



SCAR'd Times: Maine's Prisoners' Rights Movement, 1971-1976

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SCAR'D TIMES: MAINE'S PRISONERS' RIGHTS MOVEMENT, 1971-1976

A Thesis Presented

by

DANIEL S. CHARD

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For Louisa

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ABSTRACT

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In late 1972, prisoners and ex-convicts in Maine formed Statewide Correctional Alliance for Reform (SCAR), a radical prisoners' rights organization that provoked a thoroughgoing public discussion on the function of prisons in Maine and in American society that lasted for about two years. Working for prison reform through legislation, litigation, and community organizing, SCAR influenced a Maine public unusually receptive to new approaches to criminal justice due to the impact of nationwide prison rebellions and the widely publicized massacre of forty-three prisoners and guards in New York's Attica State Prison on September 13, 1971. As SCAR members, frustrated by the slow pace of change, came to increasingly view crime and prisons as products of an unjust socio-economic system that could be changed only through revolutionary means, a conservative backlash against prison reform also developed in the state, led by police officers, prison guards, and others who felt that Maine's criminal justice system did not effectively safeguard its citizens from violent crime. When SCAR disbanded in 1976 as a result of internal political divisions and intense police repression, Maine no longer had an organized constituency to push for prison reform, leaving conservatives and the forces

of political inertia and public indifference to guide state correctional policy in the years since.

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CHAPTER 1

“IF ATTICA TAUGHT US ANYTHING”:

THE BIRTH OF MAINE’S PRISONERS’ RIGHTS MOVEMENT

*We are men! We are not beasts and we do not
intend to be beaten or driven as such!*
L.D. Barkley, martyred Attica State Prison strike leader¹

On the evening of Sunday, September 19, 1971 the majority of the 330 prisoners in the maximum security Maine State Prison (MSP) in Thomaston began a two-day hunger strike to protest the poor quality of the prison cafeteria’s menu and their lack of a voice in the institution’s decision-making processes. The widely circulated *Portland Press Herald* reported that convicts “picked up meal trays... and walked down the cafeteria-style serving counter but took no food. Then they sat quietly through the Sunday evening meal period and all three meals Monday.”² The prisoners’ disciplined silence must have provoked disquiet among the guards who looked on. The strike revealed high levels of organization among the MSP’s inmates, and the institution’s staff was not accustomed to prisoners who actively asserted their rights as a unified group.³

The peaceful protest almost immediately garnered concessions from the MSP’s Warden Allan J. Robbins, who quickly replaced the prison’s kitchen manager, arranged

¹ Quoted in Tom Wicker, *A Time To Die* (New York: Quadrangle / New York Times Book Co., 1975), 28.

² *Portland Press Herald*, “State Prisoners to Vote For Grievance Spokesmen,” September 24, 1971, 1.

³ This strike is the first documented example of prisoners’ organized group resistance to MSP policy in the prison’s history. For further speculation on the protest’s “disquieting” effect, see *Portland Press Herald*, “The Thomaston Complaint,” September 25, 1971, 8. For an account of guards’ fear in reaction to a similar silent prisoner protest in New York’s Attica State prison a few weeks earlier, see Wicker, 8. In American prison culture prisoners usually refer to themselves as “prisoners,” while guards and prison administrators favor the term “inmate.” I use the two interchangeably for purely stylistic purposes. For variety’s sake, I also use the acronym “MSP” interchangeably with “Thomaston,” as many Mainers referred to the prison by the name of the town in which it was located.

for the appointment of a dietician from the state Department of Mental Health and Corrections to oversee the institution's menus, and scheduled elections for prisoner representatives to a newly established Inmate Advisory Council (IAC) to advise him on administrative policies.⁴ Governor Curtis responded as well, swiftly appointing a new Board of Visitors to oversee the state's correctional institutions and submit recommendations to the Department of Mental Health and Corrections.⁵ The editorial board of the *Portland Press Herald* also supported the prisoners' demonstration. Lauding the inmates' peaceful tactics and Robbins' expedient response, a September 25 editorial remarked that "the nature of the complaints and the official response to them are an interesting commentary on penology as it is practiced by enlightened authorities today."⁶ Soon after the election of the IAC on September 24, Warden Robbins met with its five representatives and proceeded to address some of their 27 suggestions for improving conditions within the prison. Robbins informed members of the IAC that he could not address many of the prisoners' concerns because they were supposedly not under his jurisdiction, but that of the state legislature. He did, however, promise to address some of them and, in a good faith gesture, he loosened security in the facility's visiting room by removing the 12-inch glass barrier that formerly ran the length of the room's tables, allowing prisoners for the first time to hold the hands of their wives and girlfriends during visits.⁷

Timing helps to explain the MSP prisoners' small victory. Their hunger strike began just six days after the September 13, 1971 massacre at New York's Attica State

⁴ Ibid. John Lovell, "Ex-Inmate Surprised At Hassle," *Portland Press Herald*, October 13, 1971, 1.

⁵ *Portland Press Herald*, "Prisoners Locked In Cells Until Strike Issue Is Settled," October 13, 1971, 19.

⁶ *Portland Press Herald*, "The Thomaston Complaint."

⁷ Lovell, "Ex-Inmate Surprised."

Prison, which left 43 prisoners and guards dead and hundreds of inmates injured after Governor Nelson Rockefeller called in 1,000 National Guard troops to break up a 4-day prisoner strike. Though tension between prisoners, guards, and administration had been simmering in Attica for years, the September 1971 rebellion began when inmates took 12 guards hostage and issued a ten-point set of demands for basic improvements in the areas of food, visits, communication, work conditions, and sentencing.⁸ The Attica massacre—later described in an official state report as “The bloodiest 1-day encounter between Americans since the Civil War”—was a watershed moment in a massive national prisoners’ movement that spanned roughly the years 1968 to 1976.⁹ MSP’s prisoners, like prisoners in dozens of other penal institutions across the U.S., initiated rebellions in the fall of 1971 with the Attica strike and ensuing massacre supplying a direct source of inspiration and anger. For Maine’s prison administrators, the recent carnage in New York was a compelling object lesson in the consequences of failure to negotiate a peaceful settlement of prisoner grievances. Moreover, Attica stimulated increased public interest in the status of prisons in Maine and nationally, and in doing so provided the prisoners’ movement with a political environment favorable to their cause. Yet the Thomaston prisoners’ small victory in the wake of their hunger strike did not prevent

⁸ See Wicker for a full account of the Attica prison rebellion and massacre. Also see U.S. Congress, House of Representatives, Select Committee on Crime, *Reform of Our Correctional Systems: A Report by the Select Committee on Crime* (Washington, D.C.: U.S. Government Printing Office, 1973), hereafter referred to as *Reform of Our Correctional Systems*.

⁹ New York State Special Commission on Attica quoted in *Reform of Our Correctional Systems*, v. The Congressional report notes that this quote overlooks the Indian wars of the late nineteenth century. The periodization of prisoners’ movement is debatable, especially considering the fact that prisoner revolts have been an ongoing phenomenon in the U.S. since at least 1929, when according to the above Congressional report, a wave of prison rebellions erupted in New York and other states. Additionally, all of the SCAR members I interviewed remain actively engaged in efforts to reform prisons, with an eye towards more substantial long-term transformation of American society, culture, and politics. This reality suggests that the prison movement continues today, albeit in a different, less widespread form. My periodization here merely reflects one particularly turbulent phase of a “long prisoners’ movement” that extends from the present back in time to at least 1929.

ongoing prison rebellion and radical activism in the state. Instead it revealed to convicts the power available in organization and unity, and inspired further collective action, especially after Maine's corrections officials failed to live up to their promises for reform in what the prisoners considered to be a timely manner.

This thesis tracks the history of the prisoners' rights struggle in Maine, and in doing so provides insights into a national prison movement that historians have yet to systematically research.¹⁰ This chapter traces three threads of Maine's prisoners' rights movement as they developed in the sixteen months following Attica before merging in early 1973 as Statewide Correctional Alliance for Reform, a radical prison reform organization that would come to be more commonly known in Maine's communities by its striking acronym, SCAR. The first thread of this movement found expression in the hunger strike of September 19, 1971, and escalated in October and following months as MSP's prisoners launched further strikes and lawsuits to push prison administrators to make good on their promises for reform. The second strand originated in Windham, Maine's medium security Men's Correctional Center (MCC), where prisoners, radicalized by news coming out of Attica and MSP, organized a prison rebellion in July

¹⁰ The one monograph by a professional historian on this topic is Eric Cummings, *The Rise and Fall of California's Radical Prison Movement* (Stanford: Stanford University Press, 1994), which deals with the California movement. For a fascinating non-professional historian's account of the movement inside Massachusetts's Walpole State Prison, see Jamie Bissonette, *When the Prisoners Ran Walpole: A True Story in the Movement for Prison Abolition* (Cambridge, MA: South End Press, 2008). Sociologists have also published a number of studies of individual prison riots, see: Ronald Berkman, *Opening the Gates: The Rise of the Prisoners' Movement* (Lexington, MA: Lexington Books, 1979); and Steve J. Martin and Sheldon Ekland-Olson, *Texas Prisons: The Walls Come Tumbling Down* (Austin: Texas Monthly Press, 1987); and Bert Useem and Peter Kimball, *States of Siege: U.S. Prison Riots, 1971-1986* (New York: Oxford University Press, 1989). For a brief overview of the U.S. movement and a comparison with contemporaneous movements in Britain and Scandinavia, see Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (New York: Cambridge University Press, 2006), 165-196. Summations of the national movement are also available in Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990), 95-114, and Howard Zinn, *A People's History of the United States, 1492-Present*, 5th ed. (New York: HarperCollins, 2003), 514-524.

1972 that inspired its young leaders to form SCAR in Portland the following winter after the termination of their sentences. The third thread of the story originates with Ray Luc Levasseur, a young Maine native who served time in Tennessee and become motivated by the Attica uprising to build a prisoners' rights movement in Maine when he returned to the state following his release. The small group he founded in Augusta in the fall of 1972 established connections with the Inmates' Advisory Council in Thomaston, and merged with SCAR in January 1973. SCAR quickly developed large chapters in Portland and inside MSP, as well as smaller chapters in a number of Maine towns. Though the majority of its members were ex-convicts and prisoners, the organization also attracted a number of members who were not felons but saw prisoners' rights as an important component of a larger struggle for social justice. The men and women of SCAR took advantage of increased public concern for prisoners in the wake of Attica by attempting to remake Maine's correctional system and participate in a larger movement to undo the socio-economic inequities that breed crime. In doing so, they rejected nineteenth-century notions of convicts as wretched souls in need of penance, and chose instead to view themselves as members of a subjugated class who could obtain their freedom only by becoming activists and revolutionaries.

SCAR formed at an extraordinary time in U.S. history, when movements for change, including those to end racism, sexism, and the war in Vietnam, challenged old ideas about nearly every institution in American society, from the prison system and the military to the university, the nuclear family, and the capitalist economy. These movements often overlapped, and as participants grew frustrated with the inadequacies of gradual liberal reform, they often developed revolutionary identities and penetrating

critiques of American society and politics. SCAR was part of a larger early 1970s radical political milieu in Maine that intersected with regional, national, and even global movements for social change. Their struggle to transform Maine's correctional system at a time when the Attica uprising had thrust prison reform onto the national and state political agendas raises fundamental questions regarding the United States during this era. For instance, what caused the prisoners' rights movement? What was its impact? Why did it decline? And why is it that despite the reform efforts of progressive corrections officials and prisoners rights groups like SCAR in the early 1970s, incarceration rates in Maine and nationally increased throughout the late 1970s and continued to do so well into the twenty-first century?

In the four years prior to Attica, there were over fifty prison riots in the U.S. carried out by thousands of prisoners in all regions of the country.¹¹ Unlike prison riots that had occurred in previous decades, these rebellions were intensely political in nature, often led by prisoners who saw themselves as part of a revolutionary movement to undo the racism and class oppression that they accused America's prison systems of perpetuating.¹² The movement began in California, where prisoners radicalized by the period's liberation movements, and educated thanks to expanded prison libraries and educational programs resulting from post World War II penal modernization efforts, staged major strikes at San Quentin State Prison in 1968 and Folsom State Prison in

¹¹ Useem and Kimball, 18. Useem and Kimball state that 5 prison riots occurred in 1967, followed by 15 in 1968, 27 in 1970, 37 in 1971, and 48 in 1972, though they oddly omit statistics for 1969, and provide no citation to validate their claims. Sullivan argues that 39 prison riots took place in 1969, followed by 59 in 1970, and cites a 1973 report by the South Carolina Department of Corrections as his source. See Sullivan, 94. The figures provided in both books need further corroboration; nonetheless they offer a rough picture of late 1960s and early 1970s prison unrest.

¹² Zinn, 514.

1970.¹³ In California, prisoners gained support from outside groups associated with the New Left and the Black Power movement. Outside activists formed groups dedicated to legal support and publicized the prisoners' cause in various "underground" newspapers circulated both inside and outside of the state's penitentiaries. The state's revolutionary black leaders Eldridge Cleaver, Angela Davis, and Huey Newton put analysis of the prison system's role in maintaining racial injustice at the forefront of their critiques of American society and politics. Perhaps most influential of all Black Power activists was George Jackson, who had come into the California prison system in 1960 at age 19 to serve a one-year-to-life indeterminate sentence for participating in a \$70 gas station robbery. His 1970 book of letters, *Soledad Brother*, sold over 400,000 copies, and propelled thousands of prisoners and non-prisoners of all races towards revolutionary consciousness.¹⁴ His death at the hands of a Soledad Prison guard on August 24, 1971 further galvanized nationwide prisoner resistance, and became a crucial factor in precipitating the Attica rebellion two weeks later.¹⁵ Prisoner rebellion prior to the death of Jackson and the revolt at Attica was by no means confined to California however. Other major prison uprisings in 1971 included a February 11 hunger strike by 1,200 inmates at Florida State Prison, a two-day sit-down strike by 96 prisoners in Savannah, Georgia's Chatham County Prison later that month, and a two-day riot by two hundred prisoners at Idaho State Penitentiary in early August.¹⁶

¹³ Gottschalk, 180.

¹⁴ George Jackson, *Soledad Brother: The Prison Letters of George Jackson* (New York: Bantam Books, 1970). For more on Jackson's influence on the prisoner movement, see Lee Bernstein, "The Age of Jackson: George Jackson and the Culture of American Prisons in the 1970s," *The Journal of American Culture* 30, no. 3 (2007), 310-323. Also see Cummins, 151-186.

¹⁵ Wicker, 8.

¹⁶ *Reform of Our Correctional Systems*, 6.

After the Attica massacre, nationwide prisoner revolt only accelerated, as convicts adopted martyred strike leader L.D. Barkley's cry, "we are not beasts and we do not intend to be beaten or driven as such!" The hunger strike launched by Maine prisoners in September 1971, as well as the more militant inmate protests that would rock the MSP in October, were among the dozens of uprisings that swept through America's prisons in the months immediately following Attica. In nearby Massachusetts, Attica-inspired strikes backed by similar demands for basic prisoners' rights spread through all three of the state's men's maximum security prisons in the week following the massacre.¹⁷ Before the end of the year, major prison uprisings also broke out in New Jersey, Ohio, Maryland, Michigan, Illinois, Florida, Washington D.C. and other regions of New York, as well as in the Federal Reformatory for Women in Alderson, West Virginia.¹⁸ In 1972, prison rebellions continued unabated, setting a national record with a total nearing fifty.¹⁹

The Attica massacre struck fear into the hearts of prison administrators and government officials throughout the country who grew terrified of the public relations disaster that would ensue if an "Attica" happened in their state. In Massachusetts, Governor Francis Sargent established a Citizen's Committee on Corrections to address the grievances of striking prisoners, and appointed "radical reformer" John O. Boone as the state's first African-American Commissioner of Corrections.²⁰ In Maine, public relations concerns were likely a major impetus in compelling Governor Kenneth M. Curtis to hold a press conference on the second day of the Thomaston hunger strike

¹⁷ Bissonette, 28-32. Zinn, 521-522.

¹⁸ *Reform of Our Correctional Systems*, 7. Considering the fact that this report does not include the Maine rebellions, there is a strong likelihood that prisoner protests occurred in other states during this period as well.

¹⁹ Useem and Kimbell, 18. See footnote 8 for an analysis of this figure.

²⁰ Bissonette, 29, 40.

during which he assured reporters that although conditions in the MSP needed improvement, they were “generally pretty good,” and that the strike there in no way resembled that which had occurred at Attica the previous week. Indeed, Curtis expressed his hopes that “Attica will alert the public and legislature to support programs needed at the (Thomaston) institution.”²¹

The prisoners’ rights movement in general, and New York State’s bloody response to the Attica uprising in particular, did indeed lead to increased public sympathy for the incarcerated. Grassroots prisoner support groups sprung up all over the country in the weeks and months following the Attica massacre. The New York City-based Prison Justice Committee, for example, collaborated with the National Lawyers Guild to publish *Midnight Special Prison Legal News*, a newsletter covering the prison movement and containing legal resources that the group sent to prisoners and their supporters throughout the country.²² Larger non-profit organizations like the National Council on Crime and Delinquency, the National Advisory Commission on Criminal Justice Standards and Goals, and the Unitarian Universalist Service Committee’s National Moratorium on Prison Construction all published reports calling for a temporary halt to the building of new prisons.²³ Calling attention to the relationship between America’s prisons and its social and racial inequities, the New York State Special Commission on Attica, known more widely as the McKay Commission, determined, “The problem of Attica will never be solved if we focus only on prisons themselves and ignore what the prisoners have

²¹ Phyllis Austin, “No Resemblance To Attica, Curtis Says Of Thomaston,” *Portland Press Herald*, September 21, 1971, 1.

²² See *Midnight Special Prison Legal News*, Vol. I, no. 1 in Bloom (AC 1966) Alternative Press Collection [Box M12], Amherst College Archives and Special Collections, Amherst College Library (the issue is not dated, but was published in the fall of 1971 following the Attica massacre).

²³ Gottschalk, 181.

gone through before they arrive at Attica.”²⁴ In all of these cases, activists, scholars, and politicians questioned the efficacy of correctional systems based on punishment, and instead called for the implementation of measures that could successfully reintegrate criminal offenders into society, while addressing conditions of poverty, joblessness, racism, and lack of education that were channeling individuals into prisons in the first place.

The most far-reaching official analysis of America’s prisons in the wake of Attica was the report produced by the U.S. Congress Select Committee on Crime in July 1973. After a year and a half of hearings, the Committee produced a seventy-two page booklet that analyzed the prisoner rebellions in Attica and Raiford, Florida, and offered recommendations for comprehensive transformation of the nation’s state and federal correctional systems. The report condemned America’s penal system as “a dismal failure” due to its enormous expense to taxpayers, its 66.66% recidivism rate, and the fact that in 1971 80% of felonies were committed by former offenders, which suggested that incarceration did not lead to rehabilitation. To remedy these problems, the report called for increased public oversight of state and federal correctional institutions, federally-mandated training of correctional staff, and widespread implementation of increased parole opportunities, half-way houses, and work and educational furloughs. It emphasized that prisoners should maintain all basic rights aside from liberty of person, including rights to monetary compensation for work, and that deprivation of liberty through confinement should be as minimal as possible. It even called for the substitution of enormous, rural prisons like Attica State Prison, with smaller institutions located

²⁴ New York State Special Commission, Attica, *The Official Report of the New York State Special Commission on Attica* (New York: Barton, 1972), xix, quoted in *ibid*.

within urban centers where the families of most prisoners resided.²⁵ The report concluded:

Implementation of the foregoing recommendations may require far-reaching changes in our present correctional systems, involving certain risks in the light of presently held security concepts. Nevertheless, the painful lessons of the recurrent waves of prison riots, epitomized by Attica, Raiford, and a multitude of other disturbances, is that the present system has created and nurtures even more serious threats to security and public safety caused by the frustration and desperation that drives men to rebellion. Only through a drastic restructuring can we hope to correct our correctional system.²⁶

Though this report was not published until the summer of 1973, the Congressional hearings upon which it was based took place throughout the preceding two-year period, and its conclusions are indicative of the new public conversation on the function of America's prisons that emerged in the years following the Attica massacre.

In Maine, increased interest in the lives of prisoners during the late 1960s and early 1970s was evident in the increase in the number of newspaper articles that covered Maine's correctional system and the activities of its administrators and inmates. Prior to 1968, articles on Maine's prisons in Portland-based newspapers were a rare occurrence, with only a few appearing each year. The handful of articles on the MSP and the supposed successes of its library, job training, and furlough programs that appeared in Portland-based newspapers from 1968 to the first half of 1971, however, indicate both the increased local and national interest in America's prisons that coincided with the rise of the prisoner's rights movement during those years.²⁷ After the Attica massacre,

²⁵ *Reform of Our Correctional Systems*, 47-52.

²⁶ *Ibid*, 52.

²⁷ David Swearington, "Thomaston Inmates File Own Writs," *Maine Sunday Telegram*, February 11, 1968, 9A; *Portland Press Herald*, "Penologist Impressed By State Prison Changes," February 1, 1969; James A. Moore, "State Prison's New Job Course Hasn't Suffered Single Dropout," *Maine Sunday Telegram*, November 2, 1969, 13; James A. Moore, "Calculated Risk Program Works At State Prison," *Portland Press Herald*, July 28, 1971, 13.

newspaper coverage of Maine's prisons only increased, as did coverage of unrest in out-of-state prisons. After Attica, articles generally favorable to the cause of prison reform remained a regular feature in Maine newspapers through the end of 1974.²⁸

The most critical coverage of Maine's correctional system came from journalist Norma Jane Langford, whose series on the MSP appeared in three consecutive editions of the *Maine Sunday Telegram* in the weeks immediately preceding the Attica massacre, from August 29 to September 12, 1971.²⁹ Langford's articles do not include interviews with MSP prisoners because Warden Robbins had banned journalists from communicating with them.³⁰ However, Langford does reveal that prisoner organizing had been gathering momentum for at least a year-and-a-half prior to the hunger strike. In March 1970, for example, MSP inmate Byron J. Smith sued Warden Robbins in response to the prison's arbitrary mail censorship policies. He and his fellow prisoners won a partial victory in June 1971 when Federal Judge Edward T. Gignoux ruled that inmates had a right to be present while prison officials opened mail from their attorneys during routine searches for contraband. As of late August 1971, a group of prisoners emboldened by Smith's success remained involved in a suit challenging MSP's vague disciplinary regulations, which routinely landed inmates in solitary confinement for

²⁸ At least 33 articles on Maine's prisons appeared in the *Portland Press Herald/Maine Sunday Telegram*, the *Portland Evening Express*, and the *Maine Times* in the final months of 1971 following the Attica Massacre on September 13. At least 29 articles on this topic appeared in these papers in 1972, and at least 39 appeared in 1973. In contrast, fewer than 10 appeared between 1960 and 1967. My data comes through my research in the Portland Public Library's Maine News Index, a card catalog featuring summaries of articles from Maine newspapers during the second half of the twentieth century. Some of these figures may be slightly greater since the index may be missing some articles. The figures also exclude articles on prisons and prisoner rebellions outside of Maine.

²⁹ Norma Jane Langford, "Maine's Prisoners: They Used To Dig Own Cells," *Maine Sunday Telegram*, August 29, 1971, 2D; Norma Jane Langford, "Maine's Prisoners: Part II: 'Any Business With This Recall Rate Would Go Bankrupt,'" *Maine Sunday Telegram*, September 5, 1971, 1D; Norma Jane Langford, "Maine's Prisoners: Concluding Article: Halfway Measure Could Be Best," *Maine Sunday Telegram*, September 12, 1971, 7D.

³⁰ *Maine Times*, "Prisons: Bending the Bars," December 17, 1971, 9.

minor infractions. The plaintiffs in this suit argued that many times guards placed prisoners in segregation for conduct that did not warrant punishment. On one occasion, for instance, prisoners claimed they had been sent to solitary confinement for wearing black sweatbands to silently protest the prison's disciplinary policies.³¹

Langford further highlighted the shortcomings of Maine's correctional system in her second article in the *Telegram* series, in which she interviewed Charles Rothstein, a clinical psychologist who, during the early 1970s, took time out from his private practice in Augusta to conduct weekly group therapy sessions for prisoners at MSP. Rothstein noted that although the philosophy of rehabilitation had gained acceptance among Maine correctional officials in recent years, the state still paid "five times as much for security as for rehabilitation." He also described some of the problems for prisoners that occurred as a result of prison guards' lack of proper training. He admitted that "being a guard is a better kind of job in Maine's depressed economy than it would be in say, New York, so it attracts better people." Nonetheless, he explained, poor professional training, impressions that job security depended on keeping the prisons full, and the stresses of the job often compelled guards to mistreat prisoners. Speaking on the consequences of guards' abuse of their authority, he explained that, for the prisoners, "It's the petty harassments that finally get them. Don't talk in line. Sit at this table. Put your hand on the bar of your cell. Stand up....The bugle call for lunch. It's the little things that reinforce the whole idea that there's an unfair authority out there and you've got to fight it."³² According to Rothstein, general dehumanization and petty commands that reinforced the prison's power structures chipped away at prisoners' dignity, gradually

³¹ Langford, "Maine's Prisoners."

³² Langford, "Maine's Prisoners: Part II."

compelling them to rebel. Langford ended her article with a summary of suggestions that MSP prisoners had offered to Rothstein as alternatives to correctional officers' demeaning and arbitrary punishment. For one, the prisoners recommended that guards and other prison staff receive basic training in psychiatric counseling. According to Langford, the prisoners also proposed that authorities develop individualized rehabilitation programs for prisoners that could provide quality psychological care, education, and job training during their incarceration, as well as continued group counseling and jobs upon their release. Furthermore, MSP prisoners suggested that some inmates be transferred to county jails in other areas of the state where jobs were more abundant so that they could work outside of jail during the day.³³

While Langford's first two articles focused on the inadequacies of the Maine prison system, her third article focused on Department of Corrections Director Ward E. Murphy's ideas on how to change it. Murphy became the first woman in the United States to oversee a state prison system. Appointed in 1970, she had already gained nine years of experience in corrections as the superintendent of the State Reformatory for Women in Skowhegan and eleven more years working in correctional institutions in her home city of Detroit, Michigan. Langford demonstrated her familiarity with the national prisoners' movement by opening her article on Murphy with a reference to the death of George Jackson a couple weeks earlier, and a few lines of commentary on the wastefulness of his indeterminate sentence. She went on to explain how "the human and monetary cost of prisons has proved so much greater than their gain that increasing numbers of professionals in the field are talking of scrapping the prison concept and

³³ Ibid.

trying something else.” Murphy, apparently, was one of these “professionals,” and based on Langford’s article, her views on corrections did not seem much different than those expressed by the prisoners in Rothstein’s therapy group. In her interview with Langford, Murphy expressed her desire to decrease the state’s prison population and expand its furlough, work-release, probation, and parole statutes, and initiate a program where community volunteers would enter the prisons, providing counseling for inmates and teaching them to drive, among other skills. While superintendent of the women’s prison in Skowhegan, Murphy had implemented such a community-centered strategy to corrections by starting Maine’s first half-way house, despite a lack of state funding, by transferring state correctional employees from other positions. The state legislature eventually got on board, chipping in financially after the half-way house had proved its success. Murphy hoped that in implementing similar programs with male prisoners, the Department of Corrections could reduce crime and make Maine citizens more sympathetic to prisoners, thus building further public support for rehabilitation as opposed to punishment.³⁴

Langford’s feature on Ward Murphy was only one of the several articles from this period that revealed the liberal, reformist ideals of Maine’s corrections administrators. Warden Robbins, Ward Murphy, and their supervisor, Commissioner of Mental Health and Corrections William F. Kearns all worked in a climate in which the prevailing corrections industry ideology viewed prisoners as ill patients in need of treatment instead of as sinners in need of penance. They were willing to engage prisoners in a limited level

³⁴ Langford, “Maine’s Prisoners: Concluding Article.”

of dialogue while working to implement programs of prison reform that could reduce recidivism by teaching prisoners skills to help them productively reintegrate into society.

Robbins, for example, had overseen many reforms to the MSP during the twenty-one years he served as its warden. Described by a later warden as a “progressive reformer” who had “initiated a new chapter in the prison’s history,” Robbins oversaw the MSP’s transformation as “the philosophy of the prison changed from a punitive to a corrective rehabilitation model.”³⁵ When he began his tenure in 1951, Robbins entered a prison where penal practices had changed only moderately since 1823, when the institution’s planners had called for the construction of a “dark and comfortless abode of guilt and wretchedness” where prisoners would dig their own four-by-eight foot cells and guards would seal them in with a pad-locked iron grate, leaving the condemned man to contemplate his fate with little more than a hammock, a block of wood for a seat, and a copy of the New Testament.³⁶ Although the prison had replaced holes in the ground with concrete walled cells in 1854, in 1951 the MSP remained an institution geared towards punishment that was more suited to nineteenth century thinking: reading materials remained limited, correspondence with the outside world was practically forbidden, and convicts were forced to partake in unpaid “hard labor” in a number of prison workshops.³⁷ By 1971, however, MSP resembled “a well-kept assembly plant,” and boasted “a 15 bed hospital, a 9,000 volume library, a woodworking shop and a salesroom

³⁵ Jeffery D. Merrill Sr., *Maine State Prison, 1824-2002* (Charleston, SC: Arcadia Publishing, 2009), 9. Merrill served as the warden of the Maine State Prison from 1996 until 2009. He was the last warden to oversee the MSP in Thomaston, as the institution began operating in a new facility in Warren in 2002. His annotated photographic history of the Maine State Prison is the only documented history of the institution that I am aware of. It is mostly a celebration of the prison’s administrators and guards, and mentions almost nothing about the 1970s prisoners’ movement.

³⁶ Ibid, 7-8. Langford, “Maine’s Prisoners.”

³⁷ Ibid.

for inmate-made novelties... three teachers and a clinical psychologist... movies, softball, chess tournaments and meetings with Alcoholics Anonymous.”³⁸ While he enacted various rehabilitative programs, Robbins also knew that the prison’s constrictive conditions could lead to violent rebellion at any time. For this reason Robbins also oversaw the formation of the MSP riot squad, a unit of more than twenty officers trained in the use of chemical weapons.³⁹

The modernization of MSP paralleled similar developments in other U.S. prisons in the decades following World War II, particularly in the Northern and Western regions of the country, as penological thought increasingly viewed “prisons as places to reform thoughts rather than punish bodies,” and penitentiaries came to rely less on physical brutality and more on high-tech surveillance systems and the cooperation of medical and social science experts.⁴⁰ In 1969, Warden Robbins had even instituted a “calculated risk” furlough program, which allowed some specially screened inmates to leave the prison unsupervised for several days at a time to seek specialized medical treatment, attend funerals, visit wives and children, take vocational training courses, or split and haul firewood so that their families would have sufficient fuel to heat their homes during the long Maine winter. Robbins asserted that the program saved the state thousands of dollars while boosting prisoners’ morale and facilitating their successful integration back into Maine’s communities. He took pride in the fact that in the first year and a half of its operation, 74 prisoners had taken advantage of the program without abusing their privileges.⁴¹ In the month prior to the hunger strike, Robbins had even admitted that

³⁸ Langford, “Maine’s Prisoners: Concluding Article.”

³⁹ Merrill, 103.

⁴⁰ Gottschalk, 173.

⁴¹ Moore, “Calculated Risk Program Works At State Prison.”

many of MSP's inmates did not require maximum security confinement, and had called for still more reforms to the state's correctional system. "We need different types of confinement," he explained in the *Maine Sunday Telegram*, "a forestry camp, for instance, a conservation camp, a work-release program. We need more alternatives."⁴²

The MSP's annual statistical reports from the period confirm that most of its prisoners did not need to be in maximum-security confinement. Of the institution's approximately 340 prisoners, only five were serving time for murder, and seven for rape. While 43 were serving time for various assault charges and 15 for manslaughter, the majority were in for nonviolent offenses, including 64 for breaking and entering and 34 on drug charges.⁴³ Without knowledge of their individual personalities and criminal records it is not possible to determine which of these prisoners could have benefitted from the types of alternative sentencing measures publicly endorsed by Murphy and Robbins, but the fact that so many of the prisoners in MSP were serving time for nonviolent offenses seems to indicate that a large percentage could have. The failure of Maine's prisons to prevent crime is underscored by the fact that at the time of the MSP hunger strike, approximately 25 percent of the institution's inmates had previously been incarcerated in South Portland's Maine's Youth Center and 37 percent had done time in the MCC.⁴⁴ Maine's prison system's deep flaws become even more apparent upon examination of its prisoners' class backgrounds. In fiscal year 1971-72, the average year of school completed by MSP's inmates was eighth grade; only 20% had completed high

⁴² Langford, "Maine Prisoners."

⁴³ These statistics come from the 1972-1973 fiscal year as reported in *Maine State Prison, Statistical Report*, Thomaston, Maine (Fiscal Year Ending June 22, 1982), 24-31.

⁴⁴ *Maine State Prison, Statistical Report*, Thomaston, Maine (Fiscal Year Ending June 22, 1981), 13.

school.⁴⁵ Furthermore, eight percent had one or more relatives who had previously served or were currently serving time in the prison.⁴⁶ While the MSP's annual reports do not explicitly document inmates' job histories or tax records, its prisoners' low education levels suggest that most came from poor or working class backgrounds. In particular, many of MSP's prisoners seemed to come from communities where legal trouble and imprisonment were regular facts of life. Incarceration was directly related to socioeconomic inequality. MSP inmates were not engaged in mere hyperbole during the years of their prisoners' rights movement as they came to understand and identify themselves as members of the "convicted class."⁴⁷

Because Warden Robbins had banned prisoners from speaking with journalists in 1971, there remain no documented accounts of what prisoners felt and thought at the time of that autumn's strikes in MSP. However, prisoners' articles and letters published in SCAR's newspaper, *SCAR'd Times*, a couple years later presented accounts of how Maine prisoners became trapped within their state's prison system. For instance, MSP inmate Pierre Loyer wrote in a letter to the paper, "I started the school of crime, reform school, at ten (10) years old. I graduated with high honors to prison. I am now twenty-two (22). I have spent one year out of jail in a period of 11 years, and six months was escape [sic]. I am only one out of thousands of prisoners, that is like this, and believe me there are a lot sadder cases." Gus Heald, a leader of the 1971 strikes who had come to MSP on breaking and entering charges, and who would later gain recognition from law enforcement officials as Maine's "most notorious criminal," also recalled how the Maine

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ray Levasseur, "Committee for Justice: Thomaston," *SCAR'd Times*, Vol. 1, no. 1, 16, in Bloom (AC 1966) Alternative Press Collection [Box S12], Amherst College Archives and Special Collections, Amherst College Library.

Youth Center had prepped him for a life of crime. He wrote, “My first horrific disillusionment with both the correctional system and with mankind, came, as a direct result of my being committed to the STATE SCHOOL FOR BOYS at South Portland, Maine in 1946” (he had been sent there as punishment for breaking windows and skipping school in his Midcoast hometown of Belfast).⁴⁸ “Step by calculated step,” he continued, “the correction system... built a wall of hate and contempt around me. A blue print for future criminality. It was easy. All it took was a broken nose, two cracked ribs—the loss of one third of the vision in my left eye and one horrendous night filled with a stark terror that no boy of fourteen should ever experience.”⁴⁹

Descriptions of the MSP written by Loyer and Heald also dramatically underscored the limits of Maine prison administrators’ reform efforts. In a 1973 letter to the *SCAR’d Times*, Loyer complained of inadequate medical services provided by a part-time nurse “who does nothing but pass out pills,” an unpaid doctor who “usually comes in for a few hours a day,” a hospital officer who “takes it upon himself to stop medication from inmates because the inmate may have forgotten to show up for it, or was late,” and a bureaucracy administered by vindictive guards that often delayed treatment for days. He complained further about lack of mental health and dental services, guards’ arbitrary use of the prison’s segregation unit to punish inmates, an unfair disciplinary board with a 98% conviction rate, and the Media Review Committee’s refusal to permit prisoners to receive political books and pamphlets through the mail, even in some cases where

⁴⁸ Gus Heald, “From his book,” *SCAR’d Times* Vol. 1 No. 2, September 1973, 13. Dennis Hoey, “‘Notorious’ criminal to be freed,” *Portland Press Herald*, December 27, 1985, 1.

⁴⁹ Heald, “From his book.”

inmates had paid for their shipment. In terms of the prison's work programs and their efficacy, Loyer wrote:

The working industry is strictly slave labor. The work is not creative it consists of simple things like sanding chairs, stamping plates. There is no vocational training in the shops the inmate learns nothing, he degrades mentally. When the inmates goes out on the street what does he have but fifty (\$50.00) dollars, no education, he's an ex-con, job discrimination. So when his \$50.00 runs out and he can't find a job, place to live, the only thing he knows is how to steal. That is his only alternative. He comes back again with a bigger sentence. It's a vicious circle. Where does it all end?⁵⁰

Heald's testimony focused on the cruelty he had encountered in MSP's solitary "strip cells." These were the most draconian of the prison's solitary cells because they contained no bed and instead of a toilet featured only a two-inch hole for bodily waste that guards would flush twice a week. Often prisoners would be sent to these cells with minimal clothing and be fed a strict bread and water diet. Heald recalled:

I have been chained with my arms over my head, so only my toes touched the floor, and I hung there in agony for periods up to forty-eight hours, standing in my own piss and shit. The agony so intense that my mind could no longer function in a human manner I was in the Thomaston State Prison strip cell, a little piece of hell specially designed by Warden Allan L. Robbins. One who has never experienced this terrible oppressive feeling of aloneness can ever fully grasp the significance of it, or the indelible scars that it leaves upon the psyche of those who do experience it...⁵¹

Many of the grim conditions described by Loyer and Heald were affirmed by journalist Lloyd Ferris, who published an exposé of MSP in the *Maine Sunday Telegram* in February 1972 shortly after a state judge overturned Warden Robbins' ban on journalist communication with prisoners in response to a lawsuit launched by Norma Jane Langford. After visiting the prison and interviewing a number of inmates, Ferris made the following summary of conditions in MSP:

⁵⁰ Pierre Loyer, "Thomaston," *SCAR'd Times* Vol. 1. No. 2, 5.

⁵¹ Gus Heald, "From his book."

About half an inmate's life at the Maine State Prison—between 11 and 14 hours of every day—is spent locked behind bars in a cell measuring approximately eight by seven feet. At other periods he labors without pay. His mail is censored, his contact with loved ones limited to conversation on opposite sides of a hardwood table. Should he try to better his lot in prison, he has at his disposal a vocational program not much better than the average course in high school shop.⁵²

According to one prisoner, who had apparently done time in several other U.S. penitentiaries as well as one in Japan, the conditions in MSP were better than those in most other prisons because it was “an institution free of racial problems, homosexual attacks, and overt guard hostility.”⁵³ However, Ferris also quoted Professor Howard B. Gill (clinical criminologist at American University's law school in Washington, D.C. and consultant to Maine's Department of Mental Health and Corrections) who referred to Thomaston as “a massive, medieval, monolithic monkey cage monstrosity... about 150 years out of date.” After describing the prison's bleak concrete environs and lack of rehabilitative programs, Ferris concluded, “If an inmate does not leave Thomaston as a hardened criminal he is likely to leave as a weakened human being.”⁵⁴ Though Robbins and Murphy professed interest in providing Maine prisoners with more opportunities for “rehabilitation,” the testimonies of Loyer, Heald, and Ferris demonstrated that reform initiatives had made little substantial difference, and prisoners were far from satisfied.

William F. Kearns Jr., Maine's Commissioner of Mental Health and Corrections appointed by Governor Curtis in 1969, identified public opinion as the prime obstacle to prison reform. In June 1971—prior to Attica and the MSP hunger strike—he lamented

⁵² Lloyd Ferris, “Inside State Prison: One: Maine's ‘Medieval Monkey Cage,’” *Maine Sunday Telegram*, February 20, 1972, 1D.

⁵³ Ibid. MSP's lack of “racial problems” was probably due to the fact that the vast majority of its prisoners were white. During the 1971-72 fiscal year, MSP statistics classified two prisoners as “Indian,” six as “Negro,” and two hundred and fifty as “White.” Curiously the total number of prisoners accounted for in these figures totals only 258, while MSP housed as many as 361 prisoners during this period's peak. See Maine State Prison, Statistical Report, 1982.

⁵⁴ Ferris, “Inside State Prison.”

that most Maine citizens were “indifferent or apathetic” to the plight of prisoners, the mentally ill, and those with substance abuse problems. “Until enough people care strongly enough to demand action,” he cautioned, “we can expect only ‘tokenistic’ efforts to cure social ills.”⁵⁵ He reiterated his point in November, emphasizing that hundreds of the approximately 750 people incarcerated in Maine’s state correctional institutions would be better off on parole or probation, where they could be working and maintaining personal relationships rather than learning more criminal behavior. Kearns faulted a correctional industry dominated by employees with no real interest in rehabilitation, as well as a listless public for the state legislature’s consistent failure to appropriate funds for social programming and alternatives to prisons, noting, “It takes a crisis like Attica to bring [the need for prison reform] to public attention.”⁵⁶

For Maine politicians, prison officials, and journalists, Attica was a crucial moment, one that sparked serious and thoroughgoing conversation about prisons and their purpose—even if, as Kearns pointed out, many of the state’s citizens remained wary of new approaches to eliminating crime. Attica was also a crucial moment for Maine’s prisoners because increased public support for prison reform provided them with an audience for their grievances. Prisoners in MSP sought desperately to hold the state’s correctional officials to their commitments to dramatically reform the prison system. Their problem in the fall of 1971, however, was that the MSP remained an institution controlled almost entirely by Warden Robbins, who was not sympathetic to the nascent

⁵⁵ *Portland Press Herald*, “Maine Termed Low Scorer In Field of Social Action,” June 11, 1971, 22.

⁵⁶ Reed Witherby, “Kearns Critical Of State’s Attitude on Corrections,” *Portland Evening Express*, November 9, 1971, 1. Witherby quoted Kearns as complaining, “I don’t think 10 per cent of the correctional community really believes in rehabilitation,” but he did not explain the reasons for this pervasive attitude. One possibility is that many corrections employees were not interested in rehabilitation because it would threaten their job security.

prisoners' right movement. For instance, he continued to severely restrict prisoners' ability to communicate with the outside world. MSP's prisoners refused to feel powerless, however. Instead, they did what thousands of other American prisoners were doing in the early 1970s—they organized further resistance.

Frustrated by the MSP administration's sluggishness in following through with most of the suggestions presented by the newly formed IAC, and inflamed by Warden Robbins' refusal to consider a petition to have an unpopular kitchen guard reassigned to a different post, the inmate kitchen staff refused to work on the morning of October 12. After receiving word that a large portion of the institution's remaining inmates were planning to strike in solidarity with the kitchen workers, Warden Robbins ordered a lockdown of the prison, cancelling visiting privileges and forcing each of its 337 inmates to remain in their cells until they would agree to return to work.⁵⁷ Following a meeting with his supervisors, Kearns and Murphy, Robbins asserted that although prison officials were willing to work with inmates in enacting reforms, "prisoners should be responsible for their methods of achieving their goals."⁵⁸ MSP administrators would not "act under pressure," he affirmed. In a likely reference to Massachusetts prisons, where inmate strikes had, in previous weeks, prompted new state legislation to expand parole opportunities, Robbins added, "news media reports of concessions made to strikers in other prisons undoubtedly prompted the present action by the Maine inmates."⁵⁹ Two days later, echoing Robbins' dismissive tone, the *Portland Press Herald* editorialized that

⁵⁷ Lovell, "Ex-Inmate Surprised." *PPH*, "Prisoners Locked In Cells."

⁵⁸ James A. Moore, "Warden Hands Prisoners Return-To-Work Bids," *Portland Press Herald*, October 14, 1971, 1.

⁵⁹ *PPH*, "Prisoners Locked in Cells." *Portland Press Herald*, "Walpole Prisoners Learn Legislature Has 1 Demand," September 30, 1971, 24.

prisoner protest carried “too far now, particularly on issues that might be less than urgent as prison standards go could produce an adverse reaction from administration, legislature, and public.”⁶⁰

The statements by both Robbins and the *Portland Press Herald* editorial board reflected the core contradiction facing the MSP administration, its prisoners, and many Maine citizens. While prevailing liberal attitudes compelled politicians and prison administrators to pursue policies that would theoretically “rehabilitate” the behavior of the imprisoned, one of the prison’s essential functions was to punish those deemed “criminals” by the state, and to deter other potential criminals through the example posed by the process of conviction and incarceration.⁶¹ Though they were willing to gradually implement measures geared towards convict “rehabilitation,” Kearns, Murphy, and Robbins were by no means willing to give prisoners the power to decide how to run the prison. Instead, to maintain status quo and their power, they worked swiftly to break the strike and punish its leaders.

Warden Robbins approached the prisoner strike with a strategy of carrot-and-stick and divide-and-conquer. After locking down all of MSP’s prisoners on Tuesday October 12, he issued inmates “return-to-work” bids on Wednesday that promised to relieve prisoners from lockdown if they agreed to return to work. He also promised to address fourteen more of the IAC’s 27 requests, though he reiterated his claim that the prisoners’ strike had stalled rather than expedited his reform efforts.⁶² On Thursday, Robbins’ guards, backed by reinforcements from the Men’s Correctional Center in Windham,

⁶⁰ *Portland Press Herald*, “Take It Easy,” October 14, 1971, 10.

⁶¹ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan, 2nd ed. (New York: Vintage Books, 1995), 271-272.

⁶² Moore, “Warden Hands Prisoners Return-To-Work Bids.”

separated the prisoners, transferring seventy “malcontents,” “activists,” and “agitators” to lockdown in an isolated wing of the prison.⁶³ Though the transfer of the prisoners went relatively smoothly, that evening, according to Robbins, “the cellblocks were noisy and approximately 50 small fires were set in the corridors with papers and rags. One mattress was burned.”⁶⁴ On Saturday, Robbins ended the lockdown for the remaining 262 prisoners, including the 35 kitchen workers, allowing them to resume church services, visits, and other normal prison activities.⁶⁵

On Monday November 1, Robbins began to address several of the grievances that had fueled the kitchen strike twenty days earlier. His new regulations permitted prisoners to grow long hair, as long as it was “neat and clean.” Robbins also changed rules concerning funds earned through the sale of prisoner-made crafts sold to tourists in downtown Thomaston’s prison novelty shop—the sole legal source of self-generated income then available to MSP inmates. He increased the yearly maximum permissible income from craft sales from \$1,800 to \$2,600 and enacted a regulation allowing prisoners to withdraw ten dollars worth of canteen tickets from their personal, prison-administrated accounts twice a week. Robbins also promised to petition the state legislature for funds to install hot water in cells and initiate a college education program sponsored by the state university.⁶⁶

Meanwhile, seventy of the prisoners labeled by Robbins as “malcontents” remained locked down and isolated from the rest of MSP’s population as late as

⁶³ James A. Moore, “Thomaston ‘Malcontents’ Isolated In Cell Block,” *Portland Press Herald*, October 15, 1971, 1. James A. Moore, “Convicts Give Peace Symbol To Warden,” *Portland Press Herald*, October 16, 1971, 1. .

⁶⁴ Moore, “Thomaston ‘Malcontents’ Isolated In Cell Block.”

⁶⁵ *Portland Press Herald*, “Church Services, Visiting Rights Resumed At Prison,” October 18, 1971, 9.

⁶⁶ *Portland Press Herald*, “State Prison Rules Liberalized: Robbins,” November 4, 1971, 1.

November 8.⁶⁷ Prison officials returned approximately fifty of these prisoners to general population some time during the next ten days, however, possibly in response to a prisoner lawsuit. On November 18, attorneys affiliated with the Maine Civil Liberties Union (MCLU), Pine Tree Legal Assistance (PTLA—a federally-funded, non-profit firm catering to low-income Mainers), and the University of Maine Law School announced a class action suit against MSP, charging prison staff with “cruel and excessive punishment” in their handling of prisoners segregated in response to the October 12 kitchen strike. The suit’s plaintiffs charged prison staff with hosing down one inmate and cutting off the water supply to the segregation unit for long periods of time, effectively prohibiting prisoners from drinking or flushing their toilets, after guards transferred them there in response to the strike.⁶⁸ Both Corrections Director Murphy and Warden Robbins vehemently denied the charges, though their stories were not entirely consistent. Murphy claimed that hoses had been used only to extinguish fires set by inmates, and that prison staff had shut off the water during the first few hours of the transfer to make plumbing repairs.⁶⁹ Robbins conceded the following day that water from “garden hoses” used to extinguish the fires may have “splashed” some inmates, but he contended that prison guards had shut off the water supply for “between two and four hours” because prisoners had supposedly threatened to tear out the plumbing.⁷⁰

⁶⁷ *Portland Press Herald*, “Situation Stable,” November 9, 1971, 10.

⁶⁸ Dave Swearington, “State Prison Charged With Inmate Abuse,” *Portland Press Herald*, November 19, 1971, 1.

⁶⁹ *Ibid.*

⁷⁰ *Portland Press Herald*, “Warden Sees Some Basis For State Prison Charge,” November 20, 1971, 22. I am unable to ascertain who was telling the truth in regards to this matter because I cannot find sources documenting how the suit concluded. Murphy’s and Robbins’ claims seem contradictory and suspicious, though it is also possible that the prisoners exaggerated their charges.

Strike leader and IAC member Gus Heald had helped initiate the “excessive punishment” lawsuit, and had encouraged other inmates to seek outside legal representation in the aftermath of the lockdown. Through studying legal texts in the MSP library, Heald had spent much of his time in prison training himself as a “jailhouse lawyer,” and had gained the trust of many of his fellow prisoners over the years by providing them with legal support.⁷¹ As one of the twenty-three prisoners remaining in segregation at the time news of the suit appeared in Maine newspapers, he continued drafting legal challenges to various prison policies, including his own solitary confinement, throughout the month of November. Heald’s jailhouse lawyer skills did not win him any love from MSP authorities, however. From Warden Robbins’ perspective, Heald’s legal activism and leadership abilities must have seemed a prime obstacle to his total control of the prison. Though he did not admit it publicly, this is probably why he arranged for Heald’s abrupt “punitive transfer” to the Federal Correctional Institution at Marion, Illinois on December 1.⁷²

Transferring Heald out of the state did not prevent further challenges to Robbins’ rule, however. Heald immediately responded to his illegal transfer with another lawsuit, and in early December, MSP prisoners Richard Picariello, Kenneth Denault, and Wayne Beckus, along with *Portland Press Herald* journalist Norma Jane Langford filed a class action suit with the help of the MCLU and PTLA challenging Robbins’ ban on inmates’

⁷¹ *Maine Times*, “Prisons: Bending the Bars.” For more on jailhouse lawyers, see Mumia Abu-Jamal and Angela Davis, *Jailhouse Lawyers: Prisoners Defending Prisoners V. the USA* (San Francisco: City Lights, 2009).

⁷² *Maine Times*, “Prisons: Bending the Bars.” MSP officials offered no public explanation for this decision, though Heald and his comrades insisted that he was targeted as a result of his political activism. See Gus Heald, “Maine’s Most Famous Prisoner Speaks Out,” *SCAR’d Times* Vol. 1, No. 1, 14.

correspondence with journalists.⁷³ In February a judge ruled in the plaintiffs' favor, and *Maine Sunday Telegram* reporter Lloyd Ferris responded by visiting MSP and writing a pair of articles critical of conditions there. His February 20 article exposed the prison's lack of rehabilitative programming, while his follow-up piece printed a week later described MSP's license plate manufacturing plant, in which 24 prisoners worked full-time without pay.⁷⁴

Meanwhile, Maine's corrections officials continued their own efforts to reform the state's prison system. Two days after Langford and the MSP prisoners launched their class action suit, Corrections Director Murphy won editorial praise in the *Portland Evening Express* for her efforts to end "slave labor" in the Department of Mental Health and Corrections by petitioning the state legislature for \$156,000 to pay Maine prisoners for their work.⁷⁵ On Saturday December 18, officials permitted the first-ever Christmas Party in MSP. Featuring an inmate dressed as Santa Claus, holiday decorations provided by the prison's new Jaycee chapter, and the participation of almost all of the prisoners, their wives, and more than thirty of their children, the party was the first time in the 150-year history of the institution in which administrators permitted the open mingling of prisoners and their family members.⁷⁶ Another positive development occurred a couple

⁷³ *Maine Times*, "Prisons: Bending the Bars." Reed Witherby, "Mail to Press Still Rejected, Inmates Claim," *Portland Press Herald*, December 3, 1971, 13.

⁷⁴ Ferris, "Inside State Prison: One." Lloyd Ferris, "Making Of License Plates Full-Time Job At Prison," *Maine Sunday Telegram*, February 27, 1972. See pages 19-20 of this text for a quote from the former article.

⁷⁵ Jerry Durnbaugh, "Prison System Wants To End 'Slave Labor,'" *Portland Evening Express*, December 2, 1971, 1. *Portland Evening Express*, "Ward Murphy Is Right," December 4, 1971, 9.

⁷⁶ *Portland Press Herald*, "First-Ever Christmas Party Held In State Prison," December 20, 1971, 13.

days later, when state legislators approved funding for a new college degree program for MSP inmates sponsored by the University of Maine Augusta.⁷⁷

Despite some progressive changes in MSP however, the months following New York's Attica prison uprising most likely constituted Warden Robbins' most challenging time as head of the Maine State Prison. While he and his supervisors in the Department of Mental Health and Corrections sought to institute new correctional reforms, they faced relentless pressure from prisoners, journalists, and lawyers who insisted that their efforts were far from adequate. Yet when he announced in March 1972 that he would begin an early retirement that summer, Robbins denied that his decision was related to the recent prisoner rebellion in MSP. Instead he asserted that he was resigning for "medical reasons."⁷⁸ Nonetheless, Robbins was not lacking in bitterness in regards to the tumult of recent months. In his final words to the press, he warned against a backlash to recent prison reform efforts. "The public has not been sold on prison reform to the point where it is ready to accept it in the manner which it's being presented," he explained. "Many people are not willing to accept the fact that inmates have any civil rights. And many complain that citizens' right are not protected—that the victims are being exploited," he continued. "There has got to be some understanding and potential changes from both sides of the track."⁷⁹ Robbins also expressed his disgust with outsiders who had recently attempted to initiate changes in prison policy. Legal aid lawyers in particular, he bemoaned, "have screwed the whole thing up." While he conceded that some of their

⁷⁷ *Portland Press Herald*, "UMAs State Prisoner Plan Is Approved For Funding," December 22, 1971.

⁷⁸ Natalie Snow, "State Prison Warden Robbins Announces Retirement," *Portland Press Herald*, March 11, 1972, 1.

⁷⁹ Dave Swearington, "Backlash To Prison Reform Robbins' Worry," *Portland Press Herald*, April 7, 1972, 1.

complaints were legitimate, he was full of contempt for the “refuge of technicalities (used by lawyers) which are contrary to the public interest.”⁸⁰

While Robbins denied that that he had retired due to turmoil in MSP, or that his reform efforts were motivated by prisoner resistance, the prisoners felt differently. SCAR members later attributed most of the reforms enacted in MSP during the early 1970s to the organizing efforts of the prisoners and their IAC, rather than to the benevolence of corrections officials. As one former SCAR member later recalled, “The IAC worked to secure disciplinary procedures, improve medical services and educational opportunities, and address issues concerning the general welfare of the inmates... As a result physical changes were made.”⁸¹ Gus Heald also credited the prisoner strike for Robbins’ departure. “The strike ended the corrupt rule of Warden Robbins and opened the way for an era of possible change which was never possible under the stupid and greedy rule of Robbins,” he later explained. Heald also recognized the strike’s significance in raising the political consciousness of its participants, instilling in prisoners feelings of dignity, community, and self-respect. He proclaimed, “The men at Thomaston state prison struck together beautifully and earned my everlasting love. For at least these few weeks, anyway, they were not beaten, fearful, brainwashed convicts, but brave and proud human beings who spit in the eyes of the sadists and grafters who operated that pig sty.”⁸² Though their beloved comrade Gus remained incarcerated in Marion, Illinois at the time of Robbins’ resignation, the politically active prisoners in MSP must have been impressed with their accomplishments when they heard the news.

⁸⁰ Ibid.

⁸¹ R.W. Bothen, “Inmates Council,” *The Call: The Maine Prisoner Advocacy Coalition Newsletter*, Vol. 1, no. 1, July 2009, 2 (author’s collection).

⁸² Gus Heald, “Maine’s Most Famous Prisoner Speaks,” *SCAR’d Times*, 14.

Not only had their organizing and legal efforts helped achieve new educational opportunities, improved visiting privileges, and increased communication with the outside world, it also seemed that they had succeeded in forcing the warden of their prison out of office. The feelings of group empowerment that grew out of the Thomaston prisoners' collective resistance would remain with them in the coming years of Maine's prisoners' rights movement, inspiring and informing further political action. The MSP prisoners' resistance would also inspire prisoners and ex-convicts in other areas of Maine.

On a humid Sunday evening in July 1972, prisoners at the medium security Men's Correctional Center in Windham, Maine joined in rebellion against the institution's guards and administration. The *Portland Press Herald* reported later that week that, "small fires were set, windows smashed and some mattresses, pillows and blankets destroyed" before "guards, with the help of 15 off-duty men quelled the disturbance in about two hours." Though the prison's Superintendent Merton R. Johnson claimed that 25 to 30 men participated in this "spontaneous" outbreak, in statements issued through their attorneys, the prisoners contended that, "about 135 of the institution's 150 men were involved."⁸³

The revolt had erupted following a dispute between a guard and two prisoners. At around six or seven in the evening of July 23, prisoners Don Cunningham and Roger Fye were rough-housing—"scrapping with each other and screwing around"—in the prison's day hall, the circular common area between a central guard tower and a two-tiered

⁸³ Maureen Connolly, "Men's Center Inmates Charge Brutality, Coercion," *Portland Press Herald*, July 26, 1972, 1.

perimeter of cells, where inmates would eat, socialize, and play cards on large wooden tables during the periods when they were not locked in their cells or performing work duty. Upon observing Cunningham and Fye's horseplay, a guard in the tower, Jerry Hutchinson, ordered the two to their cells for "lock-down." Hutchinson's command was met with immediate vocal protest from Cunningham and Fye as well as other inmates who viewed the guard's order that their fellow prisoners retreat to their cells before the normal 9 o'clock lock-down as a blatant and unwarranted injustice. General chaos and disorder ensued as the institution's guards moved to enforce a general lock-down to quell the noisy shouting of protesting prisoners who continued their uproar through the early hours of the morning even after having been isolated in their individual cells.⁸⁴

Though this particular uprising at the Men's Correctional Center (MCC) was somewhat "spontaneous," it did not occur randomly as Supt. Johnson implied. The prisoners' rebellion arose as an expression of widely-sensed frustration by men who had felt subjected to routine abuse and injustice at the hands of prison authorities for some time. These men also knew that in prisoners elsewhere were no longer passively tolerating dehumanizing treatment by prison guards and administrators.

Chief among MCC prisoner's complaints were allegations of slavery—and their use of this term was not an overstatement. For years inmates had complained about guards' use of threats, corporal punishment, and "the hole" for those who refused to work on prison upkeep or on projects such as clearing woodlots and repairing the homes, automobiles, and furniture of prison administrators. Supt. Johnson himself later admitted that MCC authorities had regularly abused inmates since the institution's opening in

⁸⁴ Robbie Bothen, interview with author, July 23, 2009.

1920—sometimes even using them as household servants—but he claimed to have put an end to such practices during his 15 year tenure as superintendent, explaining, “the fact is that work was done by inmates for many, many years, but we put a stop to it.”⁸⁵ Johnson also denied claims later made by former inmates that prisoners were forced to work under threat of violence and that they had repaired the heating system on his private home in Falmouth and completed construction work for various fraternal and church organizations to which he belonged. He did acknowledge, however, that prisoners frequently worked without pay on MCC employees’ cars and furniture on prison property, as was then permitted by state law.⁸⁶ Frustration with prison slavery and other abuses remained fresh in MCC prisoners’ minds when they woke up on July 24.

On the Monday morning following the long night of unrest, when the prisoners of MCC emerged bleary-eyed from their cells to report to work duty, they could have gone on to their normal prison routines as if the previous night’s disturbances had never taken place. But for Robbie Bothen and other more politically-conscious inmates, this was unthinkable. A 20-year-old artist, rock musician, and avid yoga practitioner at the time of his incarceration at MCC, Bothen had been kicked out of high school in Bar Harbor, Maine for refusing to cut his long hair in 1969. He then spent several years bouncing around northern New England, attending college in Orono, Maine and Franconia, New Hampshire and participating in demonstrations opposing the U.S. war in Vietnam. He ended up in MCC after he was arrested by Maine police for LSD possession in the spring of 1971. Already radicalized by the outstanding political events of his generation—the

⁸⁵ Maureen Connolly, “Ex-Inmates Charge Labor Abuses At Men’s Center,” *Portland Press Herald*, May 25, 1973, 1, 9. It should also be noted that the U.S. Constitution also permits slavery, “as a punishment for crime whereof the party shall have been duly convicted.” Constitution of the United States of America, Amendment XIII, Section 1.

⁸⁶ Ibid. Connolly, “Men’s Center Inmates.”

American war in Vietnam, Attica, and President Nixon's Watergate scandal, which had just began to unfold the previous month—Bothen responded to the injustices inflicted upon his fellow prisoners by helping to organize resistance, just as millions of others of his generation were then doing in response to war, discrimination, and police brutality.

Bothen recalls how upon entering the dayroom:

I threw down my notebook and said, 'what were we arguing and screaming about? We got to make this work. Let's put down on paper what we want.' I said, 'we got demands, we got issues here, let's get it down.' And we refused to go to work. We chose a grievance committee right there, and we wanted to address these things for the prisoners.⁸⁷

The prisoners responded by immediately voting Bothen onto the newly formed Inmates' Council, along with other politically-motivated prisoners Jerry DeWitt, Kim Neiderman, Joel Newstedder, and Alan Caron. Bothen, Caron, and Newstedder already had a strong relationship as fellow band members. Earlier in the year, Caron, a bassist, had convinced the center's Christian minister to allow his music equipment into the dayroom for a talent show. He then recruited Bothen as drummer, Newstedder as singer, and fellow prisoner Greg Bussiere as guitarist to form the MCC's first prisoner rock n' roll band (during their concert, the quartet played the Rolling Stones' "Jumping Jack Flash" and other popular rock songs from the era). In addition to the band, the leaders of the Inmates' Council had worked together previously to print a couple issues of a mimeographed prisoner newsletter called *Liberty News Service* that had served as an outlet for inmates' grievances with the administration. Several had also worked together to successfully petition prison authorities to loosen the prison dress code, winning prisoners the right to wear sideburns and mustaches (although restrictions on long hair

⁸⁷ Bothen interview.

remained in force). Bothen and the others were also aware of the recent prisoner revolts at MSP, having read about them in the newspaper.⁸⁸

After initially responding to the prisoners' work stoppage by ordering another lock-down, Supt. Johnson eventually agreed to meet with the Inmates' Council later that day. The council was short lived, however. Soon after his release from MCC the following month, Bothen learned through correspondence with his friends inside that the Inmates' Council had been shut down by prison authorities. But the momentum generated prior to the formation of the Council had not vanished. By November, Caron, Newstedder, Bussiere, and DeWitt were also back on the "outside" and meeting in Portland to discuss plans for a class action suit against MCC to undo the prison's forced labor practices and ensure prisoners' rights to group legal representation. During the course of these meetings the young ex-convicts decided that a lawsuit against MCC alone would not offer a substantial solution to the problems faced by prisoners in the state. What Maine's prisoners and ex-prisoners really needed, these young ex-convicts believed, was a statewide organization capable of fighting for prisoner's rights, pushing the issue of prison reform, and addressing the underlying socio-economic conditions that give rise to crime, criminals, and the prison system. It was during one of these meetings in the fall of 1972 that the former leaders of the MCC Inmates' Council decided on Statewide Correctional Alliance for Reform as the name for the organization they would form in the coming months.⁸⁹

⁸⁸ Bothen interview.

⁸⁹ Ibid.

Meanwhile, sixty miles north in Augusta, another prison reform organization was forming. On September 14, 1972, Ray Luc Levasseur, a Vietnam Veteran and ex-convict attending the University of Maine Augusta on the GI bill, had mimeographed over one thousand copies of a homemade leaflet commemorating the one-year anniversary of the massacre at Attica State prison. Levasseur, like the prisoners in MSP and MCC, saw Governor Rockefeller's ruthless response to the strike as glaring evidence of the heartless disregard that America's ruling class felt towards the lives of prisoners and the poor.⁹⁰

Levasseur's signed his leaflet on behalf of "The Greater Maine Committee to Secure Justice for Prisoners," and included the post office box of the short-lived Augusta chapter of Vietnam Veterans Against the War as a contact.⁹¹ Stuffed under windshield wipers and tacked on bulletin boards across Maine's state capitol, this fiery manifesto drew parallels between the massacre at Attica and the punishment of prisoners in the segregation unit of MSP following the strikes of the previous autumn. The statement provided an analysis of prisons as "concentration camps for poor and working class people... made up disproportionately of minority groups." Calling for "community support for prison reform and a Peoples Prison Bill For Humanity and Justice to completely restructure not only Maine's bankrupt prison but all of America's prison systems;" it passionately exclaimed: "the economic, racist, sexist exploitation and oppression of human beings must end!!!"⁹² Levasseur had read about the MSP strike in

⁹⁰ Raymond Luc Levasseur, interview with author, October, 2006.

⁹¹ The Maine chapter of Vietnam Veterans Against the War is perhaps best known for its rowdy protest of Vice President Spiro Agnew's appearance at the Maine Republican Convention in Augusta on April 30, 1972. See Louise Walsh, "Maine Antiwar Veterans Disavow Augusta Outbursts," *Portland Press Herald*, May 3, 1972, 2. For more information on Vietnam Veterans Against the War, see Andrew E. Hunt, *The Turning: a history of Vietnam Veterans Against the War* (New York: New York University Press, 1999).

⁹² Greater Maine Committee to Secure Justice for Prisoners, "The Attica Massacre: One Year Later, War Behind Walls," photocopied leaflet, Levasseur collection.

local newspapers, but having returned to his home state only a little more than a year earlier, after nearly seven years split between Boston, Vietnam, and Tennessee, he did not know anyone who had been involved. Through his leafleting efforts, Levasseur hoped to connect with other politicized ex-convicts (and eventually with prisoners inside MSP), and build a prisoners' rights movement in Maine similar to those that had developed in other regions of the country during the past several years.⁹³

Much of Levasseur's own political radicalization had occurred during his incarceration in the Tennessee State Penitentiary and the notoriously violent Brushy Mountain State Penitentiary, where he served twenty months of a five year sentence between 1969 and 1971 for selling seven dollars worth of marijuana to an undercover policeman. His experience witnessing extreme poverty and violent American racism as a soldier in Vietnam had inclined him towards leftist politics, which he pursued as a local civil rights organizer for the Southern Student Organizing Committee (SSOC) while a student at Tennessee's Austin Peay State University following his return to the U.S. in 1967. Much of Levasseur's opposition to racial and economic injustice drew upon his experience as a person of French-Canadian heritage coming of age in the mill town of Sanford, Maine in the 1950s and 60s, where his parents and grandparents had toiled away their adult years in local textile mills for little pay, and Anglo-Americans would regularly deride Franco-Americans as "frogs" and "niggers-turned-inside-out." But it was his experience in the Tennessee prison system that transformed Levasseur from a radical into a revolutionary.⁹⁴ Like Malcolm X., Ho Chi Minh, George Jackson, and many other twentieth century revolutionary leaders, the experience of imprisonment convinced

⁹³ Levasseur interview, October, 2006.

⁹⁴ Ibid.

Levasseur that revolution was the only viable solution to the racism and poverty that he saw as inextricably linked to capitalism and U.S. imperialism in Vietnam and elsewhere.⁹⁵ In fact, it was in prison that Levasseur first studied the revolutionary writings of Malcolm, Ho, and Jackson, as well as the works of V. I. Lenin, Ché Guevara, Franz Fanon, Mao Zedong, and Karl Marx—all in books mailed to prisoners by activists outside. He also helped to organize a number of inter-racial prisoner work-strikes to demand improved food. These strikes broke the pattern of racial segregation that administrators had historically manipulated to divide black and white prisoners, and resulted in Levasseur serving months in solitary confinement as punishment.⁹⁶

Levasseur's leafleting efforts in Augusta paid off quickly. Within days he had received phone calls from local ex-cons Phil Shaw and Bob Lovell. Recent prisoners at the MSP, these men quickly established active lines of communication with MSP IAC member Richard "Dicky" Picariello and Gus Heald, now incarcerated in a Marion control unit. Levasseur, Shaw, and Lovell moved quickly to formally establish the Greater Maine Committee to Secure Justice for Prisoners (CSJP) in Augusta, and to secure a meeting with Picariello and other prisoners in Thomaston. By December, Levasseur had managed to arrange a meeting with members of the IAC inside MSP, and had established contacts with the nascent SCAR group in Portland, with which CSJP would soon merge. His account of meeting with MSP prisoners Picariello, Fred Tise, Steve Smith, Tim Flaherty, Leon Rich, and Daniel LaRouche appeared in the first issue of *SCAR'd Times* in May 1973. After greeting one-another with "a round of handclasps," Levasseur and his

⁹⁵ Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1999); Ho Chi Minh, *Prison Diaries*, trans. Aileen Palmer (Hanoi: Foreign Languages Publishing House, 1965); Jackson, *Soledad Brother*.

⁹⁶ Ray Luc Levasseur, "A Short Autobiography for My Daughter," in *Voyages: A Maine Franco-American Reader*, ed. Nelson Madore and Barry Rodrigue (Gardiner, ME: Tilbury House, 2007), 371-391.

new comrades got right to work drafting a list of fourteen demands for measures that would improve the lives of MSP prisoners, and serve as an organizing tool for SCAR members as they started up their organization in January 1973.⁹⁷ Included in the prisoners demands were: access to quality medical care, an end to mailroom censorship, abolition of the disciplinary board, dismantling of segregation cells, the elimination of criminal records after a prisoner's completion of a sentence to improve job opportunities, allowance of meetings between SCAR members on the "outside" with those on the "inside," and the return of strike leaders Gus Heald and Joe MacDonald to MSP. In a final note of passionate militancy, the prisoners' demands concluded: "We are the convicted class. We have been pushed over the line from which there can be no retreat. We will not be pushed out of existence. If Attica taught us anything, it taught us to continue and strengthen the struggle for justice. We will never give up."⁹⁸

While the lessons of Attica may have seemed clear to the members of Maine's newly formed prisoners' rights organization, the state's prison administrators were not as candid with their views. While they remained committed to reforming Maine's prison systems, Kearns, Murphy, and MSP's new warden Garrell S. Mullaney faced not only an organized coalition of radical prisoners and ex-convicts frustrated by the slow pace of progress; they also had to contend with skeptical political leaders, increasingly resentful prison guards, and a public often wary of rapid change despite the emergence of prison reform as a common topic of political conversation. The political landscape that SCAR would have to navigate in order to change Maine's status quo was also a rocky one. SCAR's young leaders would have to forge community alliances, raise funds, draft

⁹⁷ Ray Levasseur, "Committee for Justice: Thomaston."

⁹⁸ *SCAR'd Times*, "Grievances," Vol. 1, no. 1 (May 1973), 5.

legislation, publish a monthly newspaper, and institute community programs while paying their bills, addressing their group's internal political differences, and confronting police harassment. In the early months of 1973 they approached these tasks with enthusiasm, but their work would not be easy.

CHAPTER 2

“TUG-OF-WAR”:

SCAR TAKES ON MAINE’S CRIMINAL JUSTICE SYSTEM

“Jail Nixon! Jail Ford! Jail the rich and free the poor!”
Prisoners’ rights movement protest chant¹

In May 1973 SCAR members began hawking the first issue of their newspaper, the *SCAR’d Times*, on the streets of Portland. The paper’s most conspicuous feature, appearing on the cover’s upper left corner, was a caricature of President Richard Milhous Nixon. Drawn with the president shaking his clenched fists in a boxing stance and his thin lips tightened into a sour grimace, the Nixon cartoon appeared above the boldly printed phrase, “LAW and ORDER.”²

Most readers of the *SCAR’d Times* would not have had to read the brief article below on the recent resignation of FBI chief L. Patrick Gray to understand the irony implicit in this cartoon and caption. Gray’s resignation after investigators discovered he had incinerated a number of highly sensitive classified documents was merely the latest shocking development in the “Watergate” affair, a series of crimes that had come to light following an attempted June 17, 1972 burglary of the Democratic National Committee headquarters in Washington’s Watergate Complex by a handful of men hired by the White House. President Nixon had come to office in 1968 on a “law and order” platform, which had marshaled a large sector of the American public’s fear of crime, urban unrest,

¹ Prisoners’ rights demonstrators, including about a dozen SCAR members, chanted this slogan during a demonstration in Buffalo, New York on September 13, 1974. Approximately 3,000 demonstrators had convened in Buffalo to demonstrate their solidarity with the “Attica Brothers,” a group of 62 prisoners then facing serious charges for their participation in the 1971 prisoner strike in Attica State Prison. *SCAR’d Times*, “Attica: Right to Rebel,” Vol. II, No. 1, Oct. 15-Nov. 30, 1974, 13.

² *SCAR’d Times* Vol. 1. No. 1, May 1973, 1.

and mushrooming youth rebellion. Because news of his diplomatic accomplishments in China and negotiations to end the U.S. war in Vietnam had initially overshadowed the Watergate story, Nixon also managed to win the 1972 election. By early 1973, however, newspapers were bursting with headlines about high level government officials indicted for their involvement in illegal activities carried out to undermine Nixon's political opponents, and the "law and order" president himself faced growing scrutiny from legal and congressional investigations.³

Americans' disgust with Nixon's hypocrisy and seemingly criminal behavior became increasingly widespread in 1973, and SCAR members took advantage of anti-Nixon sentiment during the year's early months with their first fundraising effort: the printing of a thousand "IMPEACH NIXON" bumper stickers, which they sold for fifty cents each on the streets of Portland and in Cambridge Massachusetts's bustling Harvard Square.⁴ The bumper sticker sales helped raise money for the first printing of the *SCAR'd Times*, in which SCAR members reported on their organization's new campaigns and programs, and expressed outrage at their society's gross inequalities and inconsistent standards of justice. In the paper's introduction, its editor, Alan Caron, conveyed the feelings of his fellow SCAR members and many other ex-convicts and prisoners when he wrote:

Society today is faced with a new type of prisoner that refuses in many cases to believe that he is sick and therefore must be "rehabilitated". This new type of prisoner looks out through his bars and sees a world of poverty, and billionaires, of unprosecuted murder in Viet Nam while the "little man" here loses ten years of his life for a property crime. He sees "equal justice" every day when the

³ Christian G. Appy, *Patriots: The Vietnam War Remembered from All Sides* (New York: Penguin Books, 2004), 430-431.

⁴ Bothen interview.

convicted tax evader, embezzler, price fixer, etc. gets probation and a fine while he endures years of life in hell for much lesser things...

This society, if it is fit to judge anything, must begin to judge itself.

There will be no equal justice in the courts until there is equal justice in the society.⁵

SCAR's political analysis emphasized core contradictions facing America's judicial systems: poor and working-class criminals languished in inhumane prisons while wealthy criminals broke laws with impunity. To SCAR members, such unequal treatment of criminal offenders contrasted starkly with the purported American values of "liberty" and "justice" they had grown up absorbing in school and through the mass media. Moreover, SCAR connected America's broken judicial systems with what they considered to be the economic injustice inherent in the massive accumulation of wealth by the rich at the expense of workers and the poor. Seeing prisons as institutions designed specifically to target those disenfranchised by capitalism, SCAR's core members founded their organization on the premise that changing the prison system—in Maine and beyond—would require fundamentally altering the class structure of American society. Only the elimination of the social crimes of poverty and injustice, they felt, could lead to the eradication of street crime.

As SCAR continued its energetic mobilization over the course of 1973, its members expanded their activism beyond prison reform in attempts to work for the transformation of American society as a whole. They did so, however, while facing their organization's own internal contradictions. For one, the group needed money to fund its operations and so that its core members could pay their living expenses while working full-time for the organization. They raised impressive amounts of funds by hosting rock

⁵ Untitled editorial, *SCAR'd Times* Vol. 1. No. 1, May 1973, 1.

concerts and through grants and personal donations made possible by their impressive networking with lawyers, politicians, professors, church groups, and other grassroots activist organizations. When these sources of revenue proved inadequate, however, SCAR members often resorted to the means of making money that many of them knew best (and had often learned in prison): crime. Though they frequently justified theft, fraud, and other illegal behavior as “expropriation,” these activities made SCAR members vulnerable to police attacks, and alienated supporters, especially after some SCAR members left the group to pursue revolutionary violence. Sexism, widespread substance abuse, and internal political disagreements—particularly between the group’s charismatic leaders Alan Caron and Ray Levasseur—also served as impediments to SCAR’s success. Most importantly, state correctional policies were heavily beholden to public opinion, and as SCAR fought to change Maine’s prison system, backlash against penal reform also developed, especially in Waldo County, where the Maine State Prison was located and most of its guards and their families resided.

SCAR utilized five primary tactics in their efforts to change Maine’s prison system and its larger socio-economic realities: legislation, litigation, prisoner organizing, local and regional networking, and operating community “survival programs.” Underlying all of these efforts was an attempt to build a movement for social change through the processes of popular education and community solidarity. In early 1973, SCAR plunged into this endeavor with full force.

Over seventy people attended the group’s first open meeting on January 11, 1973 at Portland’s Immaculate Conception Cathedral Hall. The crowd watched a brief

documentary on conditions in Massachusetts prisons and listened to speeches by Alan Caron, Robbie Bothen, and Dr. Gene Mason, a professor of Bothen's from New Hampshire's Franconia College who taught courses on the American prison system. SCAR used the meeting as an opportunity to educate the public about prisons, recruit volunteers, and drum up support for the eight prison reform bills they had just introduced to Maine's 106th state legislature.⁶

Supported by a number of representatives from both political parties and various regions of the state, the bills recommended several of the improvements insisted upon by MSP prisoners during Levasseur's visit to the institution a few weeks earlier.⁷ Among other things, the bills called for guaranteed Federal minimum wages for prison labor, monthly furloughs for most inmates, automatic parole hearings for all prisoners who had served the first 1/3 of their sentence, conjugal visits for married convicts, and the establishment of a Prisoners' Bill of Rights that would ensure humane treatment for Maine inmates. In addition to securing basic human rights, the intention of these bills was to help prisoners maintain personal relationships and secure funds in order to facilitate their successful reintegration into society upon completion of their sentences. As Caron explained in reference to the parole bill, "It's important that [during his period of incarceration] a prisoner [be able to] go home and keep things together there. That

⁶ "SCAR MEETS," unidentified news-clipping, January 18, 1973, Levasseur Collection. Bothen was attending Franconia College as an art major when he was sentenced to MCC in 1971. Following his release he reenrolled as a political science major, and received permission from Mason to do an independent study organizing SCAR in Portland for the spring 1973 semester. Bothen interview.

⁷ Supporters included Judiciary Committee Chairman Sen. Wakine Tanous (R-East Millinocket), John R. McKernan Jr. (R-Bangor), Stephen L. Perkins (R-South Portland), Larry Connolley (D-Portland), Gerald Talbot (D-Portland), and Thomas R. LaPointe (D-Portland). Lynne Langley, "The ex-prisoners talk to the legislators and the legislators listen," *Maine Times*, April 20, 1973, 10-11.

way he has a place to go to when he gets out, and he keeps from getting institutionalized.”⁸

The bills and the hearings that followed seized headlines in all of Maine’s major newspapers as well as in the *Boston Globe*, giving SCAR immediate regional recognition. In April, Caron, Bothen, Lovell, Levasseur, and Newstetter testified before the state Judiciary Committee on behalf of the SCAR bills and against several proposed by the Bureau of Corrections. Remarking on the powerful splash SCAR was making in Maine’s political scene, one reporter said of the occasion, “Every once in a while, a dynamic combination hits Augusta and makes the legislature question concepts, establishments, and always accepted methods. Last week two days of Judiciary Committee hearings on prison reform bills were blasted apart by a group of ex-convicts called Statewide Correctional Alliance for reform (SCAR) who, perhaps for the first time in Maine’s history, showed the legislature two sides of what had always been a steady diet of ‘press releases’ from administrators at Maine’s correctional institutions.”⁹

SCAR’s efforts resulted in the defeat of the Bureau of Correction’s indeterminate sentencing bill, which SCAR opposed because it would have enabled prison authorities to hold inmates indefinitely until they determined whether or not he or she was entitled to release, thus giving administrators “absolute and unaccountable” control over prisoners’ lives.¹⁰ However, the Committee did not pass any of SCAR’s bills, perhaps because they called for too much change at once. In the eyes of Committee Chairman Senator Wakine Tanous (R – East Millinocket), SCAR was “making valid arguments, but they have

⁸ Quoted in *Maine Times*, “Prisons: ex-convicts work for reform,” January 19, 1973, 4.

⁹ Lynne Langley, “The ex-prisoners talk to the legislators and the legislators listen.”

¹⁰ Levasseur quoted in *ibid*.

inundated us with bills. They probably would have been more effective if they had presented one or two bills. They are making charges to the committee we cannot make a determination on.”¹¹ Instead of passing the bills, the legislators looked to Governor Curtis, who promised to back an official investigation into conditions in MSP—a task he followed through on in October with the establishment of the Governor’s Task Force on Corrections.¹²

For SCAR members, however, passage of the bills was not necessarily the primary goal of their introduction to the Judiciary Committee. Instead, SCAR introduced the bills in a strategic attempt to open a public dialogue on Maine’s criminal justice system, gain support for their fledgling organization, and highlight the contradictions inherent in institutions that are “penal” at the same time that they are supposedly “correctional.” From the group’s inception SCAR members had little faith that the legislative process could yield meaningful improvements in the lives of prisoners and others disenfranchised from the American political system. But they hoped that through the process of submitting the bills they could begin to build a social movement capable of achieving more substantial change. Caron explained that one of the bills’ main purposes was to “educate the people in Augusta” about the prison system’s failure.¹³ Levasseur later provided further elucidation:

The brothers at MSP who were most instrumental in drafting many of those bills were fully aware from the beginning that they would never pass. They were already aware of the reactionary nature of the Maine State Leg. However, in those early stages of the organizations development, they felt that an important purpose could be served in using the hearings and media as a forum in which to reveal to the public the brutality of prison, breaking some isolation barriers

¹¹ Quoted in Langley, “The ex-prisoners talk to the legislators and the legislators listen.”

¹² *Portland Press Herald*, “Not Without Success,” May 19, 1973, 12. John E. LaRouche, Project Director, *In the Public Interest: Report of the Governor’s Task Force on Corrections*, August 1974.

¹³ Alan Caron quoted in Langley, 10. Caron is referring here to the legislators in Maine’s capital, Augusta.

between the inmates and the masses of people, and in the long run demonstrating the futility of the legislative process in dealing with the rights and lives of the oppressed.¹⁴

In terms of raising awareness and drawing support, the bills did in fact seem to be a success. By late May, SCAR was boasting “several hundred” members, and had a mailing list with as many as 500 names.¹⁵ In addition to large chapters in Portland and MSP (which consisted of the majority of the institution’s prisoners), SCAR also had established smaller branches in Augusta and Bangor. In Skowhegan, the twenty-four prisoners of the Women’s Correctional Center (WCC) had formed a SCAR-allied inmates’ council in March. They quickly won their demands that guards knock before entering women’s cells, that meal-time prayers be optional, and that prisoners get the right to choose to bathe every other day rather than daily. Recently released prisoner Meredith Malmberg reported, “The women [in WCC] now have sense of the power that they can exercise over their own lives, despite the fact that they are in prison... Vitrally important to their struggle is communication with women on the outside and women in other prisons.”¹⁶

Though most of SCAR’s “external” members were ex-convicts, many were young people who had never served prison time, but were drawn to the group because they identified the prisoners’ rights struggle as part of a larger movement for social justice. Dianne McLaughlin, for instance, was sympathetic to the group’s aims, in part, because she had grown up in Portland separated from her incarcerated father. First involved in

¹⁴ “Open Letter to SCAR,” December 1975, 2, anonymous letter to SCAR actually written by Ray Luc Levasseur, Levasseur Collection.

¹⁵ Donald C. Hansen, “Prison Reform—Slow For Some, Fast For Others,” *Maine Sunday Telegram*, May 20, 1973, 12. “SCAR: From The Prison To The Streets,” unauthored clipping from unknown newspaper printed in early 1973, Levasseur Collection.

¹⁶ Meredith Malmberg, “Skowhegan,” *SCAR’d Times* Vo. 1, No. 1, May 1973, 10.

leftist politics as a mother on welfare organizing for the welfare rights organization We Who Care, she got involved with SCAR after meeting Alan Caron while working as a lobbyist for Pine Tree Legal Assistance.¹⁷ Another SCAR member, Barbara Chassie had met Ray Levasseur while attending the University of Maine Augusta (UMA) in 1972, where both had work-study jobs in the same building. She joined the group after transferring to the University of Maine Portland for the fall 1973 semester (coincidentally, at the same time as Levasseur). Like Levasseur and Caron, her leftist politics were heavily influenced by her French-Canadian heritage, as well as a ten-day sentence she had served in the Aroostook County Jail for possession of a tiny amount of hash.¹⁸ Pat Rowbottom grew up in a Maryland military family, and drifted into Portland in 1970 after spending time in San Francisco and New York City, where she was involved in the anti-war movement. Prior to organizing with SCAR, she had already been active in Portland's radical community as a welfare rights organizer and an editor of a self-published feminist-anarchist magazine called *The Rag*.¹⁹ Speaking of how she viewed the prisoners' rights struggle as part of a greater movement for social justice, she later reflected of her experience with SCAR, "We felt that by empowering people to take control of their lives, and by extension their communities, they could get strength from working together. We felt that if work and unity brought results and improvement in their lives; people would see that their interests lie in unity with each other and with other poor and working people."²⁰

¹⁷ Dianne McLaughlin interview with author, August 2009.

¹⁸ Barbara Chassie interview with author, July 2009.

¹⁹ Pat Levasseur (formerly Rowbottom), email to author, November 30, 2006.

²⁰ Pat Gros Levasseur, autobiographical statement in *The Women of the Ohio* 7 (1989), photocopied booklet, author's collection, 5. Rowbottom is Pat's maiden name, though in the early 1970s many knew her by Gros, the name of her first husband, to whom she was married only briefly. Out of respect for her

During its early months, SCAR also established a strong network of local and statewide political ties. For example, Pine Tree Legal Assistance, a program funded heavily by Federal grants, backed many of SCAR's legal battles, hired Caron, McLaughlin, and other SCAR members, and provided office space for the group at 158 Danforth St. Gerald Talbot, the founder of the Maine branch of the National Association for the Advancement of Colored People (NAACP) and the state's first African-American representative, backed many of SCAR's legislative and legal battles in Augusta, as did his fellow progressive Portland Democratic representative Larry Connolly. A number of church groups and private foundations gave their support to SCAR as well. In 1973, the organization received over \$10,000 in combined funds from the United Way of Greater Portland, Minute 60 (a Quaker foundation), and the University Christian Movement. The University of Maine Portland-Gorham (UMPG) lent its support too, allowing several students (including SCAR organizers Ray Levasseur and Barbara Chassie) to work for SCAR with Federal work-study dollars. In addition, individual donors provided SCAR with approximately \$3,400.²¹ One wealthy donor also supplied funds that allowed SCAR members Robbie Bothen, Jerry DeWitt, and Alan Caron to purchase the forty acre "SCAR Farm" in Bowdoinham, with the idea that SCAR would convert the farmhouse into a half-way house for convicts released from Maine's correctional facilities.²² Though the half-way house never materialized, the "SCAR Farm" became the venue for SCAR's two large weekend rock festivals in the summers of 1973 and 1974. Organized with the aid of Joel Newstetter's extensive connections within New England's rock n'

preferences, I henceforth use the name Rowbottom when referring to her in the early 1970s and Levasseur when referring to her in more recent years.

²¹ *Maine Telegram*, "Charities Gave Funds Liberally," October 3, 1976, 1.

²² Bothen interview.

roll scene, and netting SCAR thousands of dollars, the 1973 concert attracted over 5,000 guests, while the 1974 event (described by one journalist as a “small-scale Woodstock”) drew approximately 10,000.²³

SCAR was also part of a larger community of Portland activists and radicals who socialized in similar circles. Like most Maine cities, Portland in the early 1970s was economically depressed, with a declining industrial base and a population that was predominantly white and working class. But it also had a sizeable population of young activists, some of whom gravitated in from other parts of the state, and many who came from out-of-state in hopes of eventually going “back to the land” as environmentalist homesteaders in rural Maine. Many of these young people lived in group houses, started cooperative businesses in the mostly boarded-up Old Port district, worked for non-profit groups funded by Federal programs like Model Cities and VISTA, and participated in protests against the war in Vietnam and local slumlords. SCAR overlapped with this wider activist movement in a number of ways. For example, many SCAR members purchased groceries at the cooperatively-run Good Day Market or dropped off their children at the Portland Cooperative Daycare Center; and SCAR used the cooperatively run People’s Building as a venue for a number of rock concert fundraisers.²⁴ Portland’s left-wing “underground” newspaper, *North Country*, also covered SCAR-related news and featured articles written by SCAR members.²⁵ Additionally, SCAR formed political ties with other grassroots activist organizations in Portland, like the Portland Tenant’s

²³ *Maine Times*, “Rock Concert: Things Go Well,” August 31, 1971, 4. *Portland Evening Express*, “10,000 Jam SCAR Rock Festival,” June 29, 1974. Chassie interview.

²⁴ Agnes and Jim Bushell, interview with author, July 2009. Bothen interview.

²⁵ *North Country*, in Bloom (AC 1966) Alternative Press Collection [Box N28], Amherst College Archives and Special Collections, Amherst College Library.

Association, the welfare rights group We Who Care, and the West End youth organization Youth in Action.²⁶

SCAR also had street credentials. The roots of most of its members ran deep into Maine's working class communities, and SCAR actively reached out to local street criminals and ex-convicts, urging them to "get political" by funneling their rage and energy away from anti-social crime towards radical activism.²⁷ While they did not always succeed in getting street criminals politically active, SCAR did gain the allegiance and respect of many in Maine's criminal population. They managed to do so because members of both groups came from the same poor and working-class communities, and in many cases had served time together. Also, most male SCAR members were not hesitant to fight back against those who physically challenged them, as many who frequented Portland's working-class bars were well aware. One example of SCAR's connection with the criminally inclined was the group's formal allegiance with the Maine branch of the Iron Horseman motorcycle gang (which included many ex-convicts among its ranks), established in 1973.²⁸ A most striking display of this alliance occurred in July 1975, after joint SCAR/Iron Horseman member Jimmy Skillings died in a motorcycle

²⁶ *SCAR'd Times*, "Portland Tenants Assn." and "We Who Care," Vol. 1 No. 4, June 1974, 21.

²⁷ Levasseur interview. As Foucault explains in *Discipline and Punish*, 272: "the prison, and no doubt punishment in general, is not intended to eliminate offences, but rather to distinguish them, to distribute them, to use them... it is not so much that they render docile those who are liable to transgress the law, but that they tend to assimilate the transgression of the laws in a general tactics of subjection." Relatedly, the concept of "criminality" is socially, culturally, and politically constructed, in part, through the processes of law-making and punishment. Consequently, my use of the loaded term "criminal"—which invokes dehumanizing social stigmas—begs explanation. I use the term "street criminals" to distinguish poor and working class people who engaged in drug dealing, theft, and other illegal income-generating activities, from white-collar criminals who acquired income either through illegal embezzlement and high-level fraud or forms of extortion and exploitation protected by the law. Lacking better terminology, I also use the more generic term "criminal" in this section to refer to the former group.

²⁸ Levasseur interview, 2006. The Iron Horsemen consider themselves to be a "motorcycle club" while police consider them to be an "outlaw motorcycle gang." They have a long history of involvement in illegal activities. For more information on the Iron Horsemen, see their website, <http://www.ironhorsemen.net/> (accessed May 12, 2010), which includes a list of incarcerated and deceased members.

accident in Lewiston, Maine. Following his funeral, SCAR members and bikers from across the Northeast escorted his body to a Portland cemetery in a huge procession, enduring harassment from the Portland Police Department along much of the route.²⁹

SCAR co-founder Joel Newstetter also maintained the allegiance of many Maine criminals because of his own illegal activities. Gifted in the arts of theater and disguise, Newstetter was renowned among Maine criminals for his “paper hanging” accomplishments (otherwise known as check fraud). As Newstetter’s former wife Barbara Chassie recalls, “all of the local burglars knew that if they stole checks they should bring them to Joel.”³⁰ After accumulating a number of checkbooks, Newstetter would spend several days traveling throughout Maine in various disguises cashing forged checks at grocery stores. He would then return a cut of the profits to the burglars and donate the majority of the funds to SCAR. After returning from his paper hanging adventures, Newstetter would also bring car-loads of groceries to Portland’s Kennedy Park housing projects where he and other SCAR members would distribute them for free. Newstetter would also often sell marijuana, and occasionally other illegal substances as well—and in doing so sparked ongoing arguments between him and Chassie.³¹ In spite of his illegal activities, however, he maintained a consistent ethos in regards to his Robin Hood-inspired activities. He stole for the movement, and only from large businesses, an

²⁹ The *SCAR’d Times* reported that Skillings was then “buried in his colors, with flowers, a joint, biker and SCAR mementos, a case of empty Bud bottles drank at the graveside, and a ripped up American flag.” *SCAR’d Times* Vol. 2 No. 5, July 1975, 22.

³⁰ Chassie interview. Chassie and Newstetter married in 1972. Newstetter died of a heroin overdose in 1981 and Chassie never remarried.

³¹ Ibid.

activity he referred to as “expropriation,” while he believed that stealing for his personal needs or taking from individuals and “mom and pop” businesses truly was “stealing.”³²

SCAR members’ illegal activities often played out in a macho form of what Barbara Chassie calls “gangsterism,” which undermined some of SCAR’s objectives by turning off potential supporters and making SCAR members vulnerable to the police. For instance, during the early days of the organization, many SCAR members—both male and female—spent most Friday and Saturday nights at Sloppy Joe’s (a bar Chassie describes as “the nastiest bucket of blood in Portland”) dressed like members of a “street gang” in blue SCAR t-shirts with a broken hand-cuff graphic, black leather jackets, and black berets with red stars on them, “pissed off, drunk, and blowing off political steam.” The police would regularly appear at the bar to haul off the various parole violators and individuals with outstanding warrants who frequented the place, but one evening when the cops showed up, SCAR members urged the bar-goers to fight back. As the bar’s band stopped playing, a drunken Newstetter climbed onto a table and shouted “Every weekend, these bastards come into our bar, and take our brothers and sisters to jail, and we stand around like sheep and let them. What are we going to do about this?” As Chassie explains, “the police were blocked from access to their prey and fists and billy-clubs soon were flying. Joel was hauled off the table, beaten and taken to jail along with a couple more of our members, all charged with disorderly conduct except for Joel who was charged with inciting a riot. He was stone-cold guilty as hell, no question about it. Bail was raised, and in the morning, home comes Joel with the crap beaten out of him by the

³² Barbara Chassie email to author, August 7, 2010. Chassie remembers one occasion when Newstetter caught a new SCAR member stealing less than one hundred dollars from a welfare mother in Portland. He responded by paying the woman back and forcing the member to work off the debt to the organization.

police once again.” While SCAR members toned down some of their more reckless debauchery once police repression on the organization intensified, Chassie recalls this story in order to make the point that “sometimes, [SCAR’s] clashes with the police were because of harassment and repression; sometimes because we were young, drunk, pissed off, stupid and reckless. This was especially true of those of us with the most serious substance abuse problems.” “To say that some of us were profoundly lacking in revolutionary discipline,” she reflects, “would be a colossal understatement.”³³

Though members’ excesses sometimes made the group vulnerable to police attack, SCAR kept the illegal activities of its members secret from the its middle-class, liberal supporters, and (as Chassie admits) the tens of thousands of dollars Newstetter procured for SCAR were a crucial form of revenue for the organization that helped maintain its existence.³⁴ Indeed, many SCAR members shoplifted or engaged in other forms of petty theft for survival reasons. Though the group procured several grants and hosted profitable rock concerts, some SCAR members worked occasional wage jobs (Newstetter worked periodically as a roofer), and many of its members managed to draw welfare and food stamps or work for SCAR through UMPG work-study or Pine Tree Legal, these legal forms of income were often not enough to both fund the organization and pay SCAR members’ rent and bills. Thus through much of SCAR’s existence its members “hustled, scammed, and stole” a great deal of the funds and materials they need to survive and keep their organization operational.³⁵

³³ Ibid. Chassie remembers Levasseur as one of the few disciplined SCAR members during the early days of the organization who did not engage in these types of drunken escapades.

³⁴ Chassie interview and email. Indeed, Chassie contends that without Newstetter’s financial contributions, SCAR would never have lasted for as long as it did.

³⁵ Levasseur, *Family Values*, 3.

At the same time that SCAR members were working to establish their organization and forge local alliances, they were also helping to build a regional prisoners' rights movement. In April 1973, members of SCAR helped to form the New England Prisoners' Association (NEPA), a coalition of prisoner groups and prisoner support organizations from the six New England states, during a three-day conference on prison issues in Franconia, New Hampshire, attended by approximately 400 people. The coalition intended to strengthen "community and prisoner efforts for public education, legal action, and other forms of struggle by and for all people who are deprived of their legal, human, and civil rights."³⁶ For the next couple years, NEPA and its newspaper, *NEPA News*, helped strengthen the prisoners' rights movement throughout New England by enabling inter-state solidarity, resource sharing, and inspiration fueled by the momentum of a larger movement.

One of SCAR's first legal victories came directly out of its participation in the NEPA conference. In May 1973, SCAR, backed by the American Civil Liberties Union (ACLU), launched a one million dollar lawsuit that forced Maine prison officials to allow paroled SCAR leaders to travel to New Hampshire to attend a rally in solidarity with locked down prisoners in the state's maximum security institution—an action that NEPA had begun to organize at their April conference.³⁷ This legal win provided an important precedent because it enabled paroled SCAR members to take other politically motivated trips outside of the state. In September 1974, for example, about a dozen SCAR members caravanned to Buffalo, New York to attend a rally with approximately 3,000

³⁶ New England Prisoners' Association Newsletter, Monty Griffith-Mair, ed., May 1, 1973, Phyllis M. Ryan Papers (M94), University Libraries, Archives and Special Collections Department, Northeastern University, Boston, Massachusetts, unorganized box.

³⁷ *Maine Times*, "PRISONS: gains for the inmates," May 11, 1973, 4.

others in solidarity with the Attica Brothers, a group of sixty-two prisoners facing serious criminal charges for their involvement in the 1971 rebellion in Attica State Prison.³⁸

Another victory for SCAR also came in May 1973 when Maine correctional authorities authorized the return of SCAR members Joe MacDonald and Gus Heald to MSP. Officials had inexplicably transferred the two to out-of-state prisons in the aftermath of the MSP strike the previous fall, and a call for their return was one of the “14 demands” issued by Thomaston prisoners that winter. SCAR attributed this victory to Heald’s litigation and SCAR’s broader organizing efforts.³⁹ This legal triumph, like the one mentioned previously, emboldened SCAR’s membership by demonstrating that through organizing and group solidarity, prisoners, ex-cons, and their allies could successfully hold penal officials accountable for their unfair policies.

The SCAR dominated Inmates Advisory Council (IAC) in MSP also won other small concessions from prison authorities. For one, prisoners gained the right to choose where they sat in the cafeteria instead of being told where to eat their meals by guards. Authorities also permitted inmates to build stronger ties with the outside community by allowing them to form a chapter of the United States Junior Chamber (a non-denominational Christian service organization, also known as the Jaycees). After their successful Christmas party in 1972, MSP administrators also began allowing weekend family picnics, during which time prisoners and their partners, children, and relatives mingled freely in the prison yard, allowing inmates to maintain important personal relationships. Additionally, prison authorities permitted IAC members to form a Novelties Board, which managed a percentage of the revenue generated by prisoners’

³⁸ *SCAR’d Times*, “Attica: Right to Rebel.”

³⁹ *SCAR’d Times*, “Welcome Home Gus & Joe,” Vol. 1 no. 2, September 1973, 2.

novelty sales. With these funds, the IAC purchased films for weekly entertainment, financed Jaycee events, and supported the research activities, of Danny Trask, the legendary “Fishman of Thomaston,” who conducted research on tropical fish in aquariums in his cell and unsuccessfully ran a gubernatorial campaign from prison in 1974 as a SCAR candidate. For a time, authorities also permitted select IAC members to participate in disciplinary hearings for institutional infractions—a practice that many prisoners felt made the hearings much fairer.⁴⁰ Though these gains were modest, they are evidence that through organizing collectively in concert with outside supporters, prisoners were capable of achieving improvements in their surroundings.

While busy drafting legislation, fighting lawsuits, organizing NEPA, and supporting the “internal” branches of its organization, “external” SCAR members also worked furiously throughout 1973 to establish its community “survival programs.” Inspired by the Black Panther Party’s politics of “survival pending revolution,” SCAR’s survival programs were intended to help the organization, “sink roots into the community, develop credibility, and demonstrate through principle and action that it was a dedicated ‘peoples organization’ willing to struggle and fight for the rights of the oppressed.”⁴¹ According to Black Panther Party leader Huey Newton, survival programs “were designed to help the people survive until their consciousness is raised, which is

⁴⁰ R. W. Bothen, “Inmates Council,” *The Call: The Maine Prisoner Advocacy Coalition Newsletter* Vol. 1, Edition 1, July 2009, 2. Much of the information in Bothen’s article outlining the history of the MSP IAC in the 1970s comes from his memory and conversations with former IAC member Herbie Wentworth. For this reason I am unable to determine the precise times during which the IAC won each of these improvements.

⁴¹ “Open Letter to SCAR,” 7. For more information on the Black Panther Party, see Charles Earl Jones, ed., *The Black Panther Party Reconsidered* (Baltimore: Black Classics Press, 1998); Kathleen Cleaver and George Katsiaficas, ed., *Liberation, Imagination, and the Black Panther Party: A New Look at the Panthers and Their Legacy* (New York: Routledge, 2001); Mumia Abu-Jamal, *We Want Freedom: A Life In the Black Panther Party*, (Cambridge, MA: South End Press, 2004); and Jama Lazerow and Yohuru R. Williams, ed., *In Search of the Black Panther Party: New Perspectives on a Revolutionary Movement* (Durham: Duke University Press, 2006).

only the first step in the revolution to produce a new America... In themselves they do not change social conditions, but they are life-saving vehicles until conditions change.”⁴²

SCAR never reached the levels of national prominence and organizational sophistication gained by the Black Panther Party, but the Portland based group's influence and notoriety on a local level was similar. Though the Black Panther Party had effectively disintegrated by 1971 (due largely to a covert and deadly counter-intelligence campaign launched by the federal government), its legacy lived fresh in the minds of disenfranchised youth across the U.S. in the early 1970s.⁴³ Even to the almost exclusively white membership of SCAR (operating in one of the country's whitest states), the defunct Black Panther Party stood as a model of an effective revolutionary organization capable of both meeting poor people's basic needs in the short term, and building a long-term movement for radical social change.⁴⁴

While the BPP's most well known survival programs were its free breakfast programs for school children and free medical clinics in various major American cities, SCAR designed survival programs uniquely suited to the needs of Maine's poor and working class communities, particularly in Portland. First, in the fall of 1973, they opened their Drop-In Center at 374 Fore Street in the heart of Portland's commercial Old Port district. With high ceilings and walls decorated with posters celebrating various

⁴² Huey Newton quoted in Abu-Jamal, 90.

⁴³ For more information on the FBI's secret COINTELPRO operations against the Black Panther Party, the American Indian Movement, and other social movements of the 1960s and 70s, see Ward Churchill and Jim Vander Wall, *Agents of Repression: The FBI's Secret Wars Against The Black Panther Party and the American Indian Movement*, 2nd ed., (Cambridge, MA: South End Press, 2002) and David Cunningham, *There's Something Happening Here: The New Left, The Klan, and FBI Counterintelligence* (Berkeley: University of California Press, 2004).

⁴⁴ Other groups influenced by the Black Panther Party include the White Panthers of Ann Arbor, Michigan, the Puerto Rican Young Lords in Chicago and New York, the Chicano Brown Berets in California, and the nationally organized Gray Panthers, an organization of radical senior citizens. For more information, see Yohuru Williams, "White Tigers, Brown Berets, Black Panthers, Oh My!," in *In Search of the Black Panther Party*, 183-190.

revolutionary movements from around the world, the Drop-In Center housed SCAR's offices and the "George Jackson Meeting Hall," which served as a meeting space for SCAR and other local activist groups, including the Portland Women's Group, headed by SCAR members Pat Rowbottom and Kathy Walton. Staffed daily from nine to four and often occupied by busy SCAR activists late into the night, the Drop-In Center also served as a community gathering place and a social service center for ex-convicts and other poor and working-class Portlanders. From the Drop-In Center, SCAR would help newly released ex-convicts and others in need find housing, jobs, clothing, food, and legal services. In some cases, SCAR members would accompany individuals to court or help move families in and out of their apartments.⁴⁵ Occasionally, SCAR members would even take recently released ex-convicts into their homes, turning their collective apartments into impromptu "half-way houses" while their guests tried to transition back into the outside world.⁴⁶ The Portland Women's group also helped women access abortion services, which were then illegal in Maine. In at least one instance this entailed Pat Rowbottom accompanying a sixteen-year-old young woman on a seven-hour bus ride to New York City to receive an abortion.⁴⁷ At its peak from late 1973 to late 1974, SCAR provided services for thirty to forty people a week through the Drop-In Center.⁴⁸ Its ability to do so spoke to the organization's impressive connections to larger networks of activists and community members in Maine and beyond.

⁴⁵ Mike Scanlen, "SCAR Working On Many Fronts to Help Ex-Cons," *Portland Press Herald*, March 28, 1974. Also see, Levasseur, *Trial Statements*, 21-22.

⁴⁶ In some cases this led to SCAR members being taken advantage of, but these cases were the exception rather than the rule. See, Norma Jane Langford, "SCAR: Ex-Prisoners Trying to Change the System," *Maine Sunday Telegram*, November 10, 1974, 3D.

⁴⁷ Pat Levasseur, email to author.

⁴⁸ Scanlen, "SCAR Working On Many Fronts to Help Ex-Cons."

SCAR founded its survival programs in response to the needs expressed by community members. The Portland Community Bail Fund, for example, was a response to complaints by poor and working-class residents of the city who were often forced to endure unnecessary jail time for minor offenses simply because they could not afford bail. With grants provided by a number of Christian organizations, the fund helped provide bond money and legal services to many who would have otherwise been likely to suffer increased jail time and accept unfair plea bargains due to their lack of resources.⁴⁹ Similarly, SCAR instituted its free youth karate classes in Kennedy Park (taught by black belt Levasseur with the help of Roger Wallace) after single mothers in the housing project complained of their children abusing drugs and getting into trouble with the police because they lacked positive after-school activities.⁵⁰ SCAR also organized weekly reading and G.E.D. preparatory classes in the Kennebec County Jail and helped establish a library in the Penobscot County Jail in the hopes that through providing prisoners with education, they could pull convicts out of the debilitating cycle of crime and incarceration while inspiring new activist recruits. Additionally, SCAR hosted a weekly radio show on WBLM FM, a speakers bureau that sent SCAR members lecturing throughout Maine, and free transportation from Portland, Augusta, and Bangor to MSP for the wives and family members of prisoners (though the latter program occurred with some inconsistency due to financial shortages and chronic problems with the SCAR van).⁵¹

⁴⁹ Portland Community Bail Fund informational pamphlet, Levasseur Collection.

⁵⁰ Levasseur, *Trial Statements*, 22.

⁵¹ *SCAR'd Times*, "SCAR," Vol. 1 No. 3, December 1973, 4.

Organizing SCAR's numerous ambitious campaigns and projects was not easy, however. Life for SCAR members was busy and tumultuous. Nearly every issue of the *SCAR'd Times* in 1973 and 1974 contains an editorial explaining why the paper was being released weeks or months after its scheduled deadline. Often it was because SCAR's members were preoccupied with "survival needs" ("Ma Bell constantly threatening to cut off our phone service"), or because with limited time and finances, the group had decided in previous months to prioritize their programs over the paper.⁵² SCAR was also spread incredibly thin. Its core members worked full time on the organization's programs, often depriving themselves of sleep, and over-committing themselves to ventures that they did not have enough time or money to follow through on, such as founding a halfway house and an ex-convict-run business. As Pat Levasseur later recollected, "The needs of the poor and those trying to make it after prison are enormous. Many of us felt we were getting in over our heads from trying to provide so many of the services that people needed."⁵³

The group also struggled constantly to define itself. In order to develop a coherent theoretical basis for their activities, SCAR members engaged in numerous study groups, in which they discussed Marxian and feminist texts, and sought to articulate a strategy for achieving revolutionary social change. Early in 1973, SCAR members came to a consensus that since doing away with prisons required eliminating economic inequality, their activism needed to reach out not only to those living in the "maximum security" world of the prison, but to those inhabiting what they referred to as the

⁵² *SCAR'd Times*, "Editorial," Vol. 1, No. 3, Dec. 1973, 2. *SCAR'd Times*, "SCAR Drop In Center, For the People... In the Spirit of George Jackson," Vol. 1, No. 4, June '74, 2.

⁵³ Pat Gros Levasseur, *The Women of the Ohio* 7, 4-5.

“minimum security” world of the streets and the workplace as well.⁵⁴ But rarely could they agree on how to go about doing this. SCAR members debated continuously on exactly how much of the group’s energy should be directed towards prison activism and how much should focus on broader issues. They also argued over what overall strategy should guide the organization toward its ultimate goal of revolutionary social change. One faction of SCAR favored networking, public education, and developing mass public support, while another looked increasingly to armed insurrection. Because of over-extension and internal division, SCAR enacted numerous campaigns and projects, but rarely did these efforts fit together as parts of a unified and well-articulated strategy for long-term social change.

It would be wrongheaded, however, to place excessive blame for SCAR’s weaknesses on the personal shortcomings of the group’s members. SCAR activists were young, strapped for cash, and constantly trying to figure out how to effectively change the world as they went along organizing their ambitious campaigns and programs. Given their relative lack of previous experience with politics, the enormity of their goals, the social stigmas they faced as felons, and the entrenched powers of their opponents in Maine’s criminal justice and law enforcement establishments, it is indeed impressive that SCAR accomplished as much as they did.

Meanwhile, conservative forces in Maine were organizing a backlash to SCAR’s prison reform efforts. Indeed, before SCAR had even officially formed, guards at MSP had begun their own political organizing efforts. On September 1, 1972, David G.

⁵⁴ *SCAR’d Times*, “SCAR: In the Spirit of George Jackson,” Vol. 1, No. 2, Sept. 1973, 3.

Carnevale, executive director of the guards' union, the Maine State Employees Association (MSEA), spoke with reporters to deny rumors of an impending guard strike while explaining correctional officers' grievances. Conveying guards' frustration with low pay and aggravating working conditions, he alleged that recent months had seen a "breakdown in prison discipline," with prisoners in the segregation unit breaking windows, shouting obscenities, and hurling urine and feces at guards.⁵⁵ Carnevale's message came just nine days after the *Portland Press Herald* reported on seven prisoners in MSP's segregation unit who had destroyed bunks and mattresses and undergone a hunger strike in attempt to enforce demands for improved food and exercise privileges.⁵⁶ Prison guards and their families were also upset about an unrelated incident in August in which a prisoner struck a guard in the head with a hammer, sending the latter to the hospital for treatment.⁵⁷ Carnevale's announcement appeared in Maine newspapers the day before Garrell S. Mullaney was scheduled to begin his first day as Alan Robbins's successor to the position of warden at MSP. An idealistic twenty-seven year-old liberal reformer with brief experience working for the Vermont Community Corrections Center in Burlington and the U.S. Navy's prison barracks in Portsmouth, New Hampshire, Mullaney had told reporters in August that one of his goals as warden was to foster "mutual respect" between prison "residents" (a term he preferred to inmates) and guards.⁵⁸ In all likelihood, Carnevale's press statements had been strategically timed to

⁵⁵ *Portland Press Herald*, "Prison Guards Unhappy, But Deny Strike Rumors," September 2, 1972, 1.

⁵⁶ The *Press Herald* also reported that these prisoners had been writing to lawyers and the press to complain of cold food and poor medical conditions. *Portland Press Herald*, "State Prison Inmates Destroy Mattresses," August 23, 1972, 17. John Lovell, "Warden-To-Be Views Job As Prison Unifier," *Portland Press Herald*, August 24, 1972, 1.

⁵⁷ *Portland Press Herald*, "Guard's Spokesman Happy Over Session With Curtis," September 12, 1972, 16.

⁵⁸ Lovell, "Warden-To-Be Views Job As Prison Unifier."

put Mullaney on notice of guards' grievances and political power prior to his stepping into his position as warden.

Although corrections officials denied the MSEA's claims that recent disturbances at MSP reflected a broader "breakdown in discipline," the guard's airing of grievances did result in a meeting between union representatives and Governor Curtis on September 11, that eased many of the guards concerns. Following the meeting Carnevale glowingly reported, "It went extremely well. The governor and his aides were very sympathetic to our problems. I'm sure if anything can be done, the governor will do it."⁵⁹ Despite the meeting's promising discussions, however, MSP guards and their families continued to apply political pressure on state officials. A few days later, a group of wives and mothers of guards traveled forty-four miles by bus from Rockland to Augusta to deliver a petition concerning safety and security procedures at MSP to the governor and his Executive Council.⁶⁰ Political pressure applied by guards and their family members probably influenced Warden Mullaney's verbal reiteration of commitment to MSP staff a few weeks later, when he described the institution's 120 guards as "the front line" in its rehabilitation efforts, and expressed his desire to procure funding for additional guard training.⁶¹

Conservative backlash against prison reform intensified a year later, during the height of SCAR's organizing efforts. It began in September 1973 when an anonymous group headed by former MSP guard, Waldoboro Police Chief Terrence Parker, collected

⁵⁹ *Portland Press Herald*, "Guards' Spokesman Happy Over Session With Curtis."

⁶⁰ *Portland Press Herald*, "Prison Guards' Kin To Petition Governor," September 13, 1972, 18.

⁶¹ *Portland Press Herald*, "State Prison Warden Seeks Fund To Train Staffers," September 27, 1972. Dave Swearington, "State Prison's 120 Guards Are 'Front Line,'" *Portland Press Herald*, October 3, 1972, 1. According to the latter article, inmates at MSP accused the guards of "using one isolated incident" (the hammer attack) to push their self-interested political agenda.

over 500 signatures of Maine citizens in Knox, Lincoln, and Waldo counties on a petition demanding an end to MSP's furlough program. The petition drive began following the death of Thomaston police officer, Elliot Johnson, who was killed when a car carrying an ex-prisoner and a furloughed MSP inmate crashed into him while speeding through a roadblock on Labor Day weekend. The petition also cited the double murder of two elderly women in Swanville, Maine by ex-convict George Walter Crossman earlier in the month as evidence for the furlough system's failure, even though Crossman had been released from prison and was no longer under the MSP's jurisdiction at the time.⁶² While the groups' approximately forty-two members concealed their identities, it is likely that many were guards and their family members, since the MSP's one hundred guards lived mostly in the area where the petitions circulated and many of these guards and their families had recently participated in similar activism.⁶³ Considering that the petition came in response to the death of a local cop, it is also likely that some of the groups' members, like Parker, were police officers.⁶⁴

Warden Alan Robbins first enacted the furlough program in 1967 as part of his liberal reform efforts, but the program mostly remained on the books until Mullaney first began implementing it consistently upon becoming warden in early 1972. By Mullaney's account, the program was tremendously successful.⁶⁵ Citing Officer Johnson's death as a tragic anomaly, Warden Mullaney defended the furlough program by noting that during

⁶² Jim Moore, "Governor Asked To End Furloughs," *Portland Press Herald*, September 26, 1973, 21. *Maine Times*, "Furloughs: citizens make counter proposals," October 12, 1973, 5.

⁶³ The following article numbers the anonymous members of Chief Parker's anti-furlough group at forty-two: *Maine Times*, "Furloughs: parole board appointment adds fuel to the fire," October 16, 1973, 6.

⁶⁴ Internal SCAR member Richard Picariello claimed that one of the group's leaders was Belfast Deputy Sheriff Harold Higgins, whom he accused of past police brutality. See Richard Picariello, "The Clandestine John Birchers Attack Prison Furlough/Parole Program," *SCAR'd Times* Vol. 1 No. 3, 6-7.

⁶⁵ Dan Simpson, "Prisoner Furlough Debate: Reformers Unhappy," *Kennebec Journal*, date unknown, clipping from Levasseur Collection.

the 1,454 furloughs granted to seventy-five percent of MSP's inmates during the previous fifteen months only four known crimes had been committed, giving the furlough program a ninety-nine percent success rate. Mullaney argued that furloughs were an important means through which to reduce the seventy-five percent recidivism rate in U.S. prisons. He stressed the important rehabilitative function of the furlough program by explaining that it "offers the parole board—an autonomous body separate from the [prison]—a clearer picture of parole predictability, and it is also a major factor in reducing the number of parole violations during the past year. Because we have had this program I feel it has helped establish good morale among the residents, and it gives the officer more chances to work with inmates in maintaining unity and family ties."⁶⁶ Editorials in the *Portland Press Herald*, *Bangor Daily News*, and *Maine Times* also responded by defending the furlough program. While expressing sympathy with the petitioners' concerns, they referred to the petition's claims as "overstatement" and a "product of emotion" that threatened to undermine "a basic tool of rehabilitation" by highlighting its "conspicuous failures" at the expense of its many successes.⁶⁷

Despite institutional support for the furlough program, its anonymous opponents' efforts gained a boost on September 27, when MSP prisoner Charles Dyer escaped from an escorted trip to visit his wife in Rockland to settle a marital dispute.⁶⁸ With Dyer's escape occurring amidst "increasing adverse public pressure against the furlough program," Mullaney felt "compelled to temporarily suspend all furloughs, so that the

⁶⁶ *Maine Times*, "Prisons: confrontation over a basic tool of rehabilitation," October 6, 1973, 4. *Maine Times*, "Furloughs: the restrictions are tough," November 16, 1973, 4.

⁶⁷ *Portland Press Herald*, "Consider The Success," September 28, 1973, 14. *Bangor Daily News*, "Outside the Wall," September 29-30, 1973, 14. *Maine Times*, "Prisons: confrontation over a basic tool of rehabilitation."

⁶⁸ Since this trip was escorted it was technically not a furlough. Emmet Meara, "State Prison furloughs quashed," *Bangor Daily News*, September 28, 1973, 1.

program can be reevaluated and the reactions in the community can be judged.”⁶⁹

Emboldened by their short-term victory, Chief Parker’s anonymous anti-parole group began circulating another petition. While this one acknowledged rehabilitation as “part of the state’s duty to an inmate,” it stressed that “rehabilitation should not be conducted at the expense or the welfare of the private citizen or the safety and security of his home,” and called for a statewide referendum on six measures that would take the power of granting furloughs out of the hands of prison administrators and into those of the state parole board and severely limit the length of furloughs, the activities permissible to inmates on furlough, and the prisoners eligible to receive them.⁷⁰ While the anti-furlough group collected approximately 3,500 signatures, SCAR responded by canvassing Maine’s college campuses and collecting over 3,000 signatures on their own petition calling for Governor Curtis to reinstate the furlough program and introduce Rep. Gerald Talbot’s “emergency act relating to furloughs for inmates” that had died in the state legislature’s Judiciary Committee in the spring.⁷¹ Mullaney resumed the furlough program on November 9, with a series of new restrictions and regulations. While SCAR continued voicing opposition to the program’s limitations, referring to furloughs as a “weapon” used to blackmail politically active prisoners, Chief Parker vowed to continue fighting the program, waiting for “the first incident” of violation that would provide his group with another opportunity to attack the system.⁷² Though largely anonymous, Maine’s

⁶⁹ Mullaney quoted in *ibid.*

⁷⁰ *Maine Times*, “Furloughs: citizens make counter proposals.

⁷¹ *Maine Times*, “Furloughs: parole board appointment adds fuel to the fire.” Simpson, “Prisoner Furlough Debate.”

⁷² Simpson, “Prisoner Furlough Debate.” *Maine Times*, “Furloughs: the restrictions are tough.” SCAR members referred to furloughs as a “weapon” of the MSP administration because they claimed that administrators used the privilege in attempts to blackmail politically active prisoners into curbing their activism.

conservative opposition to prison reform was well organized, strategic in its maneuvering, and seemingly imbedded in the state's law enforcement community.

Conservative opposition to prison reform—headed mostly by law enforcement agents—continued in 1974 when the Legal Affairs Committee (LAC) of the Maine Legislature paired with the Maine Law Enforcement Planning and Assistance Agency (MLEPAA) in hosting a series of five public hearings on rural crime throughout the state. Though the stated purpose of these hearings was to determine “constructive ways” of improving the state's criminal justice system, the hearings were overwhelmingly dominated by testimony from police officers, judges, and others connected with law enforcement, who blamed rising crime rates on underfunded police forces and a liberal criminal justice system that did not adequately punish criminals.⁷³ SCAR members attended and spoke at all of these hearings, in some cases being the only speakers and attendees not affiliated with law enforcement, but their testimonies and concerns were systematically ignored in the Legal Affairs Committee's final report.⁷⁴ Focusing on the concerns of law enforcement officers, the report called for, among other things, the elimination of jury trials for misdemeanors warranting a maximum penalty of less than \$500 or six months in jail, mandatory sentences for drug trafficking convictions, lowering

⁷³ Maureen Williams, “Judge urges streamlining civil, criminal processing,” *Bangor Daily News* (Hancock County Edition), September 17, 1974, 8. *Maine Times*, “Rural Crime: panel report is disputed,” December 6, 1974, 5. *SCAR'd Times*, “‘Public’ Hearings Termed a ‘Farce,’” Vol. 2 No. 1, 6.

⁷⁴ In some cases, SCAR members were censored during the hearings themselves. During the Skowhegan hearing, for example, Legal Affairs Committee Chairman Sen. Cyril Joly (R-Waterville) gaveled Alan Caron's testimony after he had spoken only two sentences. In Skowhegan, Caron was the only non-law enforcement speaker to take the podium during several hours of testimony, and SCAR members were the only people of the approximately seventy-five in attendance who were not connected with law enforcement. See *Maine Times*, “Rural Crime: panel report is disputed.”

the juvenile age from eighteen to sixteen, and allotment of Federal Law Enforcement Assistance Administration (LEAA) funds to various small town police departments.⁷⁵

The Legal Affairs Committee released its report in December 1974, just a few months after the publication of another report on Maine's criminal justice system authored by the Governor's Task Force on Corrections (GTFC), a committee of twenty-eight individuals with various areas of expertise whom Governor Curtis had assembled in response to SCAR's volley of proposed legislative bills in early 1973. Taking a position fundamentally different than that of the LAC report, the GTFC, after sixteen months of rigorous study, had concluded that Maine's correctional system was essentially a failure: it was not successful in rehabilitating criminals or in keeping the public safe from crime. Among the GTFC's many recommendations was its proposal that Maine's Bureau of Corrections close all but one of its six prisons and transfer eighty percent of its prisoners to half-way houses and other small, "community-based treatment centers," a process the report predicted would dramatically reduce incarceration costs that were then averaging about \$13,500 per prisoner each year.⁷⁶

The report received the endorsement of Department of Mental Health and Corrections Director William F. Kearns Jr. and Bureau of Corrections Director Ward Murphy, but SCAR opposed it, and Alan Caron, who had served on the Task Force, led the call for his organization to boycott the Task Force's June conference.⁷⁷ SCAR

⁷⁵ Ibid. President Lyndon B. Johnson established the LEAA as "super agency" designed to strengthen ties between the Federal government and local police forces. Congress dramatically expanded the agency's budget during the Nixon administration. The LEAA received \$59.4 million in 1968, but in 1974 Congress allotted the agency \$3.23 billion to last it through the 1976 fiscal year. Christian Parenti, *Lockdown America: Police and Prisons in the Age of Crisis*, 2nd ed. (New York: Verso, 2008), 10, 13, 14-18.

⁷⁶ Lynne Langley, "The corrections report: At last, a dramatic revision is proposed," *Maine Times*, September 20, 1974, 16.

⁷⁷ *Portland Press Herald*, "Corrections Head Backs Philosophy of Study," September 20, 1974, 2.

ultimately agreed with most of the GTFC report's recommendations, since they were many of the same proposals SCAR had brought to the state Judiciary Committee hearings in early 1973. But Caron's frustration with the GTFC had grown over the course of his participation in the group, as meetings began to include increasing numbers of state correctional officials and LEAA representatives. He also felt betrayed by organizers of the Task Force conference when they declined to invite SCAR members to speak, instead filling the event's schedule with workshops led by state officials, LEAA employees, and university professors.⁷⁸ But most fundamentally, SCAR disagreed with the GTFC report because it did not recognize prisons as institutions designed to maintain class inequality. Instead, the report based its proposals on the premise of a philosophy that identified criminals as "sick" individuals in need of "diagnosis" and "treatment"—a theory that SCAR flatly rejected. In Caron's eyes, community-based treatment centers were still prisons, and in calling for "treatment" of crime, the GTFC was merely addressing the symptoms of a larger social dilemma. In expressing the need to address "the root of the problem," Caron and other SCAR members felt that the elimination of crime required elimination of the related "social ills" of poverty and unemployment.⁷⁹

SCAR members had good reason to view the GTFC report with cynicism. By the time of their nearly two years of organizing in late 1974, the organization had accomplished little in terms of tangible reforms to Maine's criminal justice system. Organizing by prisoners in MSP, enhanced by outside support and litigation had compelled prison authorities to make some changes in prison conditions, but authorities

⁷⁸ Lynne Langley, "Why the ex-offenders boycotted the conference on corrections," *Maine Times*, June 21, 1974, 16.

⁷⁹ Caron quoted in *ibid.* See also *SCAR'd Times*, "Task Force Recommends Prisons Close," Vol. 2 No. 1, Oct. 15 – Nov. 30, 1974, 6.

had met none of the SCAR-led IAC's fourteen demands reiterated in the organization's legislative proposals, aside from the return of SCAR leader Gus Heald to the institution in May 1973. And although SCAR dominated the IAC in January 1974, Warden Mullaney removed six SCAR members' names from the ballot for the August election, effectively curbing the group's ability to impact prison policy.⁸⁰ SCAR lawsuits had led U.S. District Judge Edward Gignoux to order that MSP officials could not arbitrarily censor prisoners' mail, prevent inmates' groups from obtaining legal counsel, bar prisoners from meeting with journalists, or hold prisoners in solitary confinement on disciplinary grounds for periods exceeding thirty days for major offenses or ten days for minor ones. However, MSP inmates continued to complain that MSP guards and authorities routinely ignored these restrictions.⁸¹ The independent Board of Visitors established by Governor Curtis following the fall 1971 rebellions in MSP continued to make periodic inspections of the prison, but prisoners complained that it led to no significant improvements in prison conditions, and served more as window dressing to obfuscate the institution's draconian practices.⁸² SCAR's organizing also helped to block plans for the construction of a new prison in the state, but the MSP's prisoner population continued to rise.⁸³ Moreover, MSP officials had been consistently barring internal SCAR members from holding open meetings with external members since Levasseur's meeting with IAC members in late 1972, blocking a crucial mode of communication

⁸⁰ SCAR/MSP, "Thomaston: Voices from the 'Inside,'" *SCAR'd Times* Vol. 2 No. 1, October 15 – November 30, 1974, 8.

⁸¹ *Maine Times*, "Prisons: confrontation over a basic tool of rehabilitation." Lance Tapley, "Corrections disobeys another federal court order: solitary confinement," *The Portland Phoenix*, December 16, 2009, <http://thephoenix.com/Portland/News/94600-Corrections-disobeys-another-federal-court-order/> (accessed April 11, 2010).

⁸² Bob Lovell, "Board of Visitors: A Nice Place to Visit But...", *SCAR'd Times*, Vol. 1 No. 1, May 1973, 7.

⁸³ *Maine Times*, "Super Prison: the opposition has its day," February 16, 1974, 8. During the 1974-1975 fiscal year, the average population of MSP was 418, a 23% increase since 1972-1973, when the average population was 361. Maine State Prison, Statistical Report, 1981, 3.

(though SCAR circumvented this problem through one-on-one visits and through female external SCAR members posing as internal members' girlfriends and holding informal meetings during Sunday family picnics in the MSP courtyard).⁸⁴ Despite SCAR's extraordinary organizing efforts, Maine's criminal justice system, fortified as it was by the established interests of guards and police, was as adaptive to reform as the granite walls of Thomaston were susceptible to attrition from the snows and winds of Maine's long winters. Transformative social change was possible; but it was more than SCAR could muster in the face of internal division, over-extension, and opposition from powerful enemies.

Throughout 1973 and 1974, SCAR made prison reform a major topic of discussion in Maine's newspapers, in Augusta's Capitol Building, and in the community gathering spaces of Maine's cities and towns. Building on the momentum generated during the MSP and MCC prisoner rebellions in late 1971 and 1972, SCAR strengthened Maine's prisoners' rights movement by providing an organized voice for convicts outside the imposing walls of the state's penitentiaries. Through legislative action, litigation, public education, community organizing, and political networking, SCAR shined a bright spotlight on the failures of Maine's criminal justice system, and proposed radical

⁸⁴ A copy of a photograph given to me by Barbara Chassie shows internal SCAR members Kathy Walton and Pat Rowbottom (wearing a SCAR t-shirt) seated and laughing around a picnic blanket in MSP's prison yard with Gus Heald, Richard Picariello, and four other internal SCAR members. The prisoners in the photo are all wearing blue jeans and t-shirts and many have long hair. The inter-mingling of visitors and prisoners in this photo and the prisoners' street attire and long hair reveal many of the changes in MSP's regulations that had occurred the 1970s as a result of prisoner organizing and the efforts of liberal corrections administrators. Prior to 1972, MSP prisoners had to wear prison uniforms and short hair and could only have one-on-one visits across a table divided by a twelve inch barrier. This photo would also surprise most people familiar with the MSP today, since the institution currently allows prisoners to visit only one or two people at a time, at tables located in a specially designated and supervised visiting room. Though MSP prisoners are still permitted to wear long hair, they must wear prison-issued uniforms at all times, including during visits. Similar conditions currently apply in most other U.S. prisons and jails.

suggestions for alternatives to mass punitive incarceration. SCAR's proposals were "radical" because they went after the root causes of crime—they called for fundamental changes in not only the prison system, but in America's unequal socio-economic order.

But SCAR's radical prison reform movement faced major conservative backlash from prison guards, police officers, and other law enforcement officials who organized in their local communities while enjoying strong political support from much of the state's political establishment. Viewing mass incarceration and expansive police power as the basis of their personal livelihoods, these law enforcement employees fought to oppose not only SCAR, but also the liberal prison reform efforts of Warden Mullaney, Bureau of Corrections Director Ward Murphy, and their supporters. SCAR members often referred to the conservative pro-police forces who opposed prison reform as "punishment freaks," because they advocated "a fundamentalist approach to prison."⁸⁵ As one journalist observed during the furlough debate, the liberal Maine Bureau of Corrections had in fact become "the villain in the middle" of a "tug-of-war" between the "radical" SCAR organization and the conservative "punishment freaks."⁸⁶

Observing the "tug-of-war" as it played out in the state's media coverage, was a public ambivalent to radical prison reform, despite increased interest in the subject in the wake of Attica and in response to the activities of SCAR and the broader prisoners' rights movement. This public was the key to prison reform. Without public oversight of corrections and law enforcement institutions or a critical mass of public support for alternatives to incarceration, the prison system was free to operate as many in the penal industry preferred—as an autonomous political unit with minimal accountability to

⁸⁵ Simpson, "Prisoner furlough debate."

⁸⁶ Ibid.

society at large. It is for this reason that both SCAR and conservatives opposed to SCAR appealed to Maine's public as they endeavored to change the state's criminal justice system. SCAR's success in building a mass public base for its programs began to decrease in late 1974; however, after political divisions within the organization made it vulnerable to its police opponents' most ruthless form of opposition: violent repression.

CHAPTER 3

“THEY EVEN PERSECUTED THE POOR DOG”:

POLICE REPRESSION AND SCAR’S DECLINE

In August 1974, Maine newspapers began covering a shocking story. A month earlier, Portland police had arrested one of their own men, patrolman Edward Foster, for conspiring with other Portland police officers to form a vigilante “death squad” with the intent of assassinating local ex-convicts. Though Portland police had arrested Foster in his Saco mobile home on July 30, they kept the news secret until late August, when papers began reporting on the officer’s hearing and involuntary detainment in the Maine Medical Center’s psychiatric ward.¹ According to reports that emerged in the following months, Foster had approached officers Bertel Serfes, William Betters, and Larry Dye about his plan to “clean up the city” of “undesirable types” in June. Foster had drawn up a list of Portland ex-convicts, and during several meetings over beer and target practice, the officers had discussed killing their victims with sawed-off shot-guns and disposing the bodies in construction sites on the outskirts of Portland.²

Officer Dye claimed that when he felt the conversations had begun to go too far, he reported them to Portland Police Chief William B. McClaran, who arranged for him to wear a wire to secretly record further discussions between the officers. Suspiciously, the tape recorded during Dye’s undercover mission vanished by the time Foster appeared at a

¹ *Portland Press Herald*, “Ruling On Commitment Of Policeman Due Soon,” August 21, 1974, 10. John S. Day, “Held Against His Will: Patrolman Released,” *Bangor Daily News*, August 31, 1974, 1. John S. Day, “Law and Order-1974,” *Bangor Daily News*, August 30, 1974, 14.

² Miranda Spivack, “Alleged Death List Victim Named At Foster Hearing,” *Portland Press Herald*, November 13, 1974, 1. Miranda Spivack, “Foster Fired, Guilty Ruling is Unanimous,” *Portland Press Herald*, November 17, 1974, 1. Lynne Langley, Portland’s death squad was a symptom of police frustration,” *Maine Times*, December 6, 1974, 10-11.

Civil Service Commission hearing at Portland City Hall on November 13. And though Foster was the only officer of the four to lose his job and undergo arrest and legal proceedings, the other officers' testimony indicated that some of them had discussed the plan as well. Serfes, for example, in referring to potential death squad victims, had admitted to making "some reference to where we would bury them after we zapped them."³ Foster's attorney, Robert Napolitano, also felt that all four officers had participated in planning the death squad. "There is no question in my mind [that Serfes, Betters, and Dye] were accomplices," he informed reporters. "If Foster is guilty of anything, they are equally guilty."⁴

News of a vigilante death squad within the Portland Police Department elicited shock among city residents. For those with little experience navigating the criminal justice system, including most middle-class Mainers, Foster's nefarious activities must have appeared to be a horrendous aberration—an example of a "bad apple" in an otherwise law-abiding and law-enforcing police department. Portland Chief McClaran, after all, had chosen to detain Foster in a psychiatric ward, rather than in the Cumberland County Jail. The city's charge that Foster was mentally unstable and the sole organizer of the death squad must have added to an impression of the patrolman as a lone, crazy officer gone awry.

This was not, however, how SCAR members interpreted the death squad. To SCAR, this paramilitary organization was "a logical extension" of the Portland Police Department's (PPD) repressive and brutal nature—merely, "the next step" in its "day to

³ Langley, "Portland's death squad was a symptom of police frustration."

⁴ Ibid.

day harassment and beating of poor and young people.”⁵ The PPD, after all, had a publicized record of police brutality, and in Portland’s working-class neighborhoods their abusive behavior was notorious. In September 1970, for example, the *Portland Press Herald* printed a photo of the blood-streaked face of 18 year old John Valley, whose skull Portland police had fractured with their truncheons before throwing him into a cell nearly unconscious. This incident prompted calls by community members for a citizen’s review board of the police department, a proposal flatly rejected by City Manager John Menario, and then Police Chief Douglas Steele, who, echoing the rhetoric of the Nixon administration, called such a measure “a sign of a breakdown of Law and Order” that would create a “crippled police force.”⁶ Leaders of the Portland Police Department were either not interested in power sharing, or afraid of what a citizen’s review board would find.

SCAR members chronicled this and other examples of PPD misconduct in the December 1974 issue of the *SCAR’d Times*, which they devoted to the issue of police brutality, and adorned with the headline, “Portland Police: Public Servants or Public Menace?”⁷ Among other things, SCAR’s articles recounted specific complaints of police brutality lodged during public meetings the group had held in Portland’s predominantly poor and working-class West End and the Kennedy Park housing projects.⁸ SCAR also dedicated the issue to its member Casey Hubbs, who a Portland police officer had viciously punched, kicked, and arrested—in plain view of other SCAR members—in the

⁵ Alan Caron quoted in Ibid. *SCAR’d Times*, “Sources of the Problem,” Vol. 2, No. 2, December 1974, 3.

⁶ *SCAR’d Times*, “Sources of the Problem,” Vol. 2, No. 2, December 1974, 3.

⁷ *SCAR’d Times*, Vol. 2, No. 2, December 1974, 1.

⁸ *SCAR’d Times*, “This week 3 SCAR members were beaten”, Vol. 2, No. 2, December 1974, 4. Chris Hastedt, “Police Brutality in Kennedy Park,” *SCAR’d Times*, Vol. 2, No. 2, December 1974, 5.

lobby of the Portland Police Station on a Saturday evening in November after she got into an argument with him while inquiring about the status of her detained brother.⁹

On Tuesday, November 13, 1974, about twenty SCAR members gathered outside Portland City Hall in the midst of a torrential rainstorm to protest their exclusion from the Foster hearings, and to share their analysis of the death squad with anyone who would listen. In the flier they distributed to passersby and members of the media, SCAR called for a public hearing and the release of the names of all officers involved with the death squad, in addition to the list of local ex-convicts the police officers had slated for execution.¹⁰ SCAR members were particularly enraged by their exclusion from the hearings because they believed that they had been some of the death squad's main targets. An anonymous police officer had informed one of SCAR's contacts that the death squad's hit list contained twenty-two targets, and the word on the street was that several SCAR members, including Ray Levasseur, Tom Manning, and Iron Horseman Vice President Dusty LeBlanc, were among them.¹¹ Moreover, SCAR members viewed the death squad as part of a larger counter-revolutionary movement by American military and law enforcement agencies bent on violently suppressing progressive social movements. As they explained in their leaflet, SCAR sought to "prevent... killing of human beings such as happened at Attica, Kent State, Jackson State and cities throughout America. There is a campaign of repression that has formed against poor, Black and Third World people."¹² SCAR members worried that the closed-door hearings were a

⁹ *SCAR'd Times*, "DEDICATION," Vol. 2, No. 2, December 1974, 1. *SCAR'd Times*, "Police Brutality: Getting Out of Hand," Vol. 2, No. 2, December 1974, 3.

¹⁰ SCAR & NEPA, "IF THEY COME FOR US TODAY, THEY'LL COME FOR YOU TOMORROW," mimeographed leaflet, November 1974, Levasseur collection.

¹¹ Langley, "Portland's death squad," 11. Levasseur, *Trial Statements*, 22-23.

¹² SCAR & NEPA, "IF THEY COME FOR US TODAY."

political “cover-up,” one that would mask broad patterns of police brutality and repression while leading officials and citizens alike to dismiss the death squad plot “as the ravings of a madman.”¹³

The Foster hearing was part of a turning point in SCAR’s history. News of the Portland police death squad sent SCAR members’ paranoia levels through the roof. Members of the group had always been subject to police harassment, but now it seemed as though the police were literally out to murder them—and in the months after the Foster hearing, police attacks on SCAR only escalated. The incredible psychological stress this caused SCAR members, and the time it wasted by diverting their energy away from their community programs, took a heavy toll on the group’s morale. It also further undermined SCAR’s unity. Continuous police repression drove a wedge between SCAR’s two already contentious political factions, who disagreed intensely on how to respond to violent attacks on the organization and the movement as a whole. Though Ray Levasseur had been longing to take up arms against the U.S. government for years, and had in fact recently begun recruiting other SCAR members into a communist guerrilla cell, the Foster hearing and the escalated police repression that followed it made “going underground” seem an urgent, life or death matter. Police repression helped compel some SCAR members to fight for social change with guns and bombs, and bombings attributed to former SCAR members in turn led to more police attacks. Meanwhile, SCAR fell apart.

¹³ Alan Caron quoted in Langley, “Portland’s death squad,” 11.

Ray Levasseur first studied the art and theory of guerrilla warfare as a prisoner in the Tennessee penal system. Armed struggle remained on his mind in September 1972, when he circulated his fliers in Augusta to commemorate the Attica massacre and initiate the formation of the Greater Maine Committee to Secure Justice for Prisoners. The reverse side of the fliers contained a poem expressing an anonymous ex-convict's feelings of shock and rage upon returning from prison to an unjust and violent society. Its second and third verses read:

i just got out of prison

last week George Jackson
was murdered
and yesterday morning
twenty-eight men died
in a place called Attica
Attica Attica Attica
Attica Attica Attica
another body-count
there are so many of them
i'm getting confused

The poem went on to express the author's feelings of loneliness and alienation in the world outside of prison. It concluded:

and last night
i sat in a cafe
alone
wondering if I should plant
a bomb somewhere¹⁴

Almost a year later, in the summer of 1973, Levasseur realized that his commitment to revolutionary social change would lead him irrevocably down the path of clandestinity. He later recalled:

¹⁴ X-convict (Tribe), "to whom it may concern," portion of a photocopied leaflet entitled *Attica Massacre: One Year Later: War Behind Walls* (September 1972), Levasseur collection.

The summer of '73—i.e. from May to mid-July—I took a traveling sabbatical before the big merger of SCAR in Portland. On the highways and byways, alone, I pondered my future. While committed to SCAR's expanding agenda—and being one of its architects—what I really wanted was to go underground. I wanted to fight on a different terrain. I wanted to make this system bleed. If only I could hook up.¹⁵

By the fall of 1974 Levasseur had at last begun taking steps in this direction. It was during this time that he met Cameron Bishop, a fugitive wanted by the FBI for his role in a 1969 bombing of Colorado power lines that led to an arms factory supplying the U.S. war effort in Vietnam. Previously affiliated with the Weather Underground Organization, Bishop went freelance after departing the group in the aftermath of an internal political split, and in 1974, he was hiding out in central Maine with his wife Mary. Occasionally, the pair would slip into Portland to work with SCAR under assumed identities. After getting to know one another through SCAR, Bishop and Levasseur began working with others to form a secret guerrilla cell.¹⁶

One member of this cell was Tom Manning, the brother of Mary Bishop, who had moved to Portland from Boston in 1973 with his wife Carol (a native of the small town of Kezar Falls, Maine) and their young son, Jeremy.¹⁷ After returning from a four-year Navy tour of Guantanamo Bay, Cuba and Vietnam in 1966, Manning had served a five-year sentence in Massachusetts' Walpole State Prison for an apolitical armed robbery, during which time his right knee became permanently damaged as the result of a beating by five prison guards.¹⁸ He joined SCAR shortly after moving to Portland when he

¹⁵ Ray Luc Levasseur, *Family Values*, photocopied booklet, author's collection, 2.

¹⁶ Ray Luc Levasseur, interview with author, July, 2009.

¹⁷ Kris Hundley, "Behind the Revolutionaries: the Ohio 7 tell their stories, Part I," *The Valley Advocate*, August 21, 1987. Available online at <http://homemadejam.org/mix/ohio7/> (accessed February 13, 2010).

¹⁸ Profile of Tom Manning in Tim Blunk and Ray Luc Levasseur, ed., *Hauling Up the Morning: Writings and Art by Political Prisoners and Prisoners of War in the U.S.* (Trenton, NJ: Red Sea Press, 1990), 384-

discovered a copy of the *SCAR'd Times* on the stoop of his family's Munjoy Hill apartment.¹⁹

Levasseur, Bishop, and Manning were not forming their guerrilla cell in isolation. During the early 1970s, there were many leftist guerrilla organizations operating in the United States, including the Black Liberation Army (BLA), the Weather Underground Organization (WUO), the Symbionese Liberation Army (SLA), the New World Liberation Front (NWLFF), and las Fuerzas Armadas de Liberación Nacional Puerto Riqueño (FALN—the Puerto Rican Armed Forces for National Liberation).²⁰ Many of these groups had formed in response to government attacks on legal, “above-ground” organizations. The Black Liberation Army, for example, though predating the Black Panther Party (BPP), experienced a surge in its ranks in 1971 following a major split in the Party caused, in part, by FBI counterinsurgency tactics and police attacks on Panthers throughout the country.²¹ The Weather Underground Organization, initially formed as a militant outgrowth of Students for a Democratic Society (SDS), also developed as a response to the government's crackdown on the Black Panther Party, especially following

385. Tom Manning, “In My Time,” in *Warfare in the American Homeland*, ed. Joy James (Durham: Duke University Press, 2007), 284.

¹⁹ Hundley, “Behind the Revolutionaries.”

²⁰ For more on the BLA, see Akinyele O. Umoja, “The Black Liberation Army and the Radical Legacy of the Black Panther Party,” in *Black Power in the Belly of the Beast*, ed. Judson L. Jeffries (Chicago: University of Illinois Press, 2006), 224-251. For the WUO, see Dan Berger, *Outlaws of America: The Weather Underground and the Politics of Solidarity* (Oakland: AK Press, 2006), Jeremy Varon, *Bringing the War Home: The Weather Underground, the Red Army Faction, and Revolutionary Violence in the Sixties and Seventies* (Berkeley: University of California Press, 2004), and Ron Jacobs, *The Way the Wind Blew: A History of the Weather Underground* (New York: Verso, 1997). On the SLA, see Cummins, 222-251. For a brief overview of leftist guerrilla movements in the U.S., see Dan Berger, “The Real Dragons: A Brief History of Political Militancy and Incarceration, 1960s to 2000s,” in *Let Freedom Ring: A Collection of Documents from the Movements to Free U.S. Political Prisoners*, ed. Matt Meyer (Oakland: PM Press, 2008), 3-46.

²¹ Umoja, 229-234.

the assassination of Panthers Fred Hampton and Mark Clark by Chicago police in December 1969.²²

Though they suspected the existence of a concerted government effort to silence them, BPP members and anti-war activists did not know in the late 1960s that they were targets of the FBI's secret Counterintelligence Program (COINTELPRO). With Martin Luther King Jr. and other Civil Rights leaders in its sights, the FBI initiated COINTELPRO in the 1950s in an effort to "disrupt" and "neutralize" any "perceived domestic threats to the established political and social order" during the 1950s, 60s, and early 70s.²³ By the late 1960s, the focus of COINTELPRO had shifted to the New Left, and the BPP in particular, whose leaders the FBI subjected to defamation, arrest, imprisonment, and assassination.²⁴ Historian Frank Donner partially illustrates COINTELPRO's impact when he explains that in 1969, "it was estimated 30 Panthers were facing capital punishment, 40 faced life imprisonment, 55 faced terms up to thirty years, and another 155 were in jail or being sought." Also during that year (one that Levasseur spent in prison studying revolutionary theory), at least thirteen BPP offices in various parts of the U.S. came under attack from local police agencies.²⁵

Levasseur, Manning, and other SCAR members did not necessarily need the government's attacks on the BPP to convince them of the need for revolution, however. The U.S. government's failure to secure economic equality for African-Americans or end

²² Berger, *Outlaws of America*, 121. Also see Jeffrey Haas, *The Assassination of Fred Hampton: How the FBI and the Chicago Police Murdered a Black Panther* (Chicago: Lawrence Hill Books, 2010).

²³ U.S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Final Report*, Book 3 (Washington: U.S. Government Printing Office, 1976), 3-4.

²⁴ U.S. Senate Select Committee, 185.

²⁵ Frank J. Donner, *Protectors of Privilege: Red Squads and Police Repression in Urban America* (Berkeley: University of California Press, 1990), 180. See page 60 footnote 40 of this work for more titles on COINTELPRO.

its bloody war in Vietnam (in which both Levasseur and Manning had served) despite the tremendous efforts of the Civil Rights and anti-war movements had already compelled thousands of young Americans to view liberal democracy as an obstacle, rather than a solution, to a world free of racism and imperialism. What government attacks on the New Left did do was help convince Levasseur and Manning of the need for a particular kind of revolution—one propelled by guerrilla warfare. They found a strategy for such a revolution in the writings of Ché Guevara and Régis Debray.

In the late 1960s, as the U.S. escalated both its war on Vietnam and its attack on domestic resistance, a small but vocal number of radicals in the U.S. began to take up Ché Guevara's call for "two, three, many Vietnams." The Guevara quotation comes from his 1966 letter to the Solidarity Conference of the Peoples of Africa, Asia, and Latin America (also known as the Tricontinental Conference) in Havana, Cuba, which he wrote from the Congo before departing for Bolivia, where he was later killed by government forces as he attempted to ignite a socialist revolution similar to the one he had helped succeed in Cuba in 1959.²⁶ The main argument of Guevara's letter was that socialist insurgencies dispersed throughout the Third World could overwhelm U.S. military capacity and ultimately defeat U.S. imperialism. While a "people's army" was a model of anti-imperialist resistance in places like Vietnam and the Portuguese colonies of Africa, in countries where a mass movement was less developed, armed struggle,

²⁶ Ché Guevara, "Message to the Tricontinental," in *Guerrilla Warfare*, ed. Brian Loveman and Thomas Davies Jr. (Lincoln: University of Nebraska Press, 1985), 202. For more on Guevara's and Debray's influence on the New Left, see Berger, 45-46, 97-99. Also see Justin Jackson, "Kissinger's Kidnapper: Eqbal Ahmad, the U.S. New Left, and the Transnational Romance of Revolutionary War," *Journal for the Study of Radicalism* 4, no. 1 (2010), 75-120, and Jeremi Suri, *Power and Protest: Global Revolution and the Rise of Détente* (Cambridge: Harvard University Press, 2003): 171-172. For critical appraisal of Guevara's influence on the left internationally, see Matt D. Childs, "An Historical Critique of the Emergence and Evolution of Che Guevara's Foco Theory," *Journal of Latin American Studies* 27 (October 1995): 593-624, and Vijay Prashad, *The Darker Nations: A People's History of the Third World* (New York: New Press, 2007), 105-115.

according to Guevara, could still play an important role in the form of the “foco.” The “foco,” according to the writings of French theorist Régis Debray (who fought alongside Guevara in Bolivia), was a small, mobile unit of disciplined guerrillas, who could quickly strike enemy targets and retreat into hiding. In the process, Debray argued, they could recruit and train other focos that could eventually unite as a people’s army capable of bringing about general insurrection and the ultimate overthrow of capitalist regimes.²⁷ Levasseur, Bishop, and Manning embraced the concept of the “foco” wholeheartedly because it was a theory that offered an avenue through which they could channel their passion for justice into what seemed to them a promising and realistic, albeit risky, strategy for revolution that a number of other U.S. guerrillas were already implementing, particularly through WUO and NWLF bombings in New York, Washington D.C., and the San Francisco Bay area. It also seemed to present a way for the movement to defend itself while under attack from counter-revolutionary police forces.²⁸

Not everyone in SCAR embraced the foco theory, however. Alan Caron, for one, rejected it because he felt that it was suited only to Third World countries where guerrillas were fighting external enemies (often of a different race) and had little to no other means of resisting colonial or neo-imperialist domination. In the U.S., Caron believed, conditions called for public education, organization, and the creation of “mass organizations or activist parties.”²⁹ In a June 1975 letter to internal SCAR members Picariello and Heald, Caron explained his concern that armed struggle in the U.S. (with

²⁷ Régis Debray, *Revolution in the Revolution?* (New York: Grove Press, 1967) and *Strategy for Revolution: Essays on Latin America* (New York: Monthly Review Press, 1971).

²⁸ Levasseur outlined his thoughts on the “foco theory” in a strategy paper shortly after going into hiding in 1975. It draws heavily from the writings of Guevara, Debray, and Jackson. See “Seize the Time,” (no author listed) copy of type-written essay (1975), author’s collection.

²⁹ Alan Caron letter to Dicky [Richard] Picarriello and Gus Heald, June 26, 1975, Levasseur Collection.

the exception of clandestine “expropriation”—which activist organizations needed for fundraising purposes) ran the risk of alienating supporters, or worse, destroying and setting back the movement by bringing on more police repression.³⁰

Political disagreements on a number of issues, particularly armed struggle, as well as a general personality clash, set Levasseur and Caron at odds almost since SCAR’s initial merger with CSJP. Many SCAR members tended to align themselves with one or the other, while others found both to be somewhat dogmatic and arrogant, and maintained autonomous positions within the organization while maintaining friendships and/or working relationships with both. Nevertheless, tension between the two amplified, as did overall demoralization within the group, in the fall of 1974 as SCAR came under increased attack from local police forces.

SCAR members were no strangers to police harassment and brutality prior to forming their group. Indeed, physical attacks at the hands of police and prison guards had played a major factor in radicalizing many SCAR members in the first place. SCAR members in Portland also experienced police violence soon after they formed their organization. Robbie Bothen, for example, recalls getting badly beaten by Portland Police in 1973 after getting caught smoking a joint with a girlfriend in a van parked outside the People’s Building, where SCAR was hosting one of its first benefit concerts. In the fall of 1974, however, police harassment of the organization intensified. First, in September, SCAR members reported an unusual amount of conspicuous police

³⁰ Ibid.

surveillance and harassment.³¹ SCAR's encounters with the Portland Police during this time were constant, to the point that SCAR members often felt paranoid about leaving their houses. Barbara Chassie recalls, "It was like, uh-oh, I need a quart of milk; am I going to go to jail?"³² Local law enforcement agents also approached several of SCAR's donor organizations during this period, imposing an intimidating presence that compelled some to withdraw funding.³³ In late September, Maine State Police raided the "SCAR Farm" in Bowdoinham, allegedly confiscating "two bags of marijuana, four marijuana plants, and drug injection equipment" from the uninhabited farmhouse, though they neglected to follow-up with threatened arrests of the SCAR members who owned the property.³⁴ Noting that SCAR had just received a \$35,000 grant from the National Catholic Foundation the day before, and viewing the raid in the context of repeated police harassment, Alan Caron called the raid "politically motivated," "retaliatory in nature," and "designed to discredit SCAR."³⁵

Other police actions seemingly intended to discredit Maine's prisoners' rights movement occurred in late October and early November in response to SCAR member Phil Shaw's bid for Cumberland County Sheriff. Shaw ran as an Independent on a prison reform platform, and through much of his campaigning he had established himself as someone who would improve a corrupt law enforcement system tarnished by recent news of the death squad within its ranks. His primary campaign pledge was to establish a

³¹ *Bangor Daily News*, "SCAR calls drug raid 'retaliatory,'" October 2, 1974, 21.

³² Chassie interview.

³³ *Bangor Daily News*, "SCAR calls drug raid 'retaliatory.'" *Maine Times*, "Marijuana: was the raid an act of retaliation?," October 4, 1974, 4.

³⁴ *Ibid.*

³⁵ *Ibid.* *Maine Times*, "Marijuana." Bothen recalls that there were, in fact, marijuana plants on the property that had sprouted from seeds dropped by people attending the rock concert in June. Bothen interview. Considering that the farm was located on an isolated dirt road, however, it is unlikely that the police would have happened to have driven by and noticed marijuana plants through the farmhouse window unless they were specifically looking for a pretense to target SCAR.

civilian review board of local police departments and the Cumberland County Jail, where he attributed a number of recent prisoner suicides to the corruption and incompetence of its officials. A week before the election, outgoing Sheriff Charles Sharp wrote a letter to every Deputy Sheriff in the County urging officers to go door-to-door in their communities to tell voters that they should not vote for Shaw because he was an ex-convict who had done time in MSP. The County's Deputy Sheriffs obliged, spending much of the following week canvassing the region "in uniform, guns on hip."³⁶ In an apparent extra measure to ensure Shaw's electoral defeat, Portland police arrested the candidate three days before Election Day on charges related allegedly hanging signs on public property and a two-and-a-half-year-old traffic violation for "failure to keep to the right" that Shaw had thought he had resolved through the appeals process shortly after the incident took place. According to Shaw, the police also beat him once they took him into custody.³⁷ Despite their deceitful, violent, and illegal tactics, police opposition to Shaw's Sheriff campaign ultimately paid off. Morning headlines on Election Day described Shaw's arrest as a determining factor in his loss to Democrat and former Portland cop Richard Thayer, who had joined the race only a few weeks earlier.³⁸

The main focus of police harassment, however, was the Red Star North Book Store. Levasseur opened the store in October 1974 along with SCAR members Pat Rowbottom, Tom Manning, Kathy Walton, Linda Coleman, and Roger Wallace, as well as Carol Manning and Mary Bishop (then living under a false identity), who were not

³⁶ Monty Neill, "Shaw For Sheriff," *NEPA News* Vol. II, No. 10, November, 1974, 5.

³⁷ *Ibid.*

³⁸ Sean Beeny, "Ex-Convict Wishes Election Were Today," *Portland Press Herald*, September 30, 1974, 1. Jerry Harkavy, "Ex-Prison Inmate Wants to Head State Department," *Lewiston Daily Sun*, November 22, 1974, 15. Incidentally, Richard Thayer resigned from his post in 1977 after pleading guilty to embezzling state funds. See *Bangor Daily News*, "Sheriff Pleads Guilty: Resigns post, pays back missing funds," August 30, 1977, 17.

active in SCAR, but socialized in the same activist circles.³⁹ While Levasseur continued to teach SCAR self-defense classes and participate in the Cumberland County Bail Fund, his efforts to open the bookstore reflected his desire to distance himself from SCAR. The group had lately become a source of political frustration for him, in part, because of his disagreements with Al Caron. Red Star North was also a sign of Levasseur's increasing radicalization, though he admitted later that if he knew he would be establishing contacts with the underground at around the same time, he would not have opened it.⁴⁰

The small book store stood at 865 Congress Street, on the outer reaches of Portland's main drag, about a mile and a half from downtown, in the former site of a shoe repair shop. Portland's first bookstore dedicated specifically to radical literature, it specialized in books on Marxism, revolution, feminism, prisons, Native American issues, and labor struggles, as well as "non-sexist, non-racist children's books."⁴¹ A bit of an oddity in this predominantly white working class neighborhood, the store's front windows featured a large poster of Black Panther leader Huey Newton, and a large, wooden red star, carved by internal SCAR member Dicky Picariello in the MSP novelty shop. The seven members of the Red Star North collective took turns staffing Red Star North six days a week on a volunteer basis. They also ran a free "books to prisoners" program funded by book sales that for a brief period sent radical texts to prisoners throughout the country.⁴²

³⁹ Coleman had gotten involved with SCAR and Red Store North only recently, after attending the November 12 rally outside the Foster hearing in Portland City Hall. Levasseur interview.

⁴⁰ *Portland Evening Express*, "Bookstore Dedicated Exclusively to Radical Literature Opens," October 28, 1974. Levasseur, *Family Values*, 4. Annotated Photograph of Red Star North Collective (1974), Levasseur collection. Levasseur interview, 2009.

⁴¹ Red Star North advertisement, *SCAR'd Times* no.2 vol. 2, December 1974, 24.

⁴² *Portland Evening Express*, "Bookstore Dedicated Exclusively to Radical Literature Opens." The above section was also informed by Ray Luc Levasseur interview, October 2006.

The store attracted the attention of police and right-wing vigilantes almost immediately after it opened. Portland police kept the store under heavy surveillance, and would often park their cruisers across the street. “They were always watching us,” Levasseur later recalled.⁴³ In November, however, following the Hubbs beating and the Foster hearings, the bookstore increasingly came under direct attack. For example, one day a squad of police officers burst into the store while Levasseur was staffing alone and proceeded to arrest him. They did not indicate why they were doing so until after they had searched the store and found an open beer can in the back room; they then charged him with violating an open container ordinance. The squad leader, and Levasseur’s arresting officer in this incident, was none other than Bertel Serfes, one of the cops recently implicated in Foster’s death squad. Needless to say, Levasseur and his comrades interpreted this arrest as part of a police conspiracy against Red Star North and SCAR—as “a bogus arrest to come in and... close the store and threaten us.”⁴⁴

A more serious attack on the Red Star North came in December. A female member of the collective was staffing the store alone in the early evening when two men entered. They viciously beat her and raped her before ransacking the store—destroying books and ripping posters off the wall—and stealing the small amount of cash in the register. The bookstore worker who survived this assault believed that her attackers were police officers.⁴⁵ Given the knowledge of the Foster death squad and level of police harassment SCAR had been enduring in recent months, this was not an unreasonable suspicion, and her fellow members of the Red Star North collective shared her hunch. To

⁴³ Levasseur, “Sedition Trial Opening Statement,” 22.

⁴⁴ Ibid. A local judge threw out these charges soon after the incident.

⁴⁵ Levasseur, *Trial Statements*, 23. Levasseur interview, 2006. I have chosen to keep the rape survivor’s name anonymous to protect her privacy.

make matters worse, SCAR and Red Star North began receiving death threats, both on the telephone and through the mail in letters inscribed with swastikas and Ku Klux Klan slogans.

Considering the police and vigilante attacks on their organizations' members and the climate of COINTELPRO repression directed at the left nationally, many in SCAR and the Red Star North collective took precautions to guarantee their personal safety: they began arming themselves. This was risky for those who were felons, since for them possession of a firearm was illegal and could lead to a ten-year prison sentence. But as Levasseur later explained, "I got a choice between that or getting one of these cop's bullets in my head. I didn't think it was a choice so I started to carry a gun."⁴⁶ Experienced with firearms from his time in Vietnam, Levasseur also taught other members of the Red Star North collective to shoot. After the attack, the Red Star North workers kept a loaded .38 handgun in the store at all times.⁴⁷

Attacks on SCAR sent paranoia and fear pulsating feverishly through the group. Extreme paranoia almost led to a death during a late night meeting in Levasseur's Munjoy Hill apartment shortly after the book-store attack. While SCAR members discussed strategies for responding to attacks on the organization, the meeting was suddenly interrupted by a crash of glass shattering on Levasseur's front door. Afraid that they were under yet another police attack, the eight or nine SCAR members in attendance immediately grabbed their guns and braced themselves for a firefight similar to those that had been fought out between Black Panthers and police in a number of U.S. cities in

⁴⁶ Levasseur, *Trial Statements*, 23.

⁴⁷ Ibid.

recent years.⁴⁸ The tension in the room was soon eased by rolled eyes and laughter, however, as the exhausted SCAR members realized that the commotion had been caused by one of Levasseur's many female lovers, who had stumbled into the door in a drunken stupor.⁴⁹

Police threats and violence also dramatically widened the organization's internal fissures. For example, after Portland Police officers kicked Casey Hubbs's head in, breaking her nose and forcing her to get stitches, Levasseur and others associated with SCAR's Red Star North faction felt resentment towards those SCAR members present at the beating who did not intervene to protect their beleaguered comrade.⁵⁰ Similarly, Levasseur and others in the Red Star North collective grew quickly disgusted with those SCAR members who did not respond to the bookstore attack. While Levasseur and about a half dozen others spent several long nights after the assault scouring Portland with loaded pistols looking for the assailant, they felt that other SCAR members were doing little to nothing to help defend the organization. Levasseur's bitterness towards his adversaries within SCAR was still apparent when he expressed his criticism in a letter to the organization sent from hiding the following year:

The reaction of too many SCAR members at this time was no response. Some even went out and partied. It was disappointing and disgusting and for some of us caused a permanent break between ourselves and the organization. How do you define politically the feeling you get when you are searching the cities [sic] bars for the pig enemy who just attacked you (we had a fresh description as one attacker had been slightly wounded in the attack) and you run into other members of the organization who are out partying as if nothing had happened?⁵¹

⁴⁸ In 1969, police engaged in gun battles with Panthers during raids on BPP headquarters' in Los Angeles, Chicago, and other cities. Donner, 180.

⁴⁹ Barbara Chassie interview.

⁵⁰ "Open Letter to SCAR," 5.

⁵¹ "Open Letter to SCAR," 6.

It is unclear how those at the receiving end of Levasseur's criticism interpreted their responses to the attacks. It could be that those present at the Hubbs beating felt helpless in the face of the police violence, or that some SCAR members did not think that hunting down the bookstore attackers with handguns was the most politically prudent solution to the repression raining down on the organization. It is clear, however, that by early 1975 Alan Caron was significantly repelled by the "Levasseur/Manning" faction, which he characterized as politically divisive and excessively violent.⁵² Fortunately for Caron, he no longer had to argue with Levasseur and Manning regarding the political and ideological direction of SCAR. The latter two decided at this time to go "underground," moving away from Portland and the "eyes and ears of the government" while they prepared themselves to resist the prison system and U.S. imperialism with armed force.⁵³

A slight wrench in these plans occurred in March, when police in East Greenwich, Rhode Island arrested Levasseur and Bishop in a bank parking lot. Police discovered the pair in a car loaded with a small arsenal of firearms and charged them with conspiring to

⁵² I have engaged in a few email exchanges with Alan Caron, first in November 2006, and again in July 2009, but he has refused to meet with me for an interview, recalling of his time with SCAR, "it was not a particularly pleasant time for me and I have said all I want to say about it, on the record, before." He also claims that Levasseur/Manning faction took over the group; that, "everyone who didn't agree to go run the Red Book Store [sic] and become a Marxist was marginalized or encouraged to leave, ignored or threatened." Alan Caron, emails to author, November 17 and 26, 2006. It is true that Levasseur at one point threatened and physically assaulted Caron. Levasseur informed me that this happened in 1975 in the SCAR Drop-In Center, when he was living partially "underground." Levasseur claims that he knocked Caron over and pinned him to the floor by the throat to reprimand him because he had heard rumors that Caron had been speaking to others about his whereabouts and activities. I have no evidence, however, of Levasseur, Manning, or others associated with their faction threatening or assaulting other SCAR members as Caron suggests, though this may have occurred. Caron's identification of Levasseur and Manning as Marxists is also misleading. While this is true, it is also a fact that Caron himself identified as a socialist and studied Marx while a member of SCAR, though he did not agree with Levasseur's particular strain of Marxism, which was more influenced by Mao, Guevara, etc. Levasseur and Manning also did not take over the group as Caron has suggested to me, since SCAR continued, albeit in a weakened state, for over a year after Levasseur, Manning, Rowbottom, and others departed from the organization. Lastly, my interviews with Robbie Bothen, Barbara Chassie, Dianne McLaughlin, Pat Finn, and John Newton have left me with the impression that both Caron and Levasseur were highly respected within SCAR and the community at the same time that they were both sometimes resented for arrogance, dogmatism, and sexist behavior—all traits that many male activist leaders struggled with in the early 1970s.

⁵³ Levasseur, *Trial Statements*, 24.

rob an armored truck.⁵⁴ While police shipped Bishop to Colorado to face charges for the 1969 power line bombings, Levasseur received help from Linda Coleman. One of SCAR's only members from an economically privileged background, and one of Levasseur's many lovers, Coleman dipped into her large trust fund to post Levasseur's \$31,000 bond. Relieved to have escaped another prison sentence by the skin of his teeth, Levasseur then skipped his bail and returned to the underground—but not before appearing in late April at NEPA's second New England Prisoners Conference in New Hampshire to introduce a resolution pledging the group's "complete support for the struggles of Cameron Bishop and all other Political Prisoners."⁵⁵ In a sign of the New England prison movement's fragmentation, the resolution consumed a full afternoon of the conference with vigorous debate before attendees voted down Levasseur's resolution. A new resolution proposed by the ex-con caucus instead gained ratification. It affirmed that "the primary task of the prisoner movement at this time is to educate and organize in the communities, work places and prisons to develop the mass support needed to abolish the prison system."⁵⁶

Meanwhile, Tom, Carol and two-and-a-half-year-old Jeremy Manning joined Levasseur underground, where they took on false identities and began moving between a number of "safe houses" located throughout the Northeast. Pat Rowbottom followed later that spring after closing down Red Star North and learning that she was pregnant with her and Levasseur's first child.⁵⁷

⁵⁴ *Portland Press Herald*, "Portland Man Held In \$31,000 Bail On R.I. Charges, March 14, 1975.

⁵⁵ *SCAR'd Times*, Vol. 2, No. 5, "New England Prisoners Conference," July 15-August 31, 21.

⁵⁶ *Ibid.*

⁵⁷ Levasseur, *Family Values*, 6. Levasseur interview, 2006.

It is difficult to determine to what degree Maine law enforcement agencies or individual police officers sought to intentionally target SCAR and its members. Police officers rarely admit publicly to police brutality and other illegal behavior unless their actions are captured on video or witnessed by member of the public. Even less frequently are police officers tried and convicted for assault or murder. Police often leave evidence for their brutality in the form of bruises, broken bones, wounds, and occasionally corpses, but in a world where their victims are usually poor (and often black or brown), and where law enforcement officers are usually treated in the media and in the criminal justice system as “good guys,” it is all too easy for police officers to justify their violence by falsely claiming it had been provoked by the aggression of their victims. Accusations of police brutality then wind up boiling down to the victim’s word versus that of the police officer—and the word of the police officer almost always prevails in court. In late 1974, an anonymous SCAR member described in the *SCAR’d Times* how prisoners who complained about police brutality often faced charges of assault on an officer or resisting arrest:

The Cumberland County Courthouse has a steady flow of these charges. They almost never are tried, they are merely a lever of self-defense for the police. If a person charges brutality the Police charge assault on an officer which is a felony and can carry up to five years. If the individual is co-operative they don’t go to the papers or a lawyer then usually the charge can be filed or dropped. Most people choose the latter. It is almost impossible to get through the ring of defenses, both legal and political that surround the police officer.⁵⁸

Because evidence is so often suppressed, historians have yet to fully analyze the history of police violence in the United States, and they may never be able to do so.

⁵⁸ *SCAR’d Times*, “Police Brutality: Getting Out of Hand.”

Thus it is not possible to corroborate SCAR suspicions of a concerted police effort to undermine their organization, nor to prove that it was police officers who raped the worker in Red Star North and sent death threats to the book store and Drop-In Center. What did become apparent during the Foster hearing, however, was that among Portland police officers, frustration with the criminal justice system—and anger towards those perceived as criminals evading proper punishment for their crimes—was both deep-seated and pervasive. Officer Dye, for example, suggested during the hearing that Maine’s criminal justice system was letting too many criminals off the hook. “Stiffer sentences and less leniency,” he explained, were what most police officers wanted from the courts. Speaking on behalf of his fellow officers, Dye observed, “We all became frustrated with the way the system works.”⁵⁹ This frustration, according to Patrolman Serfes, was precisely what had motivated Foster to initiate vigilante activity. When Foster had approached Serfes to discuss the death squad in June 1974, he had “asked what I thought about the possibility of getting three or four [police officers] together and getting rid of some of the assholes in the city. He said he had been thinking about it for some time because the courts are so light and let people off. And he thought he could do something about it. He asked if I knew anyone who might be interested.”⁶⁰ Foster reiterated these points during his testimony, saying of his fellow officers, “We all feel judicial review gives criminals an unfair break. It goes to extremes.”⁶¹ Foster most tellingly revealed the law enforcement community’s profound dissatisfaction when he

⁵⁹ Langley, “Portland’s death squad was a symptom of police frustration,” 10.

⁶⁰ Ibid.

⁶¹ Ibid.

declared, “Every good policeman is frustrated with the criminal justice system and talks of a death squad at one point or another.”⁶²

It is clear that officers Dye, Serfes, and Foster were not viewing the criminal justice system from a broad sociological perspective. They were not analyzing, as SCAR members were, the role of Maine’s correctional system in perpetuating and exacerbating socio-economic inequality. Rather, they arrived at their opinions on the criminal justice system as front line warriors battling those who they saw as society’s enemies. This perspective, after all, had been instilled during their law enforcement training. During the early 1970s (and still today), prospective officers learned in the academy that the police constitute a “thin blue line” of law and order that prevents society from descending into violent chaos. Underlying this belief is a Hobbesian conception of human nature that views human beings as intrinsically motivated by self-interest, and thus in need of a muscular state to prevent disorder. Imbued with such a mentality, it is no surprise that Foster and the other officers involved with his death squad saw a criminal justice system bound by the civil liberty guidelines of the Constitution and softened by liberal rehabilitative measures as an impediment to justice. The three ex-convicts whose names the Foster hearings revealed to be on the death squad’s hit list were, after all, repeat offenders. They were: Stephen Pooler; “twice accused of robbery, once acquitted, once released when charges were dismissed,” Mark Everett; “accused of burglary, freed in a mistrial,” and Edward Haldane; “convicted of assault to kill, sentenced in 1973 to one to three years, now free.”⁶³

⁶² Spivak, “Foster Fired, Guilty Ruling Is Unanimous.”

⁶³ John Lovell, “Common Law Basis of Case Against Ex-Cop,” *Portland Press Herald*, September 30, 1975, 1. None of these men were SCAR members. As mentioned earlier, however, many in SCAR believed that Levasseur, Manning, LeBlanc and other members of the group were also on the list. This

Patrolman Foster had not thought-up the idea of a police death squad himself. In fact, the theme of police vigilantism was quite prevalent in American pop culture during the early 1970s. For example, the plot of the 1973 blockbuster film *Magnum Force* starring Clint Eastwood, revolved around a group of renegade rookie police officers who murder law-evading pimps and drug dealers. The 1974 television movie *The Death Squad* featured a similar theme. In another example, the 1974 hit *Death Wish* starred Charles Bronson as an architect-turned-vigilante, who begins hunting down and assassinating New York street criminals after the murder of his wife by burglars. Despite receiving negative reviews by those who viewed it as “a bird-brained movie to cheer the hearts of the far-right wing, as well as the hearts of those who don’t think about much but just like to see people get zapped,” it packed movie theaters and generated four popular sequels.⁶⁴ These films attracted large audiences during a time when increasing crime rates in cities like New York and Los Angeles were prompting stricter sentencing laws from Republican politicians elected on “law and order” and “get tough on crime” political platforms.⁶⁵ These films and political developments reflected growing sentiment among many Americans that the criminal justice system was failing to successfully sentence and punish offenders, at the same time that many other Americans were

cannot be corroborated because the Portland Police Department and the city of Portland deflected all culpability onto Edward Foster (who they portrayed as mentally ill), and refused to allow a public, independent, outside investigation of the case. One of SCAR’s sources of the information that several of their members were among twenty-two names on the hit list came from Stephen Pooler, one of the three men whose name the hearings revealed was in fact on the list. Pooler told SCAR members he had been given this information from a Portland cop. A short time later Pooler died from a bullet shot into his head from a .376 Magnum pistol. His murderer was never apprehended.

⁶⁴ Vincent Canby, “Screen: ‘Death Wish’ Hunts Muggers,” *New York Times*, July 5, 1974, 27.

⁶⁵ Most notorious of these measures were the “Rockefeller drug laws,” signed in 1973 by New York’s Governor Nelson Rockefeller (of Attica fame), which established fifteen year minimum sentences for sale of two or more ounces of most common illegal drugs (including marijuana) or for possession of the four or more ounces of the same substances. See Robert Gangi, “The Rockefeller Drug Laws,” in *Racializing Justice, Disenfranchising Lives: The Racism, Criminal Justice, and Law Reader*, ed. Manning Marable, Ian Steinberg, and Keesha Middlemass (New York: Palgrave Macmillan, 2007), 49-57.

questioning prisons on opposite grounds in the wake of the Attica massacre. In the context of a popular and political culture that valorized vigilantes who avenged victims of crime spurned by an incompetent judicial system, and in the context of a legal system that offered impunity to law enforcement agents involved in illegal COINTELPRO activities, it is quite plausible that Foster and his co-conspirators initially viewed their death squad plans as heroic deeds for which they not be punished if caught. The fact that news of the death squad plot did manage to see the light of day is a credit not so much to the efficacy of the criminal justice system, but to the nagging conscience of one police officer and the prodding of a few journalists.

SCAR continued operations throughout most of 1975, but without the energizing “SCAR spirit” that had characterized the organization in 1973. Levasseur, Manning, and Rowbottom left the group at the beginning of the year, and several other core members dropped out as the year went on.⁶⁶ By the end of the year the only original external SCAR members still active with the group were Alan Caron, Bob Whipple, Dianne McLaughlin, Roger Wallace, Barbara Chassie, and Joel Newstetter, though the latter two were growing fed up with Caron’s dogmatic Marxist study groups and the organization’s move away from prison activism.⁶⁷ New members also fluctuated in and out of the group, but few remained long.

SCAR continued several of its survival programs throughout much of 1975, particularly the Drop-In Center, the Cumberland County Bail Fund, it’s on again off

⁶⁶ Levasseur wrote in late 1975 that 8 members of SCAR had left the organization in January, but it is not clear who he was referring to besides himself and Manning. “Open Letter to SCAR,” 6.

⁶⁷ Chassie interview.

again free bus rides to MSP, and the short-lived “Feed-A-Neighbor Program,” which mobilized gardeners and farmers throughout the state to gather surplus food for hungry Mainers.⁶⁸ The group also published four issues of the *SCAR’d Times* in 1975, but the paper’s content and editorial stance varied erratically from issue to issue, reflecting the group’s eclectic mix of politics and ongoing struggle to clearly define its political mission. For example, the year’s first two issues featured coverage of Weather Underground bombings and a good deal of Maine prison news, while the year’s final issue—published in September—contained a large feature on the American Indian Movement (AIM) and almost no coverage of SCAR’s activities.⁶⁹ During the same month that they published this issue, SCAR temporarily shut down its office and survival programs while Alan Caron led the group’s members through an intensive (and often incredibly boring and dogmatic, according to Chassie and Newstetter) series of study groups aimed at creating a new long-term political strategy for the organization. What emerged from these gatherings was Caron’s plan for building a “Maine Poor and Working People’s Party,” vaguely described as “a fighting, working organization of Maine people who are tired of conditions as they exist today and who are ready to work to bring about changes...a party whose task it is to transform Maine into an area owned and run by Maine working people.”⁷⁰

This development, much like Levasseur’s efforts to organize a guerrilla foco, was informed by the realization that “the problems that lead people to crime” are social and economic, and can be corrected only through the elimination of class inequality.⁷¹ Like

⁶⁸ *SCAR’d Times* Vol. 2 No. 4, April-May 1975, 2; and Vol. 2 No. 5, July 15 – August 31, 2.

⁶⁹ *SCAR’d Times* Vol. 2 No. 3, February-March, 2. *SCAR’d Times* Vol. 2 No. 4, April-May 1975, 1.

⁷⁰ *SCAR’d Times* Vol. 2 No. 9, “Moving towards a poor and working people’s party,” March 5, 1976, 9.

⁷¹ *Ibid.*

Levasseur, Caron arrived at his conclusion through a Marxian analysis of society, though his ideas on strategy and tactics were fundamentally different. In a series of open meetings held in different parts of the state, Caron and other SCAR members began their attempts to build their “Peoples Party” in early 1976. At around the same time, the group opened up a new Drop-In Center on Munjoy Hill, and Dianne McLaughlin—the only SCAR member with an employment history consistent enough to qualify her for a loan—purchased a “SCAR house” nearby, which temporarily became the home of herself, her young daughter Tracy, Roger Wallace (her second husband), Alan Caron, Bob Whipple, and others who spent short stints sleeping on the couch or floor.⁷² As a product of SCAR’s reorganization and party building efforts, prison organizing became the task of a small committee within the organization.⁷³ SCAR also formed a finance committee to develop new sources of revenue, since for most of 1975, the group had supported its activities—and the living expenses of its full-time members—on a \$35,000 grant they received in late 1974 from the Washington based Roman Catholic Society.⁷⁴ The new house and Drop-In Center did not create the momentum needed to reenergize the group however. Instead, SCAR disbanded in April 1976 as Caron began publishing a new newspaper called the *Maine Issue* and continued his short-lived efforts to create a People’s Party. The last four issues of the *SCAR’d Times*, all published in the first four months of 1976, reflected SCAR’s final descent into disintegration. They featured almost

⁷² Dianne McLaughlin interview. *SCAR’d Times* Vol 2. No. 7, January-February 1976, 3.

⁷³ *SCAR’d Times*, “Prison Committee Formed,” Vol. 2, No. 7, January-February 1976, 2.

⁷⁴ *SCAR’d Times*, “Moving towards a poor and working people’s party.” The grant funding was probably supplemented during this time by Joel Newstetter’s check hanging activities.

no news on Maine prisons or SCAR activities, and instead contained articles on labor struggles, the ailing economy, and Alan Caron's party building efforts.⁷⁵

1975 was a period of decline not just for SCAR, but for the U.S. left as a whole. The Communist victory in Vietnam on April 30 ended the war that had provided a mass base for much of the left's anti-war protests and organizing efforts.⁷⁶ Already fragmented by years of political quarrelling, many activists on the left had begun during the 1970s (especially after the 1973 Paris Peace Accords, which began the process of U.S. troop withdrawal) working to address specific issues like environmental protection and women's rights, but had little success in uniting these efforts into a single movement for systemic social change. By 1975, many of the young activists who had participated in the left during the 1960s and early 1970s also cut back on their involvement as they grew older, began raising families and working full-time, or returned to college to finish degrees previously put on hold. Still others retreated into drugs or apolitical New Age religious movements. Long-time Portland activist Agnes Bushell remembers 1975 in particular as the year when she "looked around one day and wondered, 'What happened to the revolution?'"⁷⁷

While more historical research is needed to determine the exact causes of the U.S. left's decline during the mid to late 1970s, state repression must be recognized as a key factor. As mentioned earlier, the Black Liberation movement had been effectively

⁷⁵ *SCAR'd Times*, Vol. 2, No. 7, January-February 1976; Vol. 2, No. 8, February 1976; Vol. 2, No. 9, March 5, 1976; and Vol. 2, No. 10, April 5, 1976.

⁷⁶ For an account of the Weather Underground Organization's attempts to adjust to its shrinking base in the mid 1970s, see Berger, 202-203.

⁷⁷ I base much of this section on my August 2009 interview with Agnes and Jim Bushell. Agnes helped edit *The Rag* with Pat Rowbottom, and worked on a number of activist projects in Portland, including the Portland Cooperative Daycare. Jim worked with the anarchist Strong Bone Collective, which founded the People's Building. Agnes's novel *Local Deities* (Willimantic, CT: Curbstone Press, 1990) is based on her and Jim's relationships with Ray Levasseur and Pat Rowbottom during the early 1970s.

incapacitated as a result of FBI and police attacks by 1971, and between 1971 and 1975 police killed at least seven suspected BLA militants and arrested over eighteen. During this same period police also killed over 100 black “civilians.”⁷⁸ From 1973 to 1975, the American Indian Movement was the main target of repression from the U.S. government.⁷⁹ This was particularly so on South Dakota’s Pine Ridge Lakota reservation, where a 1973 armed stand-off between AIM militants and a variety of local and Federal law enforcement agencies culminated in the slaying of two AIM members, the arrest of over 400, and court proceedings for approximately 275.⁸⁰ Some sense of the overall impact of political repression on the U.S. left can be obtained from a glance at the 1975 issues of the *SCAR’d Times*. Each issue printed that year contains several pages of news on some of the trials of political activists that were taking place at the time, including those of the “Attica Brothers,” Ruchell McGee, Sarah Bad Heart Bull, the “Leavenworth Brothers,” the “San Quentin 6,” Carlos Feliciano, Martin Sostre, the “Charlotte 3,” Cameron Bishop, Susan Saxe, the “McAlester 10,” Eddie Sanchez, “Los Tres de Los Angeles,” the “Atmore-Holman Brothers,” and the “Gainesville 8.”⁸¹ Whether these trials revolved around charges fabricated by the state, or charges stemming from illegal actions carried out in the context of political struggle, they resulted in the weakening of the left because they promoted fear and demoralization among activists and absorbed immense amounts of time, energy, and resources that would have otherwise

⁷⁸ Umoja, 235-237. In retaliation to police slayings of African-Americans, the BLA claimed responsibility for the assassination of approximately 20 police officers during this same period.

⁷⁹ Ward Churchill and Jim Vander Wall make this argument in *Agents of Repression*. See also Cunningham, 203-210.

⁸⁰ Minnesota Historical Society, “Wounded Knee Legal Defense/Offense Committee: An Inventory of its Records at the Minnesota Historical Society,” <http://www.mnhs.org/library/findaids/00229.xml> (accessed March 7, 2010).

⁸¹ *SCAR’d Times* Vol. 2, No. 3, February 1975, 12-15; Vol. 2, No. 4, April-May 1975, 24-28; Vol. 2, No. 5, March 15-April 31, 8-9; and Vol. 2, No. 6, 24-25.

been spent on community organizing. These trials' role in undermining the U.S. left cannot be overlooked.⁸²

Repression also continued to haunt SCAR throughout the final year and a half of its existence, and played an important role in cultivating the demoralization that facilitated the group's disintegration. In one particularly frightening instance in early 1976, a man appearing to be drunk entered the SCAR Drop-In Center on Munjoy Hill while Barbara Chassie was staffing. Knocking papers off of a desk and rambling on in an apparently intoxicated manner about his hatred of "commies," he backed Chassie into a corner and threatened, "I'm going to show you what we did to those commie bitches over in 'Nam.'" As he did, however, Chassie smelled his breath and observed that it did not smell like alcohol. She then noticed his shoes—"they were shiny," she recalls, similar to the kind police wear. Fortunately for her, Alan Caron, who had been working in a back room, emerged at that moment with a pistol and chased the would-be attacker out of the building before he had a chance to repeat the events that had occurred in Red Star North a year-and-a-half earlier. As in the Red Star North incident, SCAR members had no proof that the would-be attacker was a police officer, but Chassie continues to believe that it was.⁸³

Harassment of SCAR members inside MSP also persisted throughout 1975 and 1976. In July 1975 internal SCAR members Richard Picariello and Patrick Donovan accused Warden Mullaney of using "administrative dirty tricks" as part of a concerted effort to oppose SCAR within MSP. The two alleged that the prison's administrators

⁸² I know of no historical texts that analyze these trials and their role in weakening the U.S. left during the 1970s. More research is needed on this.

⁸³ Chassie interview.

regularly pressured inmates not to join SCAR and used disciplinary proceedings to punish activist prisoners.⁸⁴ According to the twenty-nine-year-old Donovan, who was serving a year sentence for selling marijuana, “most of the harassment is subtle, not tangible enough to be fingered. Normal privileges denied or ignored. Simple requests that could be handled here sent to the commissioner’s office.”⁸⁵ MSP administrators’ subtle repression of activist inmates was difficult to document and prove, but it remained both obvious and disruptive to internal SCAR organizers.

The most intense police harassment of SCAR members did not occur until later in 1976, however, after the organization had already disbanded. This repression occurred in response to bombings and bank robberies carried out by former members of the group.

Newspapers first began connecting SCAR with bombings and bank robberies after Massachusetts state police arrested former SCAR member Joey Aceto following a high speed chase in the North Shore town of Topsfield on July 4, 1976. A Portland native with a harsh upbringing, and a past member of SCAR inside MSP, Aceto was picked up by Massachusetts police three days after a series of Boston area bombings claimed by the Fred Hampton Unit (FHU) had rocked National Guard trucks, a jetliner at Logan Airport, and the Essex County Courthouse in Newburyport. The police had been following Aceto as a suspect in the bombings, and discovered several firearms and forty-five sticks of dynamite upon searching his car.⁸⁶ Well known for his history of

⁸⁴ David Himmelstein, “Prison Inmates Renew Harassment Charges,” *Portland Press Herald*, July 18, 1975, 19.

⁸⁵ Donovan quoted in *ibid.*

⁸⁶ *Portland Press Herald*, “Two Arrested On Charges Tied to Bombings,” July 5, 1976, 1. Miranda Spivak and John Lovell, “2 Face Court In Connection With Bombings,” *Portland Evening Express*, July 6, 1976, 1. Geoffery Gevalt, “More Dynamite Uncovered In City,” *Portland Press Herald*, July 6, 1976, 1. Geoffery Gevalt, “2 Mainers In Court In Bomb Case,” *Portland Press Herald*, July 7, 1976, 1. Aceto had been in and out of Maine’s correctional institutions since his teenage years. During his second visit to the

psychiatric weakness, and threatened with years behind bars, Aceto began informing on his friends in exchange for a reduced sentence almost immediately upon entering police custody. He named Massachusetts resident Edward Gullion and former SCAR members, Richard Picariello and Everett Carlson (both involved with SCAR inside MSP) as his accomplices in the Massachusetts bombings, as well as in a series of bank robberies and the highly publicized bombing of the Central Maine Power Co. office in Augusta on May 11, 1976.⁸⁷ Aceto also named Ray Luc Levasseur, Pat Rowbottom, and Tom and Carol Manning as members of the Sam Melville–Jonathan Jackson Unit (SMJJU), a separate leftist guerilla cell that had taken responsibility for several other bombings, including a April 22, 1976 blast in Boston’s Suffolk County Courthouse.⁸⁸ The SMJJU had carried out this bombing in solidarity with convicts in the segregation unit of Massachusetts’s Walpole State Prison, and had inadvertently injured twenty-two people (including a taxi driver who lost one of his legs) after courthouse security ignored the group’s telephone orders to evacuate the building.⁸⁹ Aceto also implicated Levasseur, the Mannings, and Picariello in three Maine bank robberies that he alleged had been intended to secure funding for the bombing operations.⁹⁰

Boy’s Training Center in 1969 at age sixteen, the *Maine Times* reported on his abuse at the hand of Training Center officials, who maced Aceto after placing him naked in solitary confinement in temperatures close to forty degrees after he had run away from training school. He also attempted suicide on more than one occasion while incarcerated in Massachusetts. Aceto’s most recent incarceration was in MSP on assault charges from 1973 to 1975, during which time he was active with SCAR and became friends with Picariello and Carlson. See *Maine Times*, “Bombings: The Return of Joey Aceto,” July 9, 1976, and John S. Day, “Terrorists vent hatred of system,” *Bangor Daily News*, September 18, 1976.

⁸⁷ Picariello left MSP on parole in late 1975 after serving about four years on armed robbery charges.

⁸⁸ Geoffrey Gevalt, “Aceto Says He Helped Bomb CMP,” *Portland Press Herald*, September 6, 1976, 1.

⁸⁹ Geoffrey Gevalt, “Prison Believed Revolution Lab,” *Maine Sunday Telegram*, July 18, 1976. Day, “Terrorists vent hatred of system.” For a full copy of the SMJJU communiqué and more information on the bombing and ensuing police investigation, see the special coverage in the April 28, 1976 edition of Boston’s weekly newspaper, *The Real Paper*. No one has ever been convicted for participating in the bombings claimed by the Sam Melville – Jonathan Jackson Unit, though many have accused Levasseur and Manning of carrying out the group’s bombings.

⁹⁰ Gevalt, “Aceto Says He Helped Bomb CMP.”

With the leads provided by Aceto, FBI and local police officials quickly arrested Everett Carlson in a Portland apartment. Law enforcement agents also searched Aceto's home on Munjoy Hill, where they discovered more than 150 pounds of dynamite in the basement—enough to have blown up several city blocks—only two days after more than 100,000 local residents had gathered on the hill for annual Fourth of July celebrations.⁹¹ They then placed Picariello on the FBI's "10 Most Wanted List" before capturing him and Gullion in Rhode Island in late October.⁹² Levasseur, Rowbottom, and the Mannings meanwhile evaded capture, and remained hotly pursued by the FBI for another eight years, before agents arrested them on a variety of charges related to bombings carried out during the early 1980s by the anti-imperialist United Freedom Front (UFF).⁹³

Former SCAR president Alan Caron immediately endeavored to distance himself and SCAR from the bombings. In a series of press conferences and a letter to the local media, he and other former members of the group criticized the inaccuracy of recent news reports that seemed to imply that the SCAR organization was directly connected to

⁹¹ This dynamite was a portion of the more than 600 pounds stolen from a New Hampshire construction site in May. Gevalt, "More Dynamite Discovered in City."

⁹² Geoffrey Gevalt and Miranda Spivak, "Wanted Pair May Seek Border," *Portland Press Herald*, July 8, 1976, 1. AP, "FBI Apprehends Picariello," *Portland Press Herald*, October 22, 1976, 1. Wire Reports, "Bomb Suspect Gullion Nabbed in Providence," *Portland Press Herald*, October 23, 1976, 1. Miranda Spivak, "Picariello Called Bombing Leader," *Maine Sunday Telegram*, January 23, 1977, 1.

⁹³ The FBI captured Ray Luc and Pat Levasseur, along with their three daughters, and their comrades Richard Williams, Jaan Laaman, Barbara Curzi Laaman, and their son in Ohio in November 1984. The FBI captured the Mannings and their three children in North Carolina in April 1985. Following their arrests, the above became known among their supporters as the "Ohio 7." Ray Luc Levasseur served 20 years on bombing charges and was paroled to Maine in November 2004. Tom Manning remains in Federal prison, serving time for UFF bombings and the self-defense shooting death of a New Jersey State Trooper in 1981. Pat Levasseur served five years in prison on charges of harboring a fugitive (her husband). Carol Manning and Barbara Curzi served out most of their 15 year sentences on accessory charges and were released in the 1990s. Richard Williams died in prison as a result of medical neglect in 2005. Jaan Laaman remains imprisoned on bombing and attempted murder charges stemming from a firefight with police in Attleboro, Massachusetts in 1982. Both he and Williams participated in the prisoners' rights movement as inmates in the New Hampshire State Prison during the early 1970s. For a brief summary of the Ohio 7, see Ward Churchill and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Dissent in the United States*, 2nd ed. (Cambridge: South End Press, 2002), 315-319.

the illegal activities allegedly carried out by some of its former members.⁹⁴ He also accused Maine newspaper publishers of focusing on the alleged violent acts of a few ex-members while overlooking SCAR's many positive accomplishments in Maine's communities. Accusing the press of attempting to "'try' and 'convict'" SCAR through association, Caron reflected on SCAR's legacy. SCAR, he proclaimed,

...had the audacity to say that something is fundamentally wrong with this country, that it's not just bad leaders, a 'few' immoral corporations or the ordinary rise and fall of an economy... We have said that the small minority of super-rich who run this country with the help of their servants in government (and, quite often the press) have got to be replaced by the great majority of poor and working people who have effectively lost control of the destiny of this nation.⁹⁵

Caron's criticisms reiterated his conviction that the abuse of prisoners stemmed from socio-economic inequalities deeply imbedded in American society. However, his comments did little to assuage liberals who had formerly supported SCAR but now expressed abhorrence at the group's association with violence. Bishop Edward O'Leary, for example, told reporters that the Catholic Church had "evidently made a mistake" in awarding SCAR a \$35,000 grant through its Campaign for Human Development in 1974.⁹⁶ Similarly, Sylvia Perry of the Quaker foundation Minute 66 reported feeling "terribly distressed" upon hearing that members of the group her organization had funded were involved in violent activities.⁹⁷ Dianne McLaughlin remembers previously having close relationships with a number of Maine legislators during her prison reform lobbying efforts in Augusta on behalf of Pine Tree Legal—so much so that they would sometimes

⁹⁴ Dianne McLaughlin and Bob Whipple also participated in some of these press conferences. Miranda Spivack, "SCAR Denies Link To Bomb Suspects," *Portland Evening Express*, August 13, 1976.

⁹⁵ Alan Caron quoted in *Maine Sunday Telegram*, "Ex-SCAR Head Disavows Connection With Violence," October 17, 1976.

⁹⁶ *Maine Sunday Telegram*, "SCAR: Charities Gave Funds Liberally."

⁹⁷ *Ibid.*

even discuss the topic of revolution! But after receiving news associating former SCAR members with the bombings, McLaughlin recalls, “none of them would even speak to me.”⁹⁸ *Bangor Daily News* journalist John S. Day, who had previously written editorials sympathetic of Maine’s prisoners’ rights movement, succinctly described the quickly diminishing public support for prison reform in the state when he wrote: “Prison reform through non-conventional groups like S.C.A.R. directed by ex-convicts has been discredited by the bombings... What they did was to destroy the work of their own brothers and make life a bit harder for ex-convicts coming out of Maine’s correctional institutions.”⁹⁹

MSP’s internal SCAR chapter endured for a few months following Joey Aceto’s arrest, but with the external portion of the group dissolved and public support for prison reform in Maine having all but vanished, they had little hope of effectively winning demands from the Bureau of Corrections. Moreover, conditions within MSP had also grown increasingly violent in recent months. November 15, 1975 saw MSP’s first prison homicide since the Civil War, with the stabbing death of twenty-six-year-old Gary Lawrence, who many prisoners had resented because his charges stemmed from his assault on an infant. That same day, three inmates unaffiliated with SCAR took a guard hostage at knifepoint for three hours in until administrators conceded to their demands that TV news reporters visit the prison to broadcast their complaints regarding poor food and dismal conditions in the prison’s segregation unit.¹⁰⁰ News coverage of these

⁹⁸ McLaughlin interview.

⁹⁹ Day, “Terrorists Vent Hatred for System.”

¹⁰⁰ AP, “Inmate Slain in Prison Knifing,” *Maine Sunday Telegram*, November 16, 1975, 1. David Himmelstein, “Overcrowding Allowed Guard’s Seizure,” *Portland Press Herald*, November 17, 1975, 1. The MSP’s chaplain, Father Benedict Reilly later claimed that the hostage incident had started over a dispute regarding an “extortion racket” involving sex, liquor, drugs, and money. One of the prisoners

incidents made it appear that conditions in MSP were swirling out of the control of its administrators. The prison's deplorable state surely played a role in compelling Warden Mullaney to announce his resignation as MSP's warden on February 25, 1976—twelve days after inmate Richard Sanborn hanged himself in a segregation cell where he had been illegally confined for almost two years.¹⁰¹

During the last month of Warden Mullaney's tenure, internal SCAR members complained that the prison had been overrun by a "goon squad" of "stark opportunist exploiters" who terrorized fellow prisoners with large knives fashioned in the prison shop. According to SCAR, members of this group were also responsible for igniting powerful bombs that exploded in the prison on a nightly basis. SCAR inmates reported in February that "these bombs have literally torn steel cabinets apart and caused considerable damage to cells... sooner or later someone else will be either killed or seriously injured."¹⁰² MSP's chaplain, Father Benedict Reilly, lamented in March that morale among both inmates and guards was at the lowest level he had experienced since his time on the job. This was a dramatic turn-around from three years earlier, when a more humane environment fostered by Warden Mullaney in the aftermath of Attica had

involved in this incident was Pierre Loyer, whose letters to *SCAR'd Times* I quoted in Chapter 1. Since Loyer was not actually a SCAR member but was well aware of the prisoners' rights movement around him, it could be he and the other two prisoners involved had attacked the guard in response to an "extortion racket" as Reilly alleged and then turned the situation into a political hostage incident as a cover for their less noble activities as the situation unraveled. It also could be that Reilly was lying or mistaken, but there seems to be no reason why he would have been, since he seems to have been very aware of conditions in MSP and sympathetic to the prisoners' rights movement. Regardless, the incident does point to the terrible living conditions in MSP at this time. Peggy Fisher, "Waiting for the next explosion at Thomaston," *Maine Times*, March 12, 1976, 2.

¹⁰¹ Ted Cohen, "Mullaney Quits Post At Prison," *Portland Press Herald*, February 26, 1976, 1. Peggy Fisher, "While the bureaucracy studies, inmates kill themselves," *Maine Times*, March 26, 1976, 8-11.

¹⁰² Quoted in Fisher, "Waiting for the next explosion at Thomaston."

“created an air of optimism” that Father Reilly thought had characterized the prison’s most positive period.¹⁰³

As inmate violence increased, so did the stress levels of MSP’s guards and medical staff. Both complained of long hours, dangerous work conditions, and measly salaries, and in March guards threatened to strike. The guards blamed increased violence and prisoners’ use of drugs and “homebrewed” liquor (made from fruit and yeast in containers hidden beneath inmates’ bunks) and on the prison administration’s supposedly lax regulations. Claiming that most of the prison’s rehabilitation programs had failed, guard of fifteen years Robert Walsh urged MSP officials to give guards more control and “bring back discipline and put the inmates to work.”¹⁰⁴ Guards’ complaints probably figured into Bureau of Corrections Director and acting Warden Ward Murphy’s threat the same month to discontinue the MSP’s Sunday family picnics in order to cut-down on supposed “smuggling,” even though a *Maine Times* exposé the previous month had revealed that most of the drugs being used by MSP prisoners came from guards and the medical clinic.¹⁰⁵ The situation was not helped by Maine’s new independent Governor James B. Longley, who had come to office in January 1975 pledging to reduce the state’s overextended budget. Throughout his term he consistently refused to use state funds to intervene in Maine’s prison crisis.¹⁰⁶

¹⁰³ Ibid.

¹⁰⁴ *Portland Press Herald*, “Prison Guards Speak Out on Conditions,” March 29, 1976, 1.

¹⁰⁵ *NEPA News*, “Heatwave at MSP,” April/May 1976, 5, in Bloom (AC 1966) Alternative Press Collection [Box N4], Amherst College Archives and Special Collections, Amherst College Library. Peggy Fisher, “It’s easier to get drugs inside Thomaston than outside,” *Maine Times*, February 13, 1976, 2.

¹⁰⁶ Ironically, Longley had visited the prison more times during his first year in office than any other governor in the state’s history. He made his weekly visits in order to make good on his pledge to offer pardons for prisoners whom he personally deemed eligible, a practice he abandoned in 1976. For an analysis of Longley approaching Maine’s prison crisis “like a blind man at a hanging,” see *Maine Times*, “The Troubles at Thomaston,” February 20, 1976, 6.

News of increased violence in MSP paralleled news of violent bombings and bank robberies carried out by former SCAR members. Its cumulative effect was to overshadow lingering conversations on the need for rehabilitative prison reform and repel potential public support for the prisoners' movement. This trend corresponded with the decline of the prisoners' rights movement regionally and nationally. In 1976, for example, the New England Prisoners' Association dissolved as a result of burnout, financial troubles, repression of prisoner activists, and a bitter political feud between the organizations' external Boston and New Hampshire factions.¹⁰⁷ Public interest in prison reform had already declined since its peak in the two years following Attica, prior to the Aceto arrest. In March 1976, *Maine Times* journalist Peggy Fisher complained of a type of political "inertia" that she claimed "always outlast indignation" when it came to public concern over the plight of prisoners. Unlike in 1972, when articles in Maine newspapers by Norma Jean Langford and others had helped bring about modest changes in some of MSP's policies and conditions, investigative accounts of overcrowding, chronic abuse of segregation, and other problems in Thomaston in 1975 and 1976 had gone ignored by corrections officials and seemingly unnoticed by the Maine public and its elected representatives.¹⁰⁸ Reports of prisoner and ex-prisoner violence later in 1976 merely pushed prison reform further off the Maine public's political agenda.

At the same time that public support for prison reform was declining, police harassment of Maine's prison activists was intensifying. Following the arrest of Joey Aceto in July 1976, the FBI and Maine law enforcement agencies launched a major

¹⁰⁷ Monty Neill interview, August 2009. More research is needed to explain the decline of the movement on a national scale.

¹⁰⁸ Peggy Fisher, "Prison reform: Inertia always outlasts indignation," *Maine Times*, Friday March 19, 1976, 12.

manhunt for Rowbottom, the Mannings, and Levasseur. As a consequence, police harassment of SCAR members intensified even further. In many cases the results were traumatic. One day in the fall of 1976 for example, a Maine state trooper came to the SCAR Farm searching for Joel Newstetter, seeking his arrest for failing to pay a ten dollar littering fine he had received in Portland a few months earlier. Newstetter was nowhere to be found, but his collie Jamie, who Chassie remembers as so gentle that he would let children poke him in the eye, bit the officer in the leg, gnashing a large tear through his trousers. The officer located Newstetter and Chassie in a Brunswick laundromat several hours later, and proceeded to arrest Newstetter while Chassie rushed to the farm to save the dog. She recalls seeing a police cruiser emerging over a hill through her rearview mirror just as she pulled out of the dirt road leading to the farm. Racing to Portland, she switched cars with Alan Caron and transported the pooch to Newstetter's parent's house in Massachusetts while Caron scrambled to the police station to check on Newstetter. Jamie remained living "underground" in Massachusetts for the remaining five years of his life. Several decades later, Chassie remained incredulous, laughing, "Jesus Christ, they even persecuted the poor dog!"¹⁰⁹

FBI harassment of former SCAR members was also intense. Dianne McLaughlin remembers FBI agents parking on the dirt road outside her driveway in rural Cornish, Maine throughout the late 1970s. She recalls, "It got to the point that I would just walk up them and say 'Would you like a cup of coffee?' ... Because if you lie they've got you, but if you go right up to their face what can they do? ... And what really pissed me off

¹⁰⁹ Chassie interview.

was that they knew I knew nothing [about where Levasseur was].”¹¹⁰ McLaughlin believes the FBI targeted her and other SCAR members because of their political beliefs and affiliations. “It was part of that whole COINTELPRO sort of mentality,” she explains. “That we’re going to make you look bad to your neighbors, we’re going to talk to your neighbors about you, we’re going to isolate you, we’re going to make you look like a horrible person... And they just kept at it and at it and at it. And people got tired of it. I lived in rural Maine, and people got tired of having people knock on their door and say ‘Do you know Dianne McLaughlin? Do you know Roger Wallace?’” Eventually, FBI harassment took a toll on her emotional well being, compelling her to leave her home state of Maine for Massachusetts after divorcing her husband Roger in 1978.¹¹¹

Barbara Chassie also endured FBI harassment many years after SCAR’s demise while studying law at New Hampshire’s Franklin Pierce College. In 1982, after police fingered Tom Manning for the shooting death of New Jersey State Trooper Philip Lamonaco on December 21 of the following year, an FBI agent telephoned the dean of the law school urging him to expel Chassie on the grounds that she was wanted for questioning in regards to their murder investigation. Chassie’s student advisor intervened on her behalf, saving her legal career by affirming her being New Hampshire at the time of the shooting, but the FBI agent’s phone call caused her a great deal of stress and anxiety nonetheless. According to Chassie, the FBI also approached Joel Newstetter several times during the late 1970s after he returned to prison on drug charges. They offered him numerous deals for reduced sentences in exchange to providing information on Levasseur, but he always refused to cooperate. Although Newstetter disagreed

¹¹⁰ McLaughlin interview.

¹¹¹ Ibid. McLaughlin continues to live in Danvers, Massachusetts.

strongly with Levasseur's insurrectionist approach to revolution, his commitment to his friend and comrade and "the movement" as a whole was unshakable.¹¹²

Documents obtained through the Freedom of Information Act indicate that FBI agents carefully examined issues of the *SCAR'd Times* and compiled a thorough list of SCAR members as part of their investigation of Levasseur, Rowbottom, and the Mannings. They also followed, spied on, and visited several other former SCAR members in Maine during the late 1970s, but the full extent of their harassment of activists in the state remains unknown to the public.¹¹³

By the end of 1976 SCAR had disbanded, and Maine's prisoners' rights movement was no longer able to significantly influence the state's criminal justice practices. SCAR had faced conservative political opposition from prison guards, police officers, law enforcement officials, and others since its inception, but beginning in the fall of 1974, this opposition grew increasingly violent. Vigilantes and local police agents threatened and attacked SCAR members with impunity, spreading terror within the organization, while guards and administrators in MSP disrupted SCAR's internal branch through subtle bureaucratic maneuvers and the omnipresent threats of segregation and loss of furloughs and other cherished privileges. Moreover, the Portland Police death

¹¹² Chassie interview. Newstetter died of a heroin overdose in 1985. Other SCAR members endured police and FBI harassment in the years following SCAR's disbandment as well.

¹¹³ I have copies of several dozen declassified FBI documents regarding the Bureau's hunt for Levasseur in Maine. Levasseur obtained these documents through the Freedom of Information Act and provided me with copies. The names of former SCAR members approached by FBI agents are blacked out, preventing me from listing them by name. Robbie Bothen also believes his 1976 arrest for marijuana sales was the result of a politically motivated police set-up, but he admits that this is virtually impossible to prove. He also regrets selling drugs, believing it makes social movements vulnerable to police attacks. Bothen interview.

squad, though halted before it could successfully murder local ex-convicts, was undeniable proof in the minds of many SCAR members of the state's determination to extinguish them and the U.S. left as a whole.

While Ray Levasseur had dedicated himself to revolutionary armed struggle at least two years prior to the intensification of vigilante and police attacks on Maine's prisoners' rights movement, it is important to note that violent opposition to SCAR preceded the FHU and SMJJU bombings. It is likewise imperative to note that Levasseur, Manning, Picariello, and other SCAR members who took the turn to guerrilla warfare did so in response to massive U.S. state terrorism overseas (including in Vietnam, where both Levasseur and Manning had served the U.S. military), in response to the violence they had endured in U.S. prisons, and in response to a concerted campaign of domestic counter-revolutionary repression, at a time when radicals around the world were using similar tactics to resist U.S. imperialism. Counter-revolutionary violence had indeed shaped Levasseur's ideas on revolution even before he and Alan Caron had begun their feud within SCAR, and the repression the organization faced in Portland further exacerbated their internal split. The FHU and SMJJU bombings certainly *did* help to publicly discredit Maine's prisoners' rights movement, and they *did* bring more harrowing repression upon former SCAR members. But this happened after SCAR had already disbanded and had been in decline for over a year, as a result of previous police repression, internal political disagreements, financial troubles, and the exhaustion of its members.

With Maine's prisoners' rights movement in disarray, there remained no organized political force to push the state's corrections system away from mass

incarceration and towards rehabilitation, social justice, and the phasing out of prisons. Instead, Maine's corrections officials and prison administrators were left to run the state's penal institutions with minimal public scrutiny or oversight—conditions that many of them considered optimal. A key political force that did continue to influence Maine's criminal justice system following the fall of the prisoners' rights movement was that of law enforcement. Prison guards, police officers, and law enforcement officials as well as politicians capitalizing on a renewed public discourse on the need for crime fighting and "law and order" dominated public discussion of criminal justice policy from the late 1970s onward, in Maine as well as nationally.¹¹⁴ The most dramatic transformation of Maine's corrections system from one with limited rehabilitation opportunities to one based squarely on punishment came with the 1980 "lockdown" at MSP. Called by Governor Joseph Brennan, ostensibly to crack down on an extortion ring run by "inmate kingpins," the lockdown confined MSP prisoners to their cells twenty-four hours a day for over two months, required the assistance of approximately 150 state troopers, and cost the state of Maine over \$500,000.¹¹⁵ The lockdown led to a thorough overhaul of conditions in MSP, as acting Warden Donald Allen eliminated the furlough program, Sunday family picnics, the Inmates Advisory Council, and most other reforms won by prisoners in the early 1970s.¹¹⁶ Changes at MSP mirrored national prison trends; the scrapping of rehabilitative programs corresponded with astronomical prison expansion during the following three decades as Maine's prison population grew from roughly 600

¹¹⁴ Jonathan Simon, *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (New York: Oxford University Press, 2007).

¹¹⁵ AP, "Inmates Ruled Maine Prison," *Nashua Telegraph*, April 18, 1980, 3. AP, "Prison Lockdown: Costs Top \$100,000," *Lewiston Daily Sun*, May 2, 1980, 1. AP, "\$500,000 Asked for 'Lockdown,'" *Lewiston Daily Sun*, May 22, 1980, 1.

¹¹⁶ Bothen "IAC." Harold R. Lester Jr. letter to author, November 5, 2009. According to Lester, a prisoner at MSP since 1978, the lockdown was partly a response to a series of prisoner strikes that occurred in 1979.

in 1980 to over 2,100 by 2007, and the national prison population expanded from approximately 500,000 to over 2.3 million during the same period.¹¹⁷

Despite the decline of the 1970s prisoners' rights movement and the ascension of the prison industrial complex, however, resistance to mass punitive incarceration has continued in Maine as well as nationally.¹¹⁸ For example, the SCAR-affiliated Portland Bail Fund continued as the Cumberland County Bail Fund into the early 1980s, with SCAR co-founder Robbie Bothen playing a leading role. Friends and family members of prisoners also continued to challenge Maine's prison system in the decades following SCAR's demise. This includes women like Pat Finn, whose ex-husband served time in MSP throughout the 1970s, 80s, and 90s, and who made time for prison activism while raising six children as a single mother. Finn worked with the Cumberland County Bail Fund in the late 1970s, and today works with Bothen in coordinating the Maine Prison Advocacy Coalition (MPAC), a multi-generational network of prison activists spanning from Portland, on Maine's southern coast, to the Passamaquoddy Indian Reservation on the state's most eastern tip.¹¹⁹ Many of SCAR's living former members also remain involved in activism today: Ray Luc Levasseur (who was paroled in 2004) works with MPAC and speaks frequently on college campuses, Pat Levasseur works as a paralegal

¹¹⁷ Mark Rubin, "Targeted Interventions Could Increase Maine's Prison and Jail Populations," Maine Justice Policy Center Research and Policy Brief, 1 (February 2008), http://muskie.usm.maine.edu/justiceresearch/Publications/Adult/Targeted_Interventions_Could_Ease_ME_Prison_Jail_Population.pdf (Accessed May 7, 2010). U.S. Bureau of Justice Statistics, Corrections Population Chart, <http://bjs.ojp.usdoj.gov/content/glance/tables/corr2tab.cfm> (Accessed May 7, 2010). The Maine statistics refer only to the populations of Maine's prisons, while the USBJ statistics refer to prisoners in all U.S. prisons and jails, with the 2.3 million referring to the 2008 population.

¹¹⁸ For more on prison reform and prison abolition activism in the 1980s, 1990s, and 2000s see Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Resistance in Globalizing California* (Berkeley: University of California Press, 2007). CR10 Publications Collective, *Abolition Now!: Ten Years of Strategy and Struggle Against the Prison Industrial Complex*, (Oakland: AK Press, 2008).

¹¹⁹ Pat Finn interview. Maine Prisoner Advocacy Coalition website, <http://www.maineprac.org/> (Accessed May 8, 2010). For more on women prison activists during this period, see Gilmore, *Golden Gulag*.

for a civil rights law firm in New York City, and Dianne McLaughlin works to implement her political convictions through her work as a social worker, as does Barbara Chassie through her work as an attorney. Though incarcerated in the Federal prison system, Tom Manning remains politically active by spreading ideas through his writing, correspondence, and the distribution of his painted portraits of working people and revolutionary leaders.¹²⁰

As Ray Luc Levasseur explains, the prisoners' rights movement and the left as a whole faced a "setback" in the mid 1970s, but it never died out completely.¹²¹ Tom Manning expresses similar sentiments when he explains, "I think of all that [SCAR] as still alive, part of what is still ongoing and not some ancient archeological dig, so to speak."¹²² As far as many who participated in SCAR are concerned, the struggle to end mass incarceration and create a more just world continues into the present, and memory of SCAR's vision, victories, and defeats should continue to inform today's social movements. It is for this reason that Barbara Chassie speaks so frankly about SCAR's shortcomings and contradictions—its "gangsterism," its leaders' simplistic historical materialist ideologies, and its members' pervasive substance abuse. "We have a choice," she explains, "we can be heroes, or we can say, 'we made some really stupid mistakes and we want the next generation of young idealists coming up not to fall over the same rocks that we did.'"¹²³ Pat Levasseur thinks that SCAR's greatest legacy was its "education and consciousness-raising of the community." "The work of SCAR was an

¹²⁰ Rick Wormwood, "Prisoner of Politics: After organizing an exhibit to spark debate, USM closes it when the talk gets too tough," *Portland Phoenix*, September 14, 2006. Available at <http://thephoenix.com/boston/news/22522-prisoners-of-politics/> (accessed May 8, 2010).

¹²¹ Levasseur interview, 2009.

¹²² Tom Manning letter to author, June 3, 2008.

¹²³ Chassie interview.

example of the empowering of people to believe they are capable of creating real social change,” she explains.¹²⁴ SCAR ally and long-time civil rights activist Gerald Talbot expresses a similar sentiment when he contends that SCAR was historically significant simply “because they existed.”¹²⁵ By asserting prisoners’ humanity, dignity, and rights in the face of the degrading conditions imposed by Maine’s criminal justice system, the men and women of SCAR demonstrated that even society’s most marginalized can be a leading force for social change. Their example will continue to inspire activists in Maine and beyond as long as millions of poor and working-class people remain warehoused in U.S. prisons and jails.

¹²⁴ Pat Levasseur, email to author December 1, 2006.

¹²⁵ Gerald Talbot interview, July 2009.

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