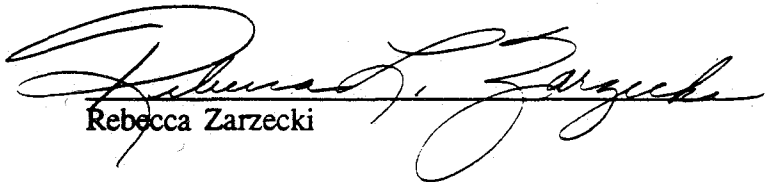
7. As a member of the jury that sentenced Mr. Davis to death, I believe that it would have been important for us to consider the evidence about Mr. Davis' history of mental disabilities and to have received evidence about his family life and upbringing. I would have wanted to know the extent of Mr. Davis' disabilities, what opportunities was he given to get help, and whether he took advantage of those opportunities. As I said, I might have voted in favor of a life sentence rather than a death sentence if I had known about this evidence.

8. I do not discount the life of Charles Biebel. His murder was a very serious crime. However, my decision whether to sentence Mr. Davis to death was serious as well, and I wish that I would have had all of the important facts about Mr. Davis.

9. I give this statement freely and without any offer of compensation. I authorize its use in support of Mr. Davis' planned clemency petition.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure in Illinois, the undersigned certifies that the statements set forth in this statement are true and correct.

Signed:

  
Rebecca Zarzecki

Dated:

4/14/95

DIVISION OF CORRECTIONAL SERVICES

FIELD SERVICES  
EDMUND R. ASHNER, Supervisor

Please direct reply to

Kenneth A. Wells  
Suite 500 Illinois Building  
East St. Louis, Illinois

June 10, 1967

Mr. Charles A. Bradley, Jr., Superintendent  
Reception and Diagnostic Center  
Illinois Youth Commission  
P. O. Box 702  
Joliet, Illinois 60434

SOCIAL HISTORY

IDENTIFYING DATA

Youth: DAVIS, Cirvies Lamar  
IYCF: 9-443-H  
Birthdate: 1-5-58  
Verification of Birthdate was made by the Agent viewing the school records.  
Race: Negro  
Other Agencies who worked with Youth: None  
Social Security Number of Father: Unknown  
Social Security Number of Mother: None  
Social Security Number of Ward: None  
Arrival Date: 4-28-67  
Place: Reception and Diagnostic Center

INDIVIDUALS INTERVIEWED AND AGENCIES CONTACTED

Mrs. Ozella Smith  
723 North 10th Street  
East St. Louis, Illinois  
Mother

Dwight Smith  
723 North 10th Street  
East St. Louis, Illinois  
Stepfather

Records from the 20th Judicial Circuit  
Court, Juvenile Division  
Court House  
Belleville, Illinois

Sgt. Roosevelt Brown, Juvenile Division  
East St. Louis Police Department  
East St. Louis, Illinois

Mrs. Walce, Caseworker  
Illinois Public Aid  
East St. Louis, Illinois

Miss Hunt, 4th grade teacher  
A. M. Jackson Elementary School  
East St. Louis, Illinois

The family does not have any hospitalization insurance; family is on Illinois Public Aid, A.D.C.-U.

### COURT HISTORY

Present Situation: On 4-11-69 the youth was arrested for snatching a purse belonging to Mrs. Christine Lupper of Illinois. He was taken to police headquarters and released to his mother pending a court hearing. On 4-18-69 an amended delinquency petition was filed in Circuit Court charging the youth with purse snatching and being out of the control of the mother. On 4-28-69 the youth appeared in court with his mother, he was adjudicated a delinquent and committed to the Illinois Youth Commission by the St. Clair County Circuit Court charged with theft, the Honorable Judge William P. Fleming presiding.

Previous Delinquencies: The youth first came into contact with the East St. Louis Police Department on 5-11-66 when at age 8 he was arrested for stealing a pair of tennis shoes. His mother made restitution and paid for the tennis shoes.

On 5-24-66 he was arrested for breaking into the Sears & Roebuck Company store along with Ricky Johnson, now an Illinois Youth Commission ward, for taking two S-S guns. On 5-26-66 the East St. Louis Police Department filed a delinquency petition in the St. Clair County Circuit Court but it was dismissed on 7-6-66 because of the youth's age.

On 4-18-67 the youth was arrested for shoplifting at the Jupiter Store. He was lectured, warned, and released to the mother.

On 8-7-68 the ward was arrested for shoplifting at the Sears & Roebuck Company store. He was again lectured, warned, and released to the mother.

On 9-1-63 he was arrested for creating a disturbance at the Bike Shop on Collinsville Avenue, East St. Louis, Illinois. He was lectured, warned, and released to the mother. This brings the record up to the present situation.

### DEVELOPMENTAL HISTORY OF YOUTH

Physical Data: The youth was born 1-3-68 in St. Mary's Infirmary, St. Louis, Missouri. The youth was of normal birth, bottle fed for 12 months, walked at 9 months, talked and was completely toilet trained at 2 years. According to the mother the youth is somewhat retarded and to this day he cannot talk plain. However, the mother volunteered that he was not in any accidents and as far as she knew there was no brain damage. The ward bleeds easily, has had a bad case of mumps and has been under the doctors care for this infection. Childhood diseases consisted of measles, mumps, and chicken pox. The youth was involved in no accidents, has had no broken bones, no surgery, and has never been hospitalized. Basically the youth is in good health.

Psychological and Psychiatric Data: The mother stated that the youth was referred to the local Mental Health Clinic by the school authorities but she never took him. Also the youth has never seen a psychiatrist so there are no evaluations available on this youth.

Name

DAVIS, GIRVIES

ITC 69-4634

Page

2

UNITED STATES DEPARTMENT OF THE  
 SOCIAL SERVICES  
 Illinois Youth Commission

He has been found to be in need of continuous supervision. From all indications, he would need the controls which would be present in a medium security setting.

CLINICAL EVALUATION:

Girvies' IQ score, of 78, on the Revised Beta Test classified him as being in the borderline range of intelligence. His Revised Stanford Achievement Test results indicated very low academic skills. The youth is functioning at, approximately, the 1st grade level. The youth was last enrolled at Jackson Grade School in the 5th grade. A brief school report would indicate that his overall adjustment was unsatisfactory. Academically, the youth wasn't doing well which was, at least, somewhat due to his inability. Also, it has been indicated that his relationship with his teachers and fellow pupils hasn't been very good.

Girvies last lived in the home of his mother, Osella Smith, at 723 North 10th Street, East St. Louis, Illinois. Also, there is a man living in the home but, according to the youth, it isn't his father. Neither his mother nor stepfather are employed and they exist through the support of ADC funds. The youth didn't know why neither of his guardians didn't work but denied that there was any illness in the family. At present, there isn't any information pertaining to this. The youth's father is a policeman who stops by the house periodically. During these periodic visits, the father will sometimes give the youth's mother some money. The youth has about 8 siblings, all of whom live in the home, but their ages are unknown.

From what little Girvies said and what has been indicated, it would appear, he has had a very distant relationship with all authority figures who have lived in the home. Seemingly, the youth has been on his own, to do as he liked, since he was very young. It is to be noted, also, he has quite a lengthy record, although, he is only 11 years of age. He has never learned to respect the rights of others because he has never been taught to.

On the whole, he has been very hard to control and discipline here at the Reception & Diagnostic Center, due to the fact, he has had such a lack of it previously.

Basically, he is a very immature, dependent youth who is striving desperately to overcome his unmet dependency needs.

RECOMMENDATIONS:

- 1) It is the staff's recommend Girvies be transferred to ISTSB. It is felt that, although, he is very young he couldn't adjust in a minimum security setting. The probabilities of him leaving a camp setting are very, very, high.
- 2) He should be involved in the school program at the lower academic 1st grade level or EMH program.
- 3) He should be involved in as much individual and group counseling as is available. The youth should be particularly helped in the area of learning how to control his tendency to do what he wants, exactly when he wants to do it.
- 4) Girvies case should be thoroughly investigated prior to his return here. It is very unlikely that the boy detour from further acting out if he is returned to the former family setting.

72-112 1103

*Kathleen Ryan*  
 Kathleen Ryan  
 Social Worker

KR:JW:dp  
 5-26-69

*Jared Walker*  
 Jared Walker  
 Moderator, Room III

The youth was considered an obedient child at home, was nervous, had a slight temper, and would bite his fingernails. The mother felt that he had a very small attention span, could not concentrate on his studies, and was a lot of trouble at school. She considered him to be babyish and he would stick fairly close to home. The mother stated that because there is no father within the home structure, she tried to be both parents and tried to talk and reason with him and tell him where he was heading, but he seemed not to understand. He was very dependent on his mother, and in fact when he would make a dollar doing various jobs he would give his mother 75c. She stated she missed it very much, and when the mother said "it", this agent is not sure whether she meant the money or the child. She feels that one of his big problems is that his father is not in the home and that the word sees him only occasionally and it disturbs him not to have a relationship with him. Basically he is a problem child within the school, did not get along with adults in the community, and was almost anti-social.

Social Data: The mother stated that he liked to swim, play baseball, and liked to attend the Boy's Club. He liked to watch television and had one friend that he was very fond of playing with, the boy being named "Yonnie". In fact this is an interesting relationship in that Yonnie comes by every morning even after the word was committed, goes into the house, looks at his bed and starts crying as he misses Girvies very much.

#### FAMILY HISTORY

Father: Girvies Stennis is 42 years of age and presently resides in St. Louis, Missouri. The mother seemed to be very secretive about his whereabouts as if this agent were trying to locate him. She thinks he is a night watchman for a local discount store and he comes to the home only occasionally. She thinks he is the father of three of her children, however she is not too sure. At our rate, Mrs. Smith assured this agent that the word and Mr. Stennis had no relationship.

Mother: Bealle (Davis) Smith was born 11-11-1931 in Paducah, Kentucky. She is an American Negro in good health and of the Baptist faith. She is presently an unemployed housewife and a recipient of A.D.C.-II. She is presently married to Dwight Smith whom she lives with and is supported by his A.D.C. grant. She has never been arrested, obtained 8 years of formal education, is not a veteran and belongs to no fraternal organizations.

It is this writer's impression that Mrs. Smith is extremely concerned about her son but is uneducated and extremely limited as a mother figure. She is concerned, but she does not have what it takes. She has been overly cooperative with this office, as is her reputation with the A.D.C. caseworker, Mrs. Weige, but that is the extent of her cooperativeness. Mrs. Smith has been extremely promiscuous throughout her lifetime and is now paying the bill, and it is felt that in her present marriage to Mr. Smith she has tried to rectify her past mistakes. However, she has married a 27 year old young man in extremely poor health who is unemployed, and this is no way to overcome mistakes. She stated she would cooperate with the Illinois Youth Commission if they would see fit to place the youth back in her home.

Employment: Dwight Smith is a 27 year old American Negro of the protestant faith, in poor health. He is presently an unemployed drummer and has not worked for the past two years. He is supported by A.D.C.-D. as he is supposed to be unable to work. Mr. Smith does not have an arrest record, obtained 8 years of formal education, has never been in the service, and belongs to no organizations.

All during this interview this writer thought that Mr. Smith, who turned out to be the husband, was the writer's henchman or even son, when she finally introduced him as her husband. He is young looking and states that he has just had major surgery, is unemployed, but is looking for work. At the time of this interview it appeared that this man was half intoxicated and was not very easy to relate to.

Marital History of Parents: A check with the A.D.C. records indicate that the mother and Mr. Stennis were never married but had a relationship from 1957 to 1964 which produced 4 illegitimate children. Mrs. Smith finally got married to her present husband, Dwight Smith, on 1-26-66, and I am sure there is no rationale for this marriage unless Mrs. Smith just wanted someone to do her errands and take care of her home.

Siblings: The oldest of Mrs. Smith's children is Beverly Davis, age 21, who is not married and resides in East St. Louis, Illinois. Jessie Davis, age 16, lives in the home and attends Rock Junior High School in the 9th grade. Both of these children were fathered by Fred Horton. Deborah Davis, age 9, lives in the home and attends Longfellow Elementary School in the 3rd grade. Bernadette Davis, age 8, lives in the home and attends Longfellow in the 2nd grade. Regina Davis, age 6, lives in the home and attends Longfellow in the 1st grade. Anthony Davis, age 5, lives in the home and is of preschool age. Yvonne Smith, age 2, is also of preschool age and lives in the home.

Other Relatives: None.

#### FAMILY INCOME

Mr. and Mrs. Smith are supported by A.D.C.-D. and their grant amounts to \$337.00 per month without the ward in the home. According to the A.D.C. records this family is not receiving any Social Security or veterans benefits.

#### HOME ENVIRONMENT

Mr. and Mrs. Smith and their family reside at 723 North 10th Street, East St. Louis, Illinois in a 5 room and bath brick structure. They have lived here for the past 4 years and rent this dwelling for \$55.00 per month. The home is divided into a kitchen, living room, dining room, and 3 bedrooms, and has a full basement which houses the gas furnace. The interview took place on a sunporch, and what rooms were visible seemed to be sparsely furnished with old and used furniture, but the overall appearance seemed to be fairly clean. Housekeeping standards were only average. The Smith family has benefit from most of the modern conveniences including a gas range, electric refrigerator, television and Hi-Fi. At the time of commitment the ward shared a bedroom with his younger brother Anthony.

#### NEIGHBORHOOD

The Smith family resides in an all Negro, low income, residential area of East St. Louis, Illinois. This area entertains an extremely high delinquency as well as adult crime rate and most of the property in this area is rental property. Most of the established families in this area have moved out and therefore it is close to becoming a slum area. Recreational facilities consist of one boy's club, school playgrounds and street corners.

#### SCHOOL HISTORY

At the time of commitment the youth was attending the A. M. Jackson Elementary School in the 4th grade. This writer talked to his teacher, Miss Hunt, and her first sentence to this writer was that "he was a vulgar student". He was below average in ability, aggressive in the classroom, would tear up his report card in front of the teacher, and when the teacher would send for the mother, she would not come to the school. Miss Hunt stated that he could barely do 4th grade work and needed to be prodded to do this.

#### VOCATIONAL HISTORY

None.

#### RELIGIOUS BACKGROUND

Although the youth was slow in school and behind in his grades, he seemed to have an interest in Bible School and attended the Morningstar Baptist Church for the past four years. He joined this church without the mother's consent and managed to attend with some of his friends. This is the extent of what the mother knows about his church attendance.

#### REPORTS OF OTHER SOCIAL AGENCIES

None.

#### ATTITUDE OF FAMILY TOWARD YOUTH

The mother tried to rationalize and stated that he was railroaded to the Illinois Youth Commission. When it was brought to her attention that the youth was arrested at age 8 for stealing, this was a different matter. This agent agrees that the mother should have had something to say in the court room, and this seems to have her more confused and mad rather than the commitment to the Illinois Youth Commission. She seems to be carrying a personal grudge for Sgt. Roosevelt Brown of the East St. Louis Police Department who filed the delinquency petition, and Judge Fleming who sentenced the youth to the Illinois Youth Commission. She has been on the phone continuously to this agent trying to find out if this agent could release her son, all of this without once admitting to anyone that she could have been at fault. During this interview this writer tried to make her examine her own life and the example that she has set, but she would not listen. She stated that she would write and visit when she can.

Page 6  
Social History  
DAVIS, Cirvian Lamar

DECISIONS AND RECOMMENDATIONS

As stated before, Mrs. Smith has been on the telephone constantly to this agent, trying to get her son out instead of re-examining her life to see and rationalize her own problems and worry about the future placement of her son. The family is extremely disintegrated, there has never been any father influence in the home, and I am sure the youth was seeking sole identity in the community when he was committed to the Illinois Youth Commission. He could not look to his stepfather whom he hardly knew, he was a belligerent and anti-social child in the school program, and was almost destined to go to the Illinois Youth Commission. Placement back into this home must be guarded at this time; however, there would be retaliation from the mother if another placement resource were to be used.

Kenneth A. Wells  
Juvenile Parole Agent  
District VII

Kenneth E. Absher  
Superintendent

KAW:bls  
Encls. (2)  
cc: Mr. Absher



STATE OF ILLINOIS  
 YOUTH COMMISSION

NO FOLDS

CLINICAL EVALUATION

SCREENING PSYCHOLOGICAL Report

Name <b>DAVIS, GIRVIES</b>	Number <b>69-4634</b>	Date <b>5-16-69</b>
Reason for Report	Born <b>1-5-58</b>	Age <b>11-4</b>

REASON FOR REFERRAL:

"Kicked an old lady, took her purse. Mother paid it back but I went to Court. Lady wasn't there. So Judge sent me up here on his own." Girvies also reported that he "Broke in a place," "Stole something out of a store" and that he "Stole a bike."

PSYCHOLOGICAL TECHNIQUES:

- |                           |                          |
|---------------------------|--------------------------|
| Revised Beta              | Bender Gestalt           |
| House-Tree-Person         | New Stanford Achievement |
| High School Questionnaire | Interview                |

BEHAVIORAL OBSERVATIONS:

Girvies is an 11 year old dark complexioned Negro, round faced, chubby (mildly obese), with several large front teeth that distort his appearance somewhat.

He was quite hyperactive during the interview and expressed concern for the F's he saw on his report card.

PERSONALITY ASSESSMENT:

One could easily get the impression that Girvies is a very primitive youth who has found a delinquent way of life that is pleasurable to him. He mentioned that he was "sorry" that he kicked the lady but his comments appeared shallow and it is assumed that he would not hesitate to do it again if he thought that he could obtain some goods.

His human figure drawings have the coloring of those of a 5 or 6 year old child and the connotation of their being disjointed raised the question of organicity. Thus, he is being referred for a psychiatric evaluation. Interestingly, his productions on the Graham Kendall were flowery, suggesting that his behavior could have been a manic type of behavioral pattern. They have had rather gross distortions.

Girvies will present a challenge to all those who attempt to discipline him.

He is presently functioning at a high borderline intellectual level, 78, with his academics at a 1.6 grade level. There appears to have been some deterioration through the years for Girvie was once given 4 grades but now they are essentially F's.

*Robert H. Brown*  
 ROBERT H. BROWN  
 PSYCHOLOGIST

KHB:em  
 5-16-69

ILLINOIS YOUTH COMMISSION  
RECEPTION AND DIAGNOSTIC CENTER

Charles A. Handley, Superintendent  
Joliet, Illinois

MS  
7/2

INTER-DEPARTMENTAL REFERRAL

TO Dr. M. Daniels DEPT. FROM Psychology DEPT.  
DATE 5/16/69 WORKER Green APPROVED BY FD  
RE: Davis, F. over ITC NO. 69-4634

PROBLEM:

Youth's figure drawings and  
Arham-Rendall show distortions

ACTION REQUESTED:

Evaluate for Organicity

SUMMARY OF FINDINGS: (To be completed only in cases marked "urgent")

\_\_\_\_\_  
Signature of Examiner

\_\_\_\_\_  
Date

STATE OF ILLINOIS  
 YOUTH COMMISSION

CLINICAL EVALUATION

.....PSYCHIATRIC..... Report

related to any  
 trend of the

Name	DAVIS, GERVIS	Number	59-463M	Date	5-21-69
Reason for Report	referral-Mr. Brown	Born		Age	

5-21-69: Gervis was referred for evaluation of possible organicity because of certain psychological test results. We do not yet have any background information at all and nothing is known about possible injuries or illnesses. His Revised Beta IQ is 78.

Gervis is a stocky little boy who was in good contact and cooperated well. He denied any serious illness, accidents, headaches or fainting spells. I found nothing to suspect organicity but if the history gives material to suspect it I would like to review it.

*M. W. Chermak*  
 Marianne W. Chermak, M. D.  
 Consulting Psychiatrist

MWC:dp  
 5-21-69

~~RECEPTION AND DIAGNOSTIC CENTER~~  
 DEPARTMENT OF CORRECTIONS JUVENILE DIVISION  
 STAFF MEETING RECORD

RECEPTION AND DIAGNOSTIC CENTER - JOLIET, ILLINOIS  
 (Institution or Facility)

Name	Birthday	JVC No.	Date Staffed
DAVIS, GIRVIES	1-5-58(12-7)	69-443M	9-16-70

PRESIDING: Ronald Williams

PRESENTED By: Team III

PRESENT: SPECIAL CASE REVIEW

IDENTIFYING DATA:

Girvies Davis is a 5'0 tall, Protestant, Negro youth, weighing 120 pounds. He has black hair and brown eyes, and there are no apparent identifying marks. Davis was first committed to the DCJ on 4-28-69 as a delinquent by the St. Clair County Circuit Court, charged with theft. The ward was most recently received at the Reception and Diagnostic Center on 8-28-70, after having broken parole, having been paroled from ISTSB.

PRESENT PROBLEM:

The ward first became involved with the police in May of 1966 when he was approximately 8 years of age. This first offense was that of theft. This theft was followed by a burglary on the 26th of the same month in 1966, a shoplifting in 1967, a shoplifting in 1968, a disturbance on the 4th of September in 1968, and a theft on the 30th of April in 1969. As stated above, the ward was first committed to the DCJ on 4-28-69. On 5-29-69 the ward was transferred to St. Charles ISTSB. On 9-27-69 the ward was transferred from ISTSB to a status of authorized absence at which time the ward was vacated. On 10-18-69, the ward was transferred from authorized absence pending parole to an official parole status. On 8-28-70 the ward was recommitted to the R & D Center, charged with RP/Poor Adjustment. Since his parole, the ward has been arrested at least 6 times for stealing and shoplifting. During this time the parole agent states that he attempted to work with the ward because of his age, mental and academic retardation. The ward was also seen by a Dr. John Colborne at St. Clair Mental Health Clinic for his acting out. The parole agent notes that although the ward is 12 years of age, he is functioning on the first grade level; therefore, because of the school problems and because of his acting out, his parole counselor stated that the ward should be reassigned to the Department of Corrections, Juvenile Division.

CLINICAL EVALUATION:

The ward gives the impression of being quite slow intellectually, and one must be quite careful in phrasing questions to him in that he appears to have difficulty understanding questions and responding. The ward also appears to be quite mother dependent, looking towards his mother for guidance in meeting his dependency needs. There is a truancy problem in school. The only reason the ward will give for this truancy problem is that he is harassed by other students without being able to receive assistance from any of his teachers. The ward, during the interview stated, "I need help, because I get into too much trouble." The ward, therefore, seems to be aware that he is not functioning adequately and satisfactorily, and he appears to desire assistance. The ward definitely appears to be a follower and not in himself an aggressive person. The pattern of theft would possibly be explained by the suspicions that the family situation is strained fin-

Name

Page

DAVIS, GERVIES

cially and the family as a consequence of this is suffering physical deprivation. It does not appear that the ward has sufficient intellectual capabilities to make a constructive use of an institutionalized setting, and it is suspected that the ward's relationship with his mother is quite positive. The ward's caseworker states that he believes a minimum security setting is adequate for the ward, but due to the fact that the ward is functioning in the EPH level and due to the fact that he seems to be somewhat impulsive and somewhat unable due to his immaturity to behave himself properly, one might have to resort to a medium security setting. If Hanna City Special Education School would accept a boy who is 12 years and 7 months of age, Hanna City might be more appropriate than St. Charles.

The ward's psychologist referred Davis to Dr. Chermak for a psychiatric evaluation due to suspicious of organicity as a result of responses to psychological testing. In response to this Dr. Chermak states, "Girvies is a stocky little boy who was in good contact and cooperated well. He denied any serious illness, accidents, headaches or fainting spells. I found nothing to suspect organicity but if the history gives material to suspect it I would like to review it."

#### RECOMMENDATIONS:

1. It is recommended that the ward be transferred to either the EPH program of Hanna City Special Education School or the EPH program of St. Charles ISTE. The former recommendation is preferred in that the ward does not appear to be an inordinate discipline problem.
2. The ward, as stated above, is functioning on the EPH level and should be enrolled in such a program. The ward who is presently almost 13 years of age is functioning on the 1st grade level.
3. The ward should be given the benefit of a counselling program with an adult who will help him to make the best use of the facilities in an institutional setting. It is not believed that the ward has the intellectual ability to profit from an institutional setup.
4. As mentioned above, it is believed that the ward has a positive relationship with his mother, and due to this fact it is believed that the home is the best parole placement available at this time. The ward, however, will have to learn to say no when approached by peers who are attempting to engage him in delinquent activities. The mother apparently is unable to supply as much supervision as is apparently necessary for this ward as seen in the offenses since his parole from the ISTE. It appears that the mother will not be able to correct his situation, other parole plans will have to be found.

*Ronald Dean Williams*

Ronald D. Williams  
Correctional Counselor I  
Team III

*Sam English*  
Sam English  
DTS, Team III

RDW/SR/kg  
09287470

Continued

# PLACEMENT INVESTIGATION SUMMARY

Name **SERVIS DAVIS** Age **13** NYC No. **69-463-4**

Now located at **Illinois State Training School for Boys** Committed **4-28-69**

Source of Information: **Mother**

Home Investigated:

**626 North 7th Street, East St. Louis, Illinois**

**St. Clair**  
County

**874-3259**  
Telephone

Type of neighborhood **All black, low income, rental property area**

Mr. . . . . Relationship Religion Race Age

Occup: . . . . . Employer

Mrs. **Opella Smith** Mother Baptist Negro 35  
Relationship Religion Race Age

Occup: **Housewife on A.S.G.**

No. of Rooms **7 and bath** Rental **\$92/monthly** Owned

Length of time at above address **2 years**

Siblings Living in Home:

Name	Age	Employed at—School	Wage—Grade
<b>Felix</b>	<b>11</b>	<b>Jackson Elementary</b>	<b>5th grade</b>
<b>Bernadette</b>	<b>9</b>	<b>Jackson Elementary</b>	<b>3rd grade</b>
<b>Regina</b>	<b>8</b>	<b>Jackson Elementary</b>	<b>3rd grade</b>
<b>Anthony</b>	<b>7</b>	<b>Jackson Elementary</b>	<b>2nd grade</b>
<b>Deven</b>	<b>4</b>	<b>preschool age</b>	

Others in Household:

**None**

Does Family have firearms in home? Yes No  What Disposition?

## PLAN FOR YOUTH

Kind of Work: . . . . . Employer

Address . . . . . Wage

School: **A. M. Jackson Elementary** Transcript of credits needed? Yes  No

Has this youth lived in this neighborhood before? **Yes**

Has this home cared for or employed a youth on parole before? If so state name **Yes, none**

Will family call for youth: Yes No  Placement in above recommended Yes  No

**Emmett A. Walls**

Agent

**VII**  
District

NOTE: Attach complete narrative report following Home Investigation Outline.

Reported by **Emmett A. Walls, Family and Youth Counselor**

Date **March 29, 1971**

cc: Commission—1  
Field Service—1

APR - 2 1971

### FAMILY SETTING

Mother: Orelle Smith is 39 years of age and presently an unemployed housewife and a recipient of A.D.C. She is of the Baptist faith, does not attend any particular church, has never been arrested, obtained 8 years of formal education, and does not indulge in alcoholic beverages.

Mrs. Smith is seen by this counselor as a heavy set black woman of limited intellectual ability, and not particularly impressive as a mother figure. However, she is soft spoken, very cooperative, and easy to relate to. Mrs. Smith has many problems of her own, of being on A.D.C. and trying to raise 6 children without a father. Where she lacks in intellectual ability, she makes up in desire and willingness to cooperate with authority figures. Mrs. Smith readily admitted to this counselor during this interview that she has learned a great deal herself since Girvin was returned to the institution as a parole violator. She realizes now that she must spend more time with this ward, make him feel a part of the family, and help instruct the other children and his friends not to make fun of him and not to embarrass him, all in an effort to make him feel at home. Mrs. Smith was more honest during this interview than she has ever been with this counselor, and pledged that if the ward is allowed to return home, she will make every effort to help this counselor supervise this youth.

### INCOME

Mrs. Smith is a recipient of A.D.C. and receives a total grant of \$350 per month, plus food stamps and complete medical coverage.

### HOME ENVIRONMENT

Mrs. Smith and her family reside in a 7 room and bath, frame dwelling in which she rents for \$92 per month. The home is a 2 story structure and is divided into a living room, dining room and kitchen on the first floor, 4 bedrooms upstairs, with a full basement which houses the gas furnace. Although there is adequate space for the size of the family, most of the rooms are furnished with old and run down furniture and the entire dwelling needs renovating. However, this is all Mrs. Smith can afford at this time, she has tried to get her landlord to repair the home, to no avail. The Smith family enjoy some of the modern conveniences such as a gas range, electric refrigerator, worn out television and radio. Housekeeping standards are average, and if parole is granted, Girvin would have a room of his own.

### NEIGHBORHOOD

Mrs. Smith and her family reside in an all Negro, low income, residential area located in downtown East St. Louis, which is designated as part of Model City. This is an extremely poor neighborhood and most of the homes are rental property and there is not much investment in the community. Delinquency and adult crime is rather high in this area, and recreational facilities consist of only school playgrounds.

### DEFICIENCIES AND RECOMMENDATIONS

Due to the ward's age, it will be mandatory for the ward to attend school on a full time basis. However, in a report received with the ward's plans from Joliet, it was noted that in their case review the ward should be enrolled in the E.N.E. Program, primarily because he is functioning on the first grade level. In the community, prior to his return to the Training School, the ward was enrolled in Jackson Elementary in the 5th grade. At this point there is little wonder why his school adjustment

Page 2  
Placement Investigator Johnny  
DAVIS, Girvin

was poor. At this time an attempt was made by this counselor to enroll the youth in the E. M. E. Program in School District 189, but was told that the program was full, and there was a waiting list of at least 300 students. What this means is that the ward, if returned to this community, will have to be placed back in the regular school program in the 5th grade because he is almost 13 years of age.

In preparing a recommendation for parole for this youngster, it became very difficult to rationalize why he should be released from the institution. This counselor knows Girvin and how he operates in the community, knows of his inactivity, childish personality, knows of his inability to perform in the classroom, knows that he has learned to steal at an early age to hide his inadequacies, and knows that this black family on A.D.C. lives in the ghetto of East St. Louis. However, this important must realize that institutionalization is not the answer either. A good start would be to have the ward placed in the E.M.E. Program where he could possibly become interested, kept busy during the day, and then with good supportive counseling and help from the mother, could be kept busy in the evenings also. He needs an education, or at least a partial education until he is old enough to be placed in a training program, and this will be this Department's goal during the next 3 years. This counselor is not trying to discourage parole, yet point out the fact that it will take great effort on the part of all parties concerned to help this youth adjust to a successful parole. The mother, through counseling, has come to realize her role in this problem, and it will be this counselor's role to secure a program in the community that will best suit his needs.

Therefore, it is recommended that because of the negative factors brought out in this case, along with the school year coming to a close, that an authorized absence pending parole be granted for at least 90 days in an effort to try and formulate an effective program that will meet the needs of this youngster.

On this basis, it is recommended that AAFP be granted to the home of the ward's mother, Mrs. Ovella Smith, 626 North 7th Street, East St. Louis, Illinois whenever the Parole and Pardon Board sees fit.

If Authorized Absence Pending Parole is granted, it is also recommended that the youth be returned to this area via public transportation, and that the mother and this counselor be notified in advance of his anticipated time and date of arrival in this area.

*Johnny Davis*  
Kenneth A. Wells  
Family and Youth Counselor  
District VII

Waymond F. Aaby  
Acting Superintendent

KAM:bls  
cc: Springfield  
c: MR. Galan

APR - 9 1971



## DEPARTMENT OF CORRECTIONS

Juvenile Division

## Inter-Office Memo

Reception and Placement Center, Joliet

DATE: October 28, 1971

TO: Attention: Eric Speyer

RE: BAYTS, GUYTON  
ITC#: 69-443-41

On 10-8-71 the above named youth was returned to your facility for re-evaluation and also possible placement at Warren (i. Harry Children's Center. At this time this writer would like to request that the youth be placed on I.D. status pending psychological testing and subsequent recommendation to a Mental Health facility.

During the past month efforts have been made to place this youth at Warren G. Harry Children's Center because of his aggressiveness and hostility exhibited toward the family and community, plus the fact that because the youth is working on the pre-prison level, since it is virtually impossible for a placement in a local public school program. All classes are all full. The school officials have agreed on placing this youth in the 6th grade because of his size, but because of his inability to cope with this level of students, since it is impossible for him to adjust properly. In contacting Warren G. Harry Children's Center, Miss Margaret Field, Program Director, indicated that this writer should go through the local sub-area office for screening and eventual placement. Mrs. Wilmetta Madywala of the St. Clair - Monroe Counties Sub-Area Office, East St. Louis, Illinois was contacted by this writer regarding placement at Warren G. Harry Children's Center. Along with this request a copy of B. & D.'s psychological was attached for their consideration. On 6-30-71 Mrs. Madywala informed this office that the evaluation was not carried enough and that a more recent evaluation was needed.

Therefore, this writer would like to offer the following plan: place the youth on I.D. status, obtain a current psychological evaluation and forward it to this office as soon as possible. This writer will then submit this information to the local sub-area office for their consideration and placement at Warren G. Harry Children's Center.

Edward A. Wells  
Supervisor  
Wardlaw VII

EA:bla  
cc: Mr. Speyer  
cc: File

## DEPARTMENT OF CORRECTIONS

Juvenile Division

## Inter-Office Memo

TO: Miss Helen Jones  
Program Coordinator

DATE: 15 December 1971

RE: DAVIS, IRVING  
IY# 59-4334IDENTIFYING DATA:

Girvies stands 5' 11" tall and weighs 157 pounds. He has black hair and brown eyes. He was returned to the Reception and Diagnostic Center as an RP whose status was then changed to an ID by the Supervising Agent, Wells. Since Girvies has been here, he has been more of a dependent problem than anything else. He constantly searches for recognition and attention from the peers and also those in authority positions. Girvies perceived of himself as a fairly adequate individual. However his peers see him quite differently. Frequently he is picked on by those in the wing and often a fight results. It should be mentioned that Girvies can defend himself quite well. Whenever he doesn't get his way, he usually resorts to tears. When talking to the youth it is easy to see that he has a fairly low tolerance for frustration and is easily distracted from tasks that require his attention.

VOCATIONAL AND EDUCATIONAL INFORMATION:

Currently Girvies is functioning within the borderline to dull-normal range of intelligence. The Wechsler Intelligence Scale for Children administered here yielded a verbal IQ score of 75, a performance IQ score of 83, and a full scale score of 77. The sub-test interpretations tend to indicate the youth has difficulty in academic areas and also quite low on his social abilities. It is interesting to note that the youth scored the best on the sub-test which deals with abstract thinking. Therefore it can be assumed that the youth has somewhat better potential as evidenced by the higher score attained on the performance scales. Girvies has fairly good visual perceptiveness but again here on the performance test, the sub-test measuring social skills was his poorest. Overall, the test tends to indicate a somewhat delinquently oriented individual who has a tendency to act out against society. It is quite possible that Girvies has the ability to think in a constructive way however has not learned the social ways of expressing his thoughts. Rather he uses his tears etc. in order to get attention from society. This is a relatively immature and quite dependent way of dealing with his environment. It can be expected that in a regular class setting Girvies will have much difficulty.

RECOMMENDATIONS:

Kenneth A. Wells, Supervisor District 7, has written a request indicating that he feels the youth would benefit from placement in the Warren G. Murray Children's Center and requested that this examiner forward a current psychological evaluation to him. This would then in turn be forwarded to Mrs. Wilma-ette McReynolds of St. Clair-Monroe Counties sub-zone Office, East St. Louis, Illinois. This would

DEPARTMENT OF CORRECTIONS

Juvenile Division

Inter-Office Memo

TO : Mr. S. J. [unclear]  
Program Coordinator

DATE: 15 December 1971

RE : DAVIS, GIRVIES  
IY07 10-463M

PAGE TWO

Re regarding placement in the Warren G. Murray Children's Center. Evidently the family and youth counselor had attempted to place the youth in this facility prior to his return to the Reception Center however, because the psychological information was not current enough then, a request for more current information was made. This examiner will forward the proper psychological information to the family and youth counselor.

Written by: *W. C. Spaler*  
W. C. Spaler  
Psychologist, Team III

Reviewed by: Andrew G. Rucker  
Assistant Superintendent - Program

AGR: [unclear]  
12-1-71

STATE **CONFIDENTIAL COMMUNICATION**  
~~YOUTH COMMISSION~~  
 DEPARTMENT OF CORRECTIONS **RECEIVED**  
**CLINICAL EVALUATION**  
 SERVICE WITHOUT THE APPROVAL OF THE DEPT.  
 OF CORRECTIONS - Report

PSYCHOLOGICAL

Name <b>DAVIS, GIRVIES</b>	Number <b>69-66241</b>	Date <b>12-22-71</b>
Reason for Report	Born <b>1-5-58</b>	Age <b>(14-0)</b>

**PRESENTING COMPLAINT:**

Girvies was returned to the Department of Corrections primarily for re-evaluation. He arrived here as an 2P and his status was changed to an ID effective 10-8-71. There are numerous previous offenses and the youth has been in the Illinois State Training School for boys previously. Girvies was on parole prior to his present return. The Psychological report was requested by the Family and Youth Counselor in order to facilitate placement in the Warren G. Murray Childrens Center.

**PSYCHOLOGICAL TECHNIQUES:**

Wechsler Intelligence Scale for children, verbal I.Q. 75, performance I.Q. 83, Full Scale I.Q. 77, House-Tree-Person, Bender Visual-Motor Gestalt, Wagner's Hand test, diagnostic interview.

**BEHAVIORAL OBSERVATION:**

Throughout the testing session as well as the diagnostic interview, Girvies displayed much hyper-activity and constantly searched for distractions. Girvies communicated with this examiner using full sentences and his thought process was appropriate. Quite frequently the youth would break down and cry especially when discussing the home situation. It should be pointed out that this examiner has seen Girvies at least once a day since his return to the Reception and Diagnostic Center. Each of these other visits to the counselor's office was primarily an attempt on his part to receive recognition and help meet dependency needs. During the course of the interviews, Girvies' affect would change rapidly. He would go from somewhat happy-go-lucky to depressed moods. Girvies would be in a somewhat happy mood until a response was given by the examiner that the youth did not really want. That is, when the youth received answers that were not in line with what he felt or wanted, his affect would change to one of sullenness and depression. In the group, his behavior was also observed. He frequently antagonizes others and has had numerous fights of a minor scale since he has been here. The youth supervisors here indicate that he is constantly searching for their attention. Girvies has had various jobs here at the Reception and Diagnostic Center but because of his hyper-activeness, etc, he was unable to keep them.

**CLINICAL EVALUATION:**

The current psychological tests indicate that Girvies' is functioning within the borderline to a dull normal range of intelligence. The Wechsler Intelligence Scale for children administered here at the Reception Center yielded I.Q. scores of: 75 verbal, 83 performance, and 77 full scale. The youth's weakest points were in areas of academically relating material. Somewhat higher scores were received on sub-tests measuring the youth's wrote memory as well as abstract thinking. Girvies did extremely well on sub-tests measuring visual alertness and ability to duplicate symbols. It appears that Girvies has a stronger potential for abstract concepts. Yet Girvies has difficulty converting these abstract concepts into common expression. Other psychological tests point up such personality characteristics as immatur-

**CLINICAL EVALUATION**

CONTENTS NOT TO BE REVEALED TO ANY OTHER

PSYCHOLOGICAL source without the approval of the Dept.

Name	DAVIS, GIRVIES	of Corrections - Juvenile Division	Date	12-23-71
Reason for Report		Born		Age

ity and a good deal of aggressiveness. Girvies appeared to have difficulty establishing lasting interpersonal relations with others and when he attempts to form relationships, it is primarily for the purpose of satisfying unmet dependency needs. Once Girvies feels that the other person is not helping meet his needs, he will become somewhat ambivalent in his relationship. The psychological tests also indicated a possibility of an organic brain dysfunction however the youth was seen previously by the staff psychiatrist who felt that organicity was not a factor. However it appears that the youth has not progressed from previous reports and as a result, this examiner will re-refer the youth for a psychiatric evaluation.

**RECOMMENDATIONS:**

In accordance with the requests made by the family and youth counselor, this examiner agrees that the youth would benefit from a sheltered setting such as the Warren G. Murray's Center in Centralia, Illinois. It is felt that Girvies will have much difficulty functioning in a regular class setting and some type of "special education" would be beneficial. It was difficult to do a complete battery on the youth as his hyper-active-ness frequently became a factor. However previous reports indicate that his academic functioning is somewhere in the lower elementary grade level possibly grades 1 or 2. Also Girvies is a very dependent individual and techniques to help reduce his attention getting mechanisms should be considered. Such techniques might be ignoring his attention getting behavior and reinforcing him when he is positive behavior. This examiner had attempted such techniques and saw some progress. The examiner also indicated to the youth that a certain time of the day, initially for approximately 30 to 40 minutes, would be devoted primarily to him. This time was gradually reduced. In conclusion, this examiner is in agreement with the request made by Supervisor of district 7, Mr. Kenneth A. Wells for placement in the Warren G. Murray's Children Center. Mr. Wells will forward this report onto Mrs. Wilmanette McRaynolds of the St. Clair - Monroe County's sub-zone office, East St. Louis, Illinois for staffing.

Kenneth C. Spajer  
 Psychologist I

KCS:kg  
 12-23-71

STATE OF ILLINOIS  
DEPARTMENT OF CORRECTIONS  
JUVENILE DIVISION

CLINICAL EVALUATION

PSYCHIATRIC

Report of MHC

Name	DAVIS, GIRVIES	Number	69-46M	Date	12-22-71
Reason for Report	Referral by Mr. K. Spajer		Born	Age	

12-22-71: I saw Girvies on 5-21-69 and asked that he be referred again if more suspicion of organicity would arise (which I did not find at that time.) This is being done now because of strong organic signs on psychological testing and hyperactivity. The history gave no indication of serious illness or head injuries; he is described as "retarded" and having a speech defect.

Girvies recognized me and was cooperative and oriented. Today he told me that he used to have headaches (occipital) which usually were relieved by Aspirin. He still has them occasionally but they are getting less frequent. He has never fainted and has never been knocked unconscious.

The EEC request which I have made out should in no way interfere with the further disposition of his case.

*MHC*  
MARLANE V. CHERMAK, M.D.  
CONSULTING PSYCHIATRIST

MHC:em  
12-22-71

E E G REPORT  
DEPARTMENT OF CORRECTIONS

Adult Reception & Diagnostic Services

NO.: 69-463a NAME: DAVIS, Jerriles EEG NO.: 71-424 DEC. 27, 1971  
AGE: 13 SEX: Male RACE: Negro PERIPHERAL DOMINANCE: Right  
REFERRED BY: M. J. Chernak, M.D./Psychiatrist; Juvenile Division of the Illinois  
Department of Corrections.

**BRIEF HISTORY:** This student was referred because of headaches and a past history of head injury and psychological evidence of organicity. There is also hyperactivity. The patient describes his headaches as "not bad," diffuse and mild pounding. The head injury was at the age of 10 while he was hit by a truck while riding a bicycle. There was a short unconscious period and he was hospitalized for one day for a leg injury.

**E E G REPORT:**

**Frequency:** Quite dysrhythmic record, very little alpha during awake.

**Fast :** There is considerable fast activity in frequencies ranging from 18 to 22 per sec. to some scattered bursts of 30 per sec. activity predominantly in the anterior leads and more predominantly in the frontal leads.

**Slow :** There is scattered 6-8 per sec. slow activity throughout the record in all leads. There is considerable high voltage 4-6 per sec. slow waves shifting from right to left in the anterior leads (frontal & anterior temporal). Some of this slow activity is accompanied by a spike such that there is characteristic spike slow waves but of shifting nature rather than focal.

**Voltage :** Average.

**Spiking :** Moderate amount of spiking occurring generally with the slow waves but some spiking in the anterior leads appearing independently, but not consistently in any focal area.

**Focal :** No reliable focus.

**Other :** Spontaneous sleep obtained with accentuation of the above abnormalities except for the rare fast activity which drops out in deep sleep. There is no build-up with hyperventilation, photic or auditory stimulation.

**INTERPRETATION** Grossly abnormal EEG with shifting spike slow waves and spiking activity in the anterior leads, particularly frontal, temporal. There is also fast activity in varied frequencies. This record is not commonly seen associated with grand mal epilepsy but is a record that would correlate with behavioral disorders.

**RECOMMENDATION** Recently the undersigned has been having some unusual and seemingly successful results with the use of Valium in similar cases if the behavioral component is clinically present. However, I have also observed that these individuals are quite sensitive to Valium such that a 10mg. dosage t.i.d. or q.i.d. is too much and causes the individual to be quite atactic with slurred speech etc. However if the lesser dosage (5mg.) is given, it appears that these individuals benefit considerably. This has been the undersigned's experience. I would greatly appreciate a more objective approach by another clinician to this response to Valium. Otherwise I would recommend that the individual be repeated for EEG in about 6 mos. with further clinical information submitted concomitantly with the test.

Technician: Stoebaugh  
12/28/71 ghh

Electroencephalographer:  P. P. Lorimer, M.D.

DEPARTMENT OF CORRECTIONS  
INSTITUTION

CLINICAL EVALUATION

SUPPLEMENTAL PSYCHIATRIC

Report

Name <b>DAVIS, GARYL</b>	Number <b>69-4425</b>	Date <b>1-5-72</b>
Reason for Report	Born	Age

The ECG shows gross abnormalities. Suggest starting with Valium 2 mg bid and 3 mg at bedtime.

C

MELBAE W. CHENAS, M.D.  
CONSULTING PSYCHIATRIST

MC 721

1-5-72



PSYCHIATRIC  
 CLINICAL EVALUATION  
 of CONSTANCE J. JENNINGS  
 Report

Name	DAVIS, GUYLEN	Number	69-4638	Date	8-21-72
Reason for Report	Referred by: Robert OTZL, SCHMIDT	Born		Age	

8/21/72: I saw Guylen several times in the past. His birthday given I.Q. is 78 and his ED of December 1971 was grossly abnormal. (He is of interest to me that the same case described the changes to loss in keeping with grand mal epilepsy than with behavioral disorders.) Medication was prescribed. He is returned because of physical threats to mother with a brick and actually hitting his sister over the head with a brown handle. The parole agent, who has worked with this family for a long time, reports that he attempted to place the boy at the Warren G. Murray Children's Center, but apparently they did not feel this to be indicated.

Guylen recognized me and tried to be polite and acted like a "gentleman". Orientation and memory were unimpaired. He seemed much more hypochondriac than previously and hardly could sit still. He said he took the medication regularly until he ran out of it. There are no hand-drawn now. He claimed emphatically that he would never actually have sexual relations although he admitted fantasizing about it. He said he was sorry afterwards when he learned that lack of money was the reason for not buying him the anti-bites. (This is of course more wildly than mother originally told him the reason.) He gave the impression that he feels ill to forgotten if he says he is sorry.

I suggest referring him (in addition to the Volkmann) on Dilantin grade II bid. (To be adjusted according to his response). While I certainly would not object to a transfer to the Children's Center I am not sure if he qualifies for that place in view of the organic component and intellectual retardation. If he does, attention should also be paid to his reported over-eating and increasing obesity.

C

MARLANE V. CHODAK, M.D.  
 CONSULTING PSYCHIATRIST

MEC:kg

REDEVELOPMENT DIVISION  
 DEPARTMENT OF CORRECTIONS - JUVENILE DIVISION

CLINICAL EVALUATION

PSYCHIATRIC

Report

Other

Name	DAVID, GIRVIE	Number	65-3331	Date	8/31/72
Reason for Report	James Malley (Verker)	Born		Age	

8/30/72: Addition: Dr. Lorimer recommended a repeat of the EEG taken in December this year after medication with Valium; however, while this request is well taken, Dr. L. is not connected with the Stateville facility any more; furthermore, since Girvie has just been started on additional medication (Dilantia) I do not believe that another EEG is so essential at this point to interfere with the further plans but it certainly should be considered at a later date.

C

MARIANE W. CERNAK, M.D.  
 CONSULTING PSYCHIATRIST

MJC:gn

8/31/72

STATE OF ILLINOIS  
DEPARTMENT OF CORRECTIONS

CLINICAL EVALUATION  
PSYCHIATRIC

Report

Name	Davis, Girvies	Number	69-463M	Date	10/29/72
Reason for Report	Psychiatric Examination	Born	1/5/58	Age	

This youngster displays all of the classical stigmata usually associated with organicity. He is emotionally volatile, displays markedly defective insight and judgement, and, indeed, shows some evidence of disorientation as to time, since he is uncertain as to the length of time he has been in the Department of Corrections, or, for that matter, such elementary things as his birthday, tend to elude him. Sensorium is defective, as demonstrated by poor ability to calculate and a markedly defective fund of knowledge. On memory tests, such as Number Sequence and Word Recall, he displays an almost complete ineptitude. The history on this youngster is that he has had frequent episodes of headache and received a severe injury to his head at the age of ten when he was hit by a truck. In December, 1971, he received an electro-encephalogram which revealed gross abnormality with shifting spike slow waves and spiking activity in the anterior leads. In addition, Girvies has been acting out to a great extent, including such things as threatening his mother and actually striking his sister over the head with a broom. He is quite hyperactive during the examination and finds it quite difficult to hold still long enough to go through the process. In addition, Girvies is intellectually limited, as indicated by his I.Q. which apparently runs under 80. The diagnosis is, "Non-psychotic organic brain syndrome, associated with cerebral trauma."

It is obvious to me that Girvies cannot function without anti-convulsant control and, accordingly, I'm prescribing dilantin for him, grns., 1 1/2, to be given at a T.I.D. level. I would suggest that we maintain the youngster on this medication for a two-month period of time, after which I want to re-evaluate him once more to see if stabilization has occurred.

*Marvin C. Ziporyn*  
Marvin C. Ziporyn, M.D.  
Psychiatrist

NCZ:rl

STATE OF ILLINOIS  
 YOUTH COMMISSION

*Attondable  
 Davis*

CLINICAL EVALUATION

Psychiatric

Report

Name - DAVIS, Gervies	Number 69-463M	Date 1/8/73
Reason for Report Psychiatric Evaluation	Born 1/5/58	Age

This boy has made about as good a response as could be expected considering the severe nature of his disability. It should be noted that today's examination takes place on the 8th of January. The 5th of January is the boy's birthday, when he turned fifteen years old and yet he was unable to tell me that he had passed his fifteenth birthday since a) he was unaware of what date it was, and b) he was not aware of the date and the month.

As I said in October this boy has an almost complete ineptitude and all we can accomplish is to give some kind of anti-convulsive medication for stabilization. Apparently we have done that with the Dilantin that I prescribed for him and there is nothing else that we can do for him in this institution. Further control should be done by an out-patient facility. I would, therefore, recommend that Gervies be allowed to return home with the mandatory provision that he be placed under the supervision of a local physician or mental health facility which will continue to see him on a regular monthly basis and regulate his medication as reported.

*Marvin C. Zipotyn*  
 Marvin C. Zipotyn, M.D.  
 Psychiatrist

MCZ:rr

**MEMORANDUM**

Date: August 28, 1972

Distribution:

To: Miss Shirley Coins

From: Miss Jamie Molloy

Subject: DAVIS, Girvies  
DCJ 69-463M  
DOB 1-5-58 (14-7)

Once again Girvies Davis has been returned to DCJ, this time as a parole violator on the charge of incorrigible fighting and throwing bricks at his parents. Once again, Family and Youth Counseling Services are requesting placement at the Warren G. Murray Children's Center; and, once again, Girvies' mother is on the phone asking that her son be returned home after she complained to the local authorities about his behavior. Certainly, Girvies has quite a few factors going against him - he is supposedly of borderline retarded intelligence, a 1971 EEG indicated "gross abnormality", and he is short and fat. Yet, I believe that the most negative factor that this youth faces is the fact that he is treated like a baby by nearly every adult he meets. Even past reports use the word "baby" to describe him and, indeed, he acts like one. The behavior described by parole counselor, Bobby Bell, in his report of 8-11-72 is especially reminiscent of a toddler's temper tantrums when he does not get his way, though Girvies' behavior, fortunate or not, shows some degree of sophistication. Nevertheless, this is a youngster who has been allowed and, in a way, molded into his present behaviorisms not only by the family but by the institutions as well. Girvies has been protected and spoiled everywhere; he is the pet, he is the "Sugarbear". I am sure that the protection and spoiling were well meant yet this action put no damper on Girvies, no pressure to change, no direction for adjustment which all has the effect of reinforcing and cementing the infantile behavior. He has not learned how to handle frustration but seeks immediate gratification as do all infants; I strongly suspect his obesity to be linked to this low frustration tolerance. In short, Girvies needs and should be allowed to grow up.

Helping Girvies mature and handle his frustrations is going to be difficult because of the brain dysfunction. In such a circumstance, talking to the youngster does not always dissipate the anger committed to the frustration but can accentuate it leading to an eruption and loss of control. Rechanneling his attention away from the cause of the frustration towards other areas can be a better course of action. Demands must be placed on him and he needs to become more self-sufficient. This, too, will be difficult as the youngster himself will resist moving from his infantile behavior that has had its rewards. He will need much attention and instruction - more so than the average youngster because of the limited intelligence and emotional level. The key, nevertheless, is to treat him as a young adult with reasonable expectations and goals in mind. He may never be one of our most successful clients but he can become better if given the freedom, structure, and push to grow. Peer pressure might be an invaluable way of discouraging infantile behavior; I have noticed that Girvies does move very comfortably within the peer structure and less immaturely. I do not know if Warren G. Murray Children's Center could deal with such a youngster; the student's dysfunction, intelligence, acting out, and emotional level make no doubtful that the Center would be

STATE OF ILLINOIS  
DEPARTMENT OF CORRECTIONS

JUVENILE DIVISION

MEMORANDUM

Date: August 28, 1972

Distribution:

To:

From:

Subject: DAVIS, Girvies

successful. I don't know if TSTB would be either, for that matter, so I am open to suggestions.

Girvies is receiving 1 1/2 bid Dilantin grain in addition to Valium.

*Janie Welley*  
Janie Welley  
Correctional Counselor

JM:gp

c.c: Mr. Troike  
Mr. Wells  
Mr. Bell  
File C3)

Community Psychological Associates

P. O. Box 371  
Jerseyville, Illinois 62052

*file*

Name: Girvies Davis  
Age: 17

Date: July 25, 1975

Reason For Referral: Evaluation of Aptitudes and Abilities  
and Determination of a Personality Disorder

Tests Administered: Revised Beta Examination  
Bender Gestalt  
Wide Range Achievement Test  
Geist Picture Interest Inventory  
Graves Design Judgment Test  
Minnesota Clerical Test  
Purdue Pegboard  
Rorschach  
TAT

This youth was tested at the Pere Marquette Resident Center where he has been committed for the third time. Girvies reported that his original commitment was on charges of shooting a woman during a holdup. The reason for his present stay was his inability to adjust to a group home regime and some anti-social behavior. According to Girvies, he is to leave the camp and live with his sister in Lebanon, Illinois. Girvies exhibited many problems during this testing session. Foremost was his lack of concern for the testing process or his performance. He saw no value in taking the tests, which along with his limited attention span and poor reading skills, resulted in a very low motivational level and lack of effort in his performance. The validity of these test results are definitely influenced by these negative factors.

According to Girvies, he is from East St. Louis, where he attended school through the seventh grade. He has no desire to return to school or any inclination to attempt to get a GED certificate. The client reported that he made good grades while he was in school, but in actuality, he is functionally illiterate. Girvies attributed his dropping out of school to his inability to get along with his teachers. His interests are limited to fishing and baseball. His vocational goals are also very limited. His ambition is to be a janitor in a hospital or a gas station attendant. Girvies reported that his relatives have gotten him a job as a



janitor in a laundromat, when he returns to the community.

Girvies denied having any physical or emotional problems, and denied the use of alcohol or drugs. However, he did acknowledge that he gets into a lot of conflict with his siblings when he is at home, and that he also has very distrustful and suspicious attitudes towards people.

TEST RESULTS:

Girvies is functioning within the BELOW AVERAGE range of intelligence. His Beta IQ is 85. His greatest difficulty is in dealing with abstract material. The learning problems suggested by the above test result, are evident in this youth's performance on the Wide Range Achievement Test. He only reads at a 2.4 grade level, spells at a 3.3 grade level, and has arithmetic skills equivalent to a 4.4 grade level. Girvies' Bender Gestalt drawings are grossly inaccurate and are very indicative of an organic condition. It is probable that at least a part of the client's learning problems are attributable to his brain dysfunction.

Girvies' interest profile shows him to have two strongly preferred activity areas. These are the mechanical and artistic fields, with the scale scores in the HIGH INTEREST category (T score 70 and T score 73, respectively). The client's lowest score was obtained on the computational scale, (T score 19). This type of profile suggests that Girvies would get satisfaction from jobs that emphasized working with his hands, tools and machines, and being creative at manual tasks.

Girvies' aptitude test results tend to be congruent with his interests and are generally positive. Along with the client's interest in artistic work, he also has a good design judgment. On the Graves Design Judgment Test, using the norms of high school seniors and juniors majoring in crafts and related arts, he scores in the 81st percentile. Girvies also has fairly good manual dexterity for working with small objects rapidly and with accuracy. On the Purdue Pegboard Task, using the norms of male maintenance and service employees, he scores in the 75th percentile using his right hand, the 35th percentile using his left hand, the 80th percentile using both hands, and the 25th percentile on the more complex assembly task. Finally, the client has a moderate interest in clerical tasks (T score 63) and a fairly good aptitude for clerical tasks. On the Minnesota Clerical Test, using the norms of 10th grade boys, Girvies scores in the 66th