

Episode 2: The Story of Kent Brown and the Criminal Justice System with Dr. Charlene Fletcher

Transcript:

Hannah: Welcome to This is Problematic. A podcast brought to you by Conner Prairie Museum.

Easton: We are so excited to have you all here with us once again as we take another journey through problematic history.

Hannah: I'm Hannah

Easton: and I'm Easton.

Hannah: And today we're going to be exploring the story of Kent Brown and what it can tell us about the U.S. criminal justice system. It's so problematic that we are going to go ahead and put a slightly higher rating on today's episode. This is going to be our first R-rated episode.

Easton: Yeah.

Hannah: I'm not sure if we'll have another R-rated one this season. Obviously, the last episode was pretty wholesome, so we do apologize for that. But do you want to let the listeners know what they're in store for this episode Easton?

Easton: Yeah, there's going to be quite a bit. We're going to have some murder, violent murder. There's going to be some explicit themes, including sex and premeditated treachery

Hannah: Adultery

Easton: Yeah, there's a lot of that and just, you know, some heavy themes that kind of persist today that carry some dark, dark implications.

Hannah: Certainly problems of racism problems in the criminal justice system as specially focusing today on pardons. So shall we get into it?

Easton: Oh let's get into it.

Hannah: Let's dive in.

Easton: All right. So to get in here and establish our historical actors, we're going to talk a little bit about Kent Brown, who is my real life brother and African descent. His name originally was Kent Bludsaw. He was born around 1840 in Tennessee, and he was born into enslavement. But during the Civil War, Kent escaped and ended up working for Indiana Congressman Tom Brown. Now, they had a beautiful relationship. They he ended up following Brown to Indiana and took on his name due to their close relationship. His first appearance in Indiana was his opening up of a barber shop in 1866 in the Randolph County Journal. In 1867, he married his first wife, Mary, otherwise known as Molly.

By 1870 he and Mollie were living together in Winchester, which was in Randolph County. Kent worked throughout the 1870s and eighties there in Winchester as a barber, which was a common job for black men in the period. So cutting hair was seen as a subservient role. So it specifically fit black folks well, white men did not want to cut hair, and white women didn't want to either. But black for black men, this was a really, really good way to make money because everyone needed their haircut, but nobody else wanted to do it. And it was a specialization. Like, you can't just it takes some practice to be able to cut somebody's hair to their liking. So in 1886, Kent's first wife, Mollie, drops dead unexpectedly at the dinner table. And it was thought to have been from heart disease. But I have a little bit to say about that, but we'll tackle that later. Kent remarried Lendonia Simms Williams on August 1st of 1887 in Richmond, Indiana.

So Lendonia is a pretty big figure. The only reason we actually found this is because we were researching Lendonia. She is in one word, a queen. And it's crazy to think about how she got involved with this guy. But Lendonia was a teacher throughout the state of Indiana and involved in civil rights activities. Going on across the United States, including helping to found the Indianapolis Anti-Lynching Organization. Major, major moves going on there. Lendonia and hence a love affair, as you could expect, didn't last very long. It was very, very short. Within a few years, Lendonia was back living in Indianapolis, completely separate from him and no longer using the man's surname. They don't appear to have been legally divorced, but they have obviously distance and Lendonia does not appear in any of the later articles or legal proceedings.

Hannah: I think that's a really interesting point about her, that either she had a good relationship with the press or had managed to keep her head down. We can't know exactly why she doesn't turn up. But it's really interesting that she doesn't because all the other spouses. I can now take us through some of the background to our killers today. So Lizzie Storms, Melissa C Graves was her birth name. She was born on Valentine's Day, funnily enough, the 14th of February 1851 to Steven C Graves and Sarah Jane Essick. She was married to John M storms in Indiana on the 11th of February 1867. So she was a young bride of only 16. By 1880 Lizzie was the mother of four children ten and under. She was keeping home while her husband worked as a laborer in Winchester, Indiana. We don't know much more about her life other than the fact that she seemed to have been carrying on a relationship with Kent and if not other men as well for about 20 years before the murder took place. So this had been an ongoing relationship.

She had longstanding extramarital affairs. The other killer, Samuel H. Price, was born in December of 1857 in Indiana. To John and Sara Price. He primarily worked as a laborer and farmer. Samuel was married to Eleanora Albaugh on the 29th of July 1880 together they had four children.

At some point Samuel and Eleanora got divorced. And she remarried Eli Hiatt. However, they also quickly separated. And Eleanora went back to the surname Price. She died in 1921, leaving only one

son on Price. And she and Samuel never appear to have reconciled, funnily enough. Okay, so now we know a little bit about the players in this situation.

So shall we go ahead and dive into the murder?

Easton: Okay. I guess we better. So sorry to everyone who's squeamish back at home. Buckle in time to figure out when all this ends.

Hannah: It's a little bit of a long windy dark tale. So, yeah, stick with us. So on Sunday, July 30th, 1893, a body was found in a pasture in the woods to the south of the city of Winchester.

The knowledge we have about the murder primarily is coming from the articles that popped up in the local Winchester papers through the month of August of that year 1893.

Easton: Kind of pieces of the puzzle together. We know that the murder took place around 9 p.m. between Cotton and Simon Ramsey Farms. Kent was driving the bay mare wagon of his deceased boss Congressman Thomas Brown. They're really tight. He fed and watered the horse at Barns livery stable between seven and 8 p.m. and headed south on a Richmond street towards Snow Hill. At 10 p.m., the horse and wagon turned back up, but Kent wasn't inside of it. It was found by Auditor Canfield and Bud Clark, and they thought someone was playing a joke on Brown. Didn't think much of it.

Hannah: The body of Kent was found by City Marshal John Coffin underneath rose bushes. It's an unfortunate name. The body was taken to Diggs, undertaking an establishment where an autopsy was performed by J.T. Chenoweth and J.E. Markel. So at this point, an official autopsy was done. And that's when we begin to see the real results of what happened.

So one bullet was stuck above Kent's left hip. Another was in his right chest. It had passed through his liver, his heart and his upper left lung. One was above his ear and had passed through his brain. It's believed either the chest shot or the head shot was the final fatal blow. The shot in the head, they thought probably was the last shot, and it was fired from close range. So we're talking about someone who came right up to Kent while he was probably still alive and shot him in the head.

Easton: Vicious.

Hannah: Extremely. There were no other wounds except a bruise on his head. That he likely gained during some time during this altercation.

Easton: So the murder was made to look like a robbery. They tried. They turned out his pockets and stole Kent's watch, which, by the way, was from Congressman Brown. It was engraved. It was given to him on his deathbed. The key suspects to the murder were Samuel Price, and Lizzy storms, as we previously shared. To the extent that price was rapidly arrested, Price apparently had been seen fighting with Kent the previous Friday, at which time Price threatened Brown with bodily harm.

The topic of their argument apparently, was the affections of a white woman. The aforementioned Lizzie Storms, who appear to have been present at the site of the murder. Lizzie Storms is referred

to as, quote, a bad woman about the town with whom Brown had been intimate for many years. These two have a history.

Hannah: They sure do. That description and the following all come from the Indianapolis Journal. And I think this is an important turning point in the case in which this story begins to blow up. We're seeing it reach the capital. We're seeing public interest climbing. And so I do think it's really a key point in what comes to follow.

So we know she's a, quote, bad woman about town. The Indianapolis Journal also states that Brown and Storms' relationship, quote, have been well understood. And so bold and open had been their conduct that it had been a theme of universal comment and criticism. Price was an interloper in the affections of the Storms woman who is white. The quote continues. She, Storms, manifested a desire to shake off her quote colored friend, but Brown refused to be discarded. The evidence strongly suggested that this is why they planned to kill Kent.

So Saturday at 12 p.m. the day before the murder, Brown and Storms arranged together to meet a mile south of town. They rode together in a buggy and plotted their crime by Sunday at 8 p.m.. Arrangements have been made for Brown and Storms to meet up. They met up a quarter mile east a town and Storms got into Brown's buggy. They drew the curtains and did whatever they did. And headed into the woods. Afterwards, Brown gets out of the buggy. He climbs over a fence and while on the fence. Price comes up behind him and fires the first shot with a 38 caliber revolver. That shot was to the hip and took

Easton: Not Fatal?

Hannah: No. It just took Kent down to the ground. He tried to run. He begged for his life. But Price still came up right at that close range, flipped over his body after shooting him through the heart and shot a final shot through the head.

At this point, as we previously mentioned, they rob the body to try and divert investigators. They split things up and fled. Price took the murder weapon. Storms took the watch and they sent it to hide the evidence. But it wasn't long before Marshall Coffin found it. They were rapidly charged with first degree murder. And I think the most shocking part is that they really don't try and cover up their crime past that point hardly at all. Storms as painted as without feeling. And the accounts say she was much stronger intellectually than the man who did the shooting, Price. Price was described as from a good family. His father is one of the wealthiest farmers in the county.

Easton: Which is insane to me because Price seems like one of those people who could have just not really lifted a finger and just enjoyed his father's money.

Hannah: How on earth did he get this caught up in this match to the point that he is shooting a man? I mean, it's crazy. Price is the one that makes the first confession. I mean, he partially confesses immediately to the murder. He says he met up with Brown at 9 p.m.. He accused Brown of attacking him and says, I got you where I want you. And he claims the shots were in self-defense. Obviously, no one at the time believed that either because there was no delay and action being taken. And they were tried for first degree murder. So his argument must have held no weight. I think there are so many things to talk about here.

Easton: Yeah,

Hannah: There are so many intricacies to this murder, to this tale, and so many problems that it uncovers I mean, I think it says a lot about Brown. I mean, I am not by any stretch of the imagination condoning infidelity. However, I admire his confidence. The fact that he was just out here being himself, being with Lizzie.

Easton: How about this? How about I tell you about how this case ended? And then I'm going to tell you my thoughts on the matter. For me, it takes kind of a tragic turn, but also because I do I don't think he deserved to lose his life.

So this is how the case ended up. And a lot of you are probably not going to be happy. I sure wasn't. Both Storms and Price were indicted to first degree murder and sentenced to life imprisonment.

Hannah: Really quite quickly. The case happened all in December. And quite funnily enough, by Christmas Day, Lizzie was in jail.

Easton: Mm hmm.

Hannah: So

Easton: but, I mean, it's easy to have a quick trial when they admit to doing it.

Hannah: True. They didn't have any of it did they

Easton: I mean, it was just confessed. And Lizzie really didn't seem like she cared But this is herein lies the issue. Storms and Price were later pardoned by the state of Indiana. Storms served time from Christmas Day 1893 to February of 1909 in the Indiana State Women's Prison. She was paroled by Governor Marshall and released into the care of her son. A plea was made to Governor Ralston to pardon Lizzie in April of 1915. The pardon was granted on the 21st of April 1915. Price had been paroled previously on Christmas Eve back in 1904 by Governor Durbin. Price was pardoned on the 15th of October 1918.

Hannah: I think here as well as all of this we're going to dove into the problems with the pardons in a second.

Easton: Mm hmm.

Hannah: But I think we should discuss the fact that Kent was not the only one that lost his life in these proceedings.

Easton: No. And this is if we're just putting on our theory caps for a second. This whole conspiracy possibly could have ended with the deaths of three individuals.

Hannah: So we've got Kent's first wife, Mollie.

Easton: Yes, Kent's first wife, Mollie.

Hannah: She drops dead incredibly young at the dinner table.

Easton: Almost as if someone maybe who was entertaining another female companion might have wanted her gone.

Hannah: We don't know. Unfortunately, we don't have any real but we certainly have question that as we've gone through this till it's really sad as well. Lizzie's husband, after she was indicted for this crime, after his dirty laundry had been aired all over the newspapers, and he was probably the center of endless gossip. He stepped in front of a train and killed himself, leaving behind their children

Easton: Which ended up being Lizzie's only family. By the time she was actually released, which is, of course, horrible and tragic. And you think the entire state of Indiana now knows that your wife is the bad woman around town.

Hannah: Yeah.

Easton: In Winchester.

Hannah: Yeah.

Easton: I couldn't imagine. And..

Hanna: And he had not been the wealthiest individual beforehand.

Easton: No.

Hannah: So, I mean, we don't really know the impact that this had on him economically. It certainly raises a discussion point that we can either talk about before or after the pardons, but the way that Lizzie was painted in the media.

Easton: Mm hmm.

Hannah: Now, I am not excusing anybody in this case. Everybody was up to no good.

Easton: Everybody

Hannah: Kent certainly didn't deserve the ends that his no good deeds came to. Well, and Lendonia came out of that in one piece. Thank God.

Easton: Thank God.

Hannah: Um, so we really don't know. That's, I think, one of the most important things for us to talk about as historians doing this podcast. You're going to hear us say we don't know a lot, because any

story like this, there are gaps unfortunately, we're giving you everything we know, but there's always going to be questions and unanswered, um, pieces of information.

Easton: Mm hmm.

Hannah: So, but. But jumping back to that about Storms, I do think the way she's painted in the media is important. You know, she's painted as this bad woman pulling the strings as conniving woman. Um, it's certainly not a stereotype we've never heard of before. So was she really the only one to blame? I mean, I feel like they almost let Samuel Price off the hook in the newspapers.

Easton: Right? And that's definitely not fair, because he had his own agency. I don't know if we mentioned it, but Kent Brown cut the man's hair. Yeah, he was his. He was Price's barber. I couldn't imagine killing my barber over something so foolish.

Hannah: Even if he gave you a bad haircut. That's not that's not murder worthy.

Easton: Crazy thing about it. And we'll have to find a way to grant access somehow via a website or a link that you can click. But we have pictures of these people. Samuel Price was the only one who had hair between him and Kent. And so

Hannah: Kent had quite the beard, though.

Easton: Kent did have a beard, but I mean, that's your barber. And it was worth eliminating this person that you know and knows you with some regularity. Just completely eliminate him and not feel bad for doing it whatsoever.

Hannah: But if you think about sitting in the barber's chair and try to meet me, he probably knew Kent really well.

Easton: Mm hmm.

Hannah: It just brings a whole element to this that's just heart wrenching.

music

Easton: And one more thing about Winchester, because we had that piece about someone seeing you know, Kent's Buggy and being like, all up there goes all Kent's baggy. You know, they must be playing a joke on him. This was a tiny town. Everyone knew what was going on. Winchester was microscopic compared to the entire state. And this became regional, if not national news overnight because of what these two people did. It's, of course, a situation where there are a ton of losers and aren't really winners. But it just goes to show you that everyone had some semblance of what was happening. And it kind of raises the issue of, you know, what would it have taken to stop this before it could have gotten to this point or did people just know that Kent wasn't going to leave Lizzie alone because it says he pursued her and refused to be discarded. So that means Lizzie could a straight up man like, look, Kent, whatever we had, whatever this was a fling, a romance, a one sided crush, it's

over. And he wasn't taking no for an answer. I agree. He was confident, especially in an era where that was completely unheard of, to be chasing after a white woman like that. I'm sure people, if there were any black people in Winchester, they were probably looking at you like, dude, what is the matter with you? But he was also himself a pretty important figure.

Hannah: He must have been charismatic as well for Lendonia to have fallen in love with him and to marry him. And he she was such a powerhouse.

Easton: Mm hmm.

Hannah: You know, she fought with her school board here in Indianapolis to get more pay.

Easton: Mm hmm.

She was constantly fighting up against the barriers that were being put in front of her. And so I can't imagine she would have fallen in love with any old loser.

Easton: Mm hmm.

Hannah: Like, he must have been charming.

Easton: He must have had something. And I doubt that Landonia don't know her personally, but she is a queen and she likely saw something in him. I don't think she was doing that to make chased the, you know, any money he might may have had.

Hannah: No. She didn't need.

Easton: But that's what kind of brings this whole thing to a more theme of tragedy for me is that I think this man was really in love with Lizzie which is sad.

Hannah: And I think she was in love with him, too. And I think that's probably why it captured the public attention. I think it's why it became regional and even national news That's not really the problem we're diving into today. But I'd love to give it a little bit of attention for a second. I think it speaks to a media issue we continue to see to this day, it's almost like reality TV. If we're being 100% honest,

Easton: I can't help but think like if this had happened 30 or 40 years later, they'd probably be like a TV show or a movie or a Broadway play about this whole thing.

You know, they were they really were. They just had a connection. And you do sit back and wonder did the time that this happened impact that in the way that it was? You can just dispose of a black person when you were done with them. And the law is going to side with you. I mean, I don't know if they knew they were going to be pardoned, but certainly if this were a white man chasing a white woman getting killed by another white man, there's going to be different

Hannah: consequences.

Easton: Absolutely. There's gonna be different consequences.

Hannah: Well, and I think the media look to this case and thought we can make a ton of money selling papers off of this.

Easton: Yeah.

Hannah: And I don't think they thought at all about the people involved. You know, I mean, it does say something positive that they left Landonia out of there. But perhaps they didn't know she even existed, was connected to this case. But they have culpability in Lizzie's husband's suicide.

Easton: Yes.

Hannah: The way that they blew this case up and your public attention was a problem.

Easton: Mm hmm.

Hannah: I mean, as historians, we're you know, we benefit from the fact that they did. It means that there's record left behind.

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Hannah: So we are joined today by Dr. Charlene Fletcher. She has a Ph.D. from Indiana University, Bloomington in History. She's our incredible director of curatorial here at Conner Prairie and has extensive experience in studying and working with the criminal justice system here in the United States. Would you like to go ahead and tell us a little bit more about yourself?

Dr. Fletcher: Sure. So before coming to Conner Prairie, I was a post-doc at Brown University in the Center for the Study of Slavery and Justice, because my work focuses on the intersections in race and gender, in the criminal justice system, in the 19th century. Before going to IU, I lived in New York City, and I was responsible for managing the largest prison reentry program on the Eastern Seaboard, and it covered New York State, New Jersey, Pennsylvania and the Federal Bureau of Prisons. So I've worked in the criminal justice system, both in corrections and in law enforcement for more than ten years. Prior to entering academia.

So that's why you'll have all of these questions for me.

Easton: Oh, Do we have do we ever have questions for you? So we sat by and listened to the first half of the podcast with you. And you had some feelings.

Dr. Fletcher: I had some thoughts

Easton: You had some theories and some thoughts

Dr. Fletcher: I had some thought about your theories

Easton: We're going to take him now back to just talking about the process pardoning. And and I want to hear your thoughts about how that whole thing went down.

Dr. Fletcher: Okay. So before we talk about pardons and parole, because there's a difference there. We first need to talk about the differences between jail and prison because they're not the same things. We tend to just, you know, Americans tend to just lump everything into one descriptor.

Jail is a place that you go to where you are convicted of typically misdemeanors. You can go to jail with a felony conviction, but jail is usually reserved as a space where folks serve terms for crimes that amount to one year or less. One year or more that's when you go to prison and typically you have a felony. You cannot go to prison for a misdemeanor. Felonies take you to prison. And so while that is the general rule, it is also possible for folks to spend abnormal amounts, just ignorant amounts of time in jail, oftentimes because they are awaiting trial.

So when and I used to always have to have this conversation with my students because they would watch Law and order and they would think that Rikers Island is a prison. It is not is jail. And so when you have people who are arrested, arraigned, and they are remanded, which means they are held without bail or bond, they have to stay in jail until their case comes up before the court. And if there are continued delays, or if the court docket is so stacked that they're just sitting there awaiting trial, it is possible to be in jail for years. And that's one of the common things that we saw. And we still see in a space like New York City

So that's first and foremost. There are differences between jails and prison when people go to prison. And we started talking about Kent and Samuel and Lizzie and this whole debacle that we have going on here. They're going to prison for murder. Correct?

Easton: Yes.

Dr. Fletcher: So this is

Hannah: First degree

Dr. Fletcher: first degree

Hannah: Premeditated

Dr. Fletcher: First degree murder off the break, is it's pre it's

Hannah: planned,

Dr. Fletcher: it's plotted. And so that's a felony charge immediately. Out of the out the front door. That's a that's a felony charge. So they're going to prison when someone goes to prison. They can't be confined to prison for a set number of time, for a set amount of time based on the crime that you've committed. Now, here's the interesting this is where this gets really interesting, because every state has different classifications for various crimes and what their punishments might be. What may be a felony in New York state might not be a felony in Indiana. It literally depends on what the criminal procedure law says in that particular state.

Murder is a felony. You can't kill people. Well, that's another podcast episode because you can't kill people and not go to prison for it because that's what we see happening with police violence anyway. So what ends up happening is with these folks, the story is that they're initially paroled, but then they're later pardoned. And there's a difference between parole and pardoning someone.

Parole is community supervision. So when you commit this crime, you are convicted of the crime. The court gives you a sentence that you have to serve, and it might be seven to ten years. Right. So let's say you go to prison, you serve the seven years. Now you're eligible to be released. Just because you're released. The parole doesn't mean that the sentence magically goes away. You served those last three years in the community. And so folks who are on parole, they have to check in with their parole officer. There are fees that the supervision fees that they have to pay. And then when someone is released, they get this long sheet of conditions that they have to meet. And the conditions are specific. There's general conditions, but then are specific conditions that they have to follow. And it could be a curfew. It could be that they can't be or live in a specific geographic area for a specified period of time. They may have to undergo drug testing, whatever It can run the gamut. Right. But you're still serving the remainder of your sentence. You're doing it in the community. That's parole.

Pardoning or even when you so when you pardon somebody or if you have a commutation of a sentence, that can only be done by the governor. So a pardon says, okay, this person. Yeah, they've done their time. We're just going to wipe this clean, a commutation of the sentence says the governor comes in and says, okay, the judge said that this was a lifetime sentence. Well, I'm going to commute it and say instead of a lifetime sentence, it's 20 years. So whatever the governor feels necessary for that particular case, only that can come from the governor, because what you're doing is you're either eliminating the sentence or you're altering the sentence after it has been processed through the judiciary. So it's two totally different things.

And so it is possible for them to have been paroled and they're out on supervision. And then the governor come in later and say, we're going to be done with this.

Easton: Merry Christmas.

Dr. Fletcher: Merry Christmas. And pardon and absolve them of their of their convictions.

And we still do this today. Yes, the governor does in some states, not all states, but in some states, yes, the governor appoints those who sit on the parole board. Governors, all governors have the right to engage in pardons or to offer clemency if they so choose. Not all of them do it. Some have recently done it when the last governor of Kentucky, Matt Bevin, left office, he pardoned several people that had highly violent convictions. One in particular was a sexually violent predator towards children. And his sentence was it wasn't commuted. He received a full pardon from the former governor. And so who is pardoned or who received the commutation and what that entails, it's solely up to the governor.

But when it comes to parole, the parole board determines who is actually released from prison early. So that's what the parole board does. Once someone has been released, they report to the parole officer. And there are certain cases where the parole board has no say. If they've done if that particular individual has served a specified portion of their sentence. We call this determinate

sentencing, then they have to be released into the community. So there's a difference between pardon pardons and parole. Is definitely not the same thing.

So these folks had both experiences is what it sounds like to me.

Hannah: And from looking back at the records, I think an important thing to talk about with that with their pardon and parole process is they were both given life and there did not appear to be any sentencing requirements beyond that that we can see in the records we can see. So they're both getting life.

Dr. Fletcher: So when it comes to life sentences, because we obviously still have life sentences in the 21st century. When someone is given life and for those who are listening, I am speaking from the perspective of New York State because that's the correctional system in which I worked. But when someone is given life, they're still typically there's still a range that's given under indeterminate sentencing. So you might receive 15 to life where 15 is the minimum, but life is the maximum. And what used to happen is that you could have served that minimum gone up for parole and been granted parole, but then you would remain on parole for the rest of your life in the community. And so you would have been 98 years old shuffling down to the parole office. And I've seen that with my own eyes. I've seen elderly I've seen elders show up to the parole office for something that occurred in the 1960s, and they were still on parole.

But what in New York eventually did was for those who had life sentences. This happened early 2000. They amended it so that if you had lifers, that's what we called them. If you had lifers who were on parole and had been successful, successful on parole for a minimum of seven or eight years, they could petition to be released from parole and that also came from the board. So it was possible to show that that is another commutation, but it didn't necessarily have to come from the governor.

And then the same holds true if a law changes. New York is always has always been famous for its Rockefeller drug laws, which would give folks who were in possession of certain amounts of certain types of narcotics, life sentences, nonviolent felony conviction but you received a life sentence for nonviolent felony conviction. And so what that did was it disproportionately impacted communities of color, particularly in the five boroughs in New York City. And so what you started to see was most of New York's prisons were upstate. A lot of those prisons have closed because the numbers have gone down. But what you would see is that more than 80% of New York's New York State's prison population came from New York City, from Brooklyn, from the Bronx, from Queens or from Manhattan.

And so you're shuttling all of these people up to places that are up near the Canadian border. And, you know, all of these all of this just far away. And so you have people who are going to prison for small amounts of things like heroin or crack cocaine, and they're receiving these life sentences. And so when the Rockefeller drug laws were overturned or reversed, you had scores of people who, of course, this was done in the legislature is signed by the governor. But now that that laws in place, they had to go back and revisit the sentences of all of those people because the law no longer stands.

So there are other ways that commutation and pardons and parole, they play out in different ways. But this is going to be specific to individual states, what New York may do, Indiana may not do.

Hannah: So some of the facts we know about the places they were imprisoned. We know Lizzie was in the Indiana State Women's Prison. We know he was in the Indiana State Prison. So they both

Dr. Fletcher: Michigan City? Okay.

Hannah: Yep.

Dr. Fletcher: Indiana Women's Prison is the first prison for women in the United States. It was established here in Indianapolis in 1876. It was on the south west side of town, if I'm not mistaken. It's interesting because it was established by Quaker women and what happened was that Indiana coed prisons up until that point. And so the prison used to be down at Jeffersonville, one of the Incarcerate a woman at Jeffersonville. She escaped and she was beaten up really badly and she was pregnant. And so she ran away from the prison. She connected with, I believe it was a Quaker family. And she just started telling these folks this is what's happening in this prison because we're locked up with the dudes. And it's not the incarcerated men. It's the prison guard. And there's all this stuff happening. So these Quaker women get together and they say this is unacceptable. We need a women's prison. And they started and over the next several years, this group of women they just took power from the men in charge of the Indiana Correctional System, and they have full reign over this women's prison and now today, the women's prison is on the far west side of town, off of high school road but you start to see other states follow that lead to be able to separate incarcerated women.

Illinois follow suit. Ohio follow suit. Kentucky never does. Kentucky does not have a women's prison until 1938. And that is because the great flood of 1937 destroyed the Frankfort Penitentiary in that men and women were housed there. So Kentucky is the outlier. New York is interesting because what they do they have several prisons for women. The biggest one being Bedford Hills which still exists and is a maximum security facility. But New York used to do these cottage this cottage model thing. And the idea was to try to rehabilitate women by enforcing Victorian feminine and feminine expectations so we can ensure that they have all of these domestic skills. Then you know, if we can get them married, that will show signs of a successful parole. That's not true, but that's what they did. And so this was specific to white women, because when black women were incarcerated from intake, it was already viewed that they could not be, quote unquote, rehabilitated.

But for her to be in the Indiana women's prison, that's not surprising. And for her to be paroled to her son at such a late age in life, it's not surprising that she wouldn't have been evaluated based on, you know, the role of marriage. But I would make the assumption, without having read any of the archives related to her case. One, she's elderly. There's a medical concern there. And we can talk about medical parole because that is a thing. But since she's being released to the custody of her son, we still have that dynamic of respectability politics in Victorian femininity because she's still going to serve this domestic role in caring for her son. So, yeah.

Hannah: We have a quote here about what he promised. So it says Mrs. Storms was paroled by Governor Marshall after her son Charlie Storms, had signed an agreement to take care of her and see she does not become a part of a public charge, unquote. And so there also seems to be significant concern around the cost to the state there.

Dr. Fletcher: Yeah.

Hannah: Yeah.

Dr. Fletcher: So she doesn't they don't want her to be a public charge don't put her in the asylum. That's what they mean. And so or don't she shouldn't make her way to the poor house, the almshouse, because what that means. What you will see in this period and not just in the at the turn of the 20th century, but you seen in the 19th century as well. When we talk about mental health and mental health concerns for a whole host of reasons, people could just be dropped off at the asylum if they could not care or did not want to care for family members. That was that was common. And you would still need in certain states. Kentucky's one of those states where you would still have to go to the magistrate and have this and have that family member deemed to be and excuse the language. But this is what the archives says, insane or to be an idiot. And so you would have folks who would turn loved ones over to the state. Some people just honestly. There is a concern of mental health or just failing physical health that they could no longer care for their loved ones and others. That wasn't necessarily the case. So that's what that means by public charge.

Hannah: And there's certainly also a physical concern here. She's having fallen down stairs at the women's prison a few years before, and they call her helpless. So

Dr. Fletcher: Yeah

Hannah: There's both.

Dr. Fletcher: So you take care of her so we don't have to, number one. I mean, if we don't take care of her at the Indiana women's prison, then we shouldn't also have to take care of her essential state. So that's what that means.

Easton: So I do want to ask you, Dr. Fletcher, how does that fit in when we talk about medical pardons or medical parole?

Dr. Fletcher: Medical parole is just what it sounds like. Somebody gets too old or too sick or they expect this particular person to die within the next, you know, set timeframe. And so or if their care is too complicated, or complex Bill, they'll release them. Medical parole is that can be done by the parole board. Not necessarily the governor, but the board would address that. And it's common because this country you know, America is great. And one of the things that we excel at is incarceration. America incarcerates more of its population than any other country in the world. And not only do we incarcerate more of our population, we incarcerate people the longest.

So when you talk about going into a prison, the elderly or an aged population, inside a prison wall is definitely a tough thing. It's an issue because, you know, when people talk about locking people up and throwing away the key, this country actually tries to do that. And so folks will have medical parole again, elderly folks, if there's medical care, if they're if they're not expected to live much longer and they have family. It is possible and implausible that medical parole can be granted even for the elderly. There was a man and I would have to go back and see he was somewhere down. So I have to go back and see where this took place before y'all put this out in the interwebs. But he had spent some 60 odd years in prison and was granted clemency from the governor and he gets out he sees what family he has left. And then two days later, he died. So it's possible it happens I would just have to go back and see, refresh my memory as to where that took place.

I just thought about something. I'm glad you said that over because it brought me back to something else I jotted down with these folks being released in the term. And this is why I asked you guys, what year was this happening?

Hannah: I have them written down. So. So he was released in 1904 and she's pardoned in 1914 and paroled in 1909.

Dr. Fletcher: So the first things that came to mind when you're talking about medical releases and the fact that she is susceptible to injury and all of these other things. Another reason why you might have people in this time period who are receiving medical parole is because of tuberculosis. If at any time, if you go into a prison right now, I don't know how many TB tests I have had in my life O-M-G you, those types of communicable diseases are still very much an issue in modern prisons. And so with TB running rampant, if there were people who or consumption as it was called, if people weren't expected to live, you would definitely see people being discharged on medical parole for that reason. Oh, we don't give a more than two weeks. So it's someone that they don't necessarily have to house or care for in what they expect to be the last two or three weeks of their lives.

Hannah: So in the case of Lizzy, where she goes on to live for another 20 years, what often happens in those cases? Do they go back and revise and say, oh, well, she did not look well, we sent her home, but she's recovered now she should be in prison once that decision has been made. Once regardless,

Dr. Fletcher: Once they're gone, once they've lost, they're gone. That sounds bad. Once they've been. Once a person has been released, they've been released unless they violate the conditions of their parole, they are free to continue living in the in the community. And then once the pardon has been issued, they definitely it's they've been pardoned.

Hannah: So I think I think then given all of this and the records that we have, we have really good records of Samuels situation. I think the thing that was most striking to us and was leading us to some of our wild theories that you were listening to us propose

Easton: oh, boy.

Hannah: Is that he is convicted as the primary murderer. She is also convicted along with him But the way that the newspapers told the court case is he was seen as the killer and she was seen as an instigator, an accessory and also convicted, but not considered quite as primary of the suspect. It was him that was really the primary suspect

Dr. Fletcher: Mmh Hmm.

Hannah: So what led us to have these conversations were why did he serve so much less time than her then? I mean, he only served 11 years. He was paroled on Christmas Eve 1904 and pardoned on the 15th of October 1918 And as far as we can tell, other than the citizens of Winchester writing petitions and him having this congressman speak on his behalf, he didn't have a reason. He wasn't sick. He wasn't particularly old. There was no obvious reason to release him. And she stayed in jail for a significant amount of time passed him. So what are your thoughts on that?

Dr. Fletcher: There can be a number of things that are happening there. And without reading the actual indictment and the actual minutes from the trial. So you got to be careful with newspapers because their goal is to sensationalize what whatever is happening because you got to sell the papers. Right.

Hannah: This was definitely a sensational case.

Dr. Fletcher: Absolutely.

Hannah: I mean, it was

Easton: and regional I mean, it made it all the way to the Cincinnati Enquirer made it all the way.

Dr. Fletcher: Oh, let's talk about The Cincinnati Enquirer. Oh, yeah.

Easton: It could be its own episode.

Dr. Fletcher: That's a tabloid night for real. Okay. So anyway, No, but seriously, like, paper is like The Enquirer, and I mean other ones. It's it sells when you, you know.

Hannah: Murder sells

Dr. Fletcher: Yeah. I mean, and this is what folks are going to read. You know, you sensationalize whatever the case is. And I'm not saying that this case wasn't crazy, but when it comes to having an understanding of why the judiciary or the jury, for that matter, moved in a certain way, newspapers aren't the best places to go because they want to sell newspapers. And while those people were actually more than likely sitting in the courtroom, listening to these proceedings or, you know, they may have because when people have people go up for parole, there's a parole hearing that takes place. I don't think I said that. You have to go before the parole board before being released. And so people can sit in on these things and if you have somebody who's listening for any salacious bit that they can put into you know, the Sunday special, then that's what's going to happen.

But to go back to your original question, why would she have spent more time Why was he identified as the ringleader or a mastermind of this? Again, that would I would really have to read his indictments. What evidence do they even have to move forward with any of this? At what point does he actually apply for the pardon? How many times did he apply for the pardon? Because that's something else that happens any time somebody applies for a pardon. Like you said, there's all of these letters and these notes that are going into the newspaper.

What will happen is or what you'll see in the 19th century is something will be printed in the paper that says so-and-so intends to apply for a pardon and it will request feedback or comments or letters from community members. And so that's where that comes from. A lot of times it's going into the paper but you also have people who are sending submitting things directly to the governor. So that would speak to why he's got folks sending these things.

But in terms of the sentence your behavior inside, just like, you know, can somebody be released if they get sick? Yes, but your behavior inside and the severity of your crime really dictates how long

that sentence you actually serve and whether or not you go up before the board. And so you might have, you know, ten to 15 for something. But if you don't have and I'm speaking in terms of the modern prison system right now, if you don't have a plan, if you don't have a place to go, no prospects for employment or a program or something to that effect, if you don't have you know, if you've been if you have a questionable behavioral record, you know, that kind of thing, those types of things can slow you down with regards to the parole board and being granted parole. But the same holds true for your conviction as well. And just how heinous was this conviction?

It reminds me of the Son of Sam, whom I have met, the son of Sam in 1977 terrorized New York City. He was shooting serial killer and he comes up for parole every two years and has been denied. He's not going anywhere, but he has a life sentence and so he'll just continue to come up for parole. But they're not going to you know, they're not if they released him, I would be surprised. So those are things that could have played into that.

Hannah: So digging into this Samuel was still married. His wife was still alive with their kids. They seem to have maintained a stable home. So potentially the courts saw him as having a place to go and a way to stabilize upon reentry into society that may have played a role in their decision.

Dr. Fletcher: Without reading the archive, it could it could also be the caliber of folks he had written on his behalf requesting clemency or requesting the pardon. It's a whole host of things that could have played into that.

Hannah: I think one important thing as well, going back to our discussion about respectability politics as well. And again, we come back to newspapers because that's the main sources we have, which are problematic. And we could talk about that in a second too. But we know she was a quote unquote bad woman around town and he was seen as quite a respectable individual who got embroiled with this bad woman.

Dr. Fletcher: So she lured him. She seduced him. You see that kind of language frequently when folks talk about sex workers demonizing women. But also, again, it goes back to that concept of parole for women. So if they weren't domesticated, able to be rehabilitated, it might have been a reason why she stayed in longer, especially if she was simply released because of those health conditions or the health concerns or her age or what have you. But if she's not considered to be reformed, so to speak, that may have had something to do with it. Especially since it if she's released to her son, she has nowhere else to she has no one else to go to. So that's possible.

Hannah: So obviously, something we kept theorizing on was the role of the media.

Dr. Fletcher: Yes.

Hannah: Does it make sense to go ahead and talk about what role the media does or doesn't play in reality today and potentially back then?

Dr. Fletcher: Sure. Sure. I mean, the media sensationalizes all that they can because at that point, you know, it's about selling newspapers today. It's about ratings, but it's also about maintaining

particular narratives about certain swaths of people. And so the way that she's depicted I mean, I don't know Lizzie, she's not a friend of mine, but to say that this is a lascivious woman, she's a you know, she's not respectable she's this she's bad, whatever goes against all of the things that women in the Victorian age were expected to be. And so it ramps up this idea, these notions of, of course, what women are supposed to be, but what a quote unquote fallen woman looks like.

And this is, you know, so we see the same thing today. We see the same thing when it comes to race. The person who just went into the grocery store in Buffalo and killed 11 people. The media listed him as a white teenager. He's 18. He's a grown man. But when Tamir Rice got killed by police for playing in a park, a 12 year old playing in a park, he was listed by the media as a black man. So we still have the same the same issues with the media and the language that is used to further certain stereotypes, certain expectations, whether they be racial, whether they be gender biases. We still have the same issues in the 21st century.

Hannah: And the media certainly spared no expense at characterizing her as that bad woman, as a woman who'd been having an affair with a black man for 20 years.

Dr. Fletcher: I mean, any chance they got. Well, that's, that's the big piece of it right there. That's what makes her so bad, is because she had a affair with a black man. And so at that time this is also, at the same time, I can't think of the ladies now. It'll come to me. She was the first woman to speak in the Senate because and it's right on the tip of my tongue. But basically what she did was she went into the Senate and this myth of black men being, you know, sexually out of control, saying for black women, you know, where I was that our black people, our sexuality has just been demeaned and diminished and cannot commodified and all of these things. And so this is around the same time period where Lizzie is being demeaned, where this myth of the black man as this savage sexual beast and something that white women need to be fearful of and we need to protect. Rebecca Latimer Felton that's her name! I knew it would come to me, but people like Rebecca Felton went before the Senate and advocated for the lynching of black men as a form of protection for white women. And she said this on the Senate floor. And so racial violence is always there is America, right? But you see this uptick in lynchings and this this justification for the murder of black men solely rooted in this, oh, we have to protect white women. And so if she's listed as this bad person because she had this consensual affair and it led to the downfall of another white person, that feeds right into the myth of that day.

Easton: One of the many awful things about this, though, is that when we look at the details of their relationship, we know that this wasn't this man was financially supporting her family. He wasn't just a Savage Side piece. He was forgive my language. He wasn't just a Savage Side piece. He was financially giving money to her kids. He was established. He was caring for her. And he was pretty well off. I mean, being taking the namesake of a congressman and he had money and he had influence and

Dr. Fletcher: Well, then in and of itself as a threat.

Easton: Right.

Dr. Fletcher: You know, just a black man who's well-to-do who's who has that influence. That in and of itself is a threat. I mean, that's how we that's how we got Tulsa. I mean, you have black Wall

Street and black people are minding their business with entrepreneurship and economic a vibrant economic space. And then you have white folks who get mad and torch it and massacred people. So it's not just that she had this affair with this with this particular person. This person was all of the things that society was against is black men. He was a he obviously had means he obviously had influence and he obviously had the ability to take care of this white woman and her children. And where was her husband?

Easton: at home or at work. I believe he worked he was a laborer, worked in the city, might have commuted to the capital.

Hannah: That part is really interesting. I wonder how much he

Easton: knew.

Hannah: Yeah, I mean, he must have known they were taking money from him.

Easton: Because where is all this money coming from?

Hannah: Yeah. Isn't agreement thing? I don't know. That whole part is fascinating.

Dr. Fletcher: Interesting.

Hannah: 20 years. I mean, that's a long time.

Dr. Fletcher: Well its long time. But then also, again, when we talk about respectability politics, it's another stab at white patriarchy. Well, you're married, but this black man is the one who's taking care of your family so.. And he kills herself. Himself? No.

Easton: Yeah.

Music

Hannah: Do you have anything else on the topic that you want to make clear to listeners or we want them to leave thinking about today.

Dr. Fletcher: America was a penal colony, so it was Australia. That's where parole comes from. There was this little guy named Alexander Maconochie, and he ran one of the penal colonies in Australia. And in order to boost morale and improve behaviors among those who were incarcerated, at it, he gave them tickets of leave. And the more that you had good behavior, the longer your tickets would be.

And it got to the point where you were doing so well, you got your ticket out of the penal colony. And so that idea, that practice was taken all the way over here into another British colony, and that's how we get parole. You're welcome.

Easton: Do you have any other personal takeaways from this? What seems like an old timey soap opera?

Dr. Fletcher: These are some shady characters, man. And I spent a lot of time reading and writing about stuff like this. But this Lizzie lady, she's shady. I mean, she's big shady. I don't know if you want to put that in the podcast, but she's shady.

Hannah: We agree

Dr. Fletcher: She's shady.

Easton: Yeah. I don't think they're any different.

Dr. Fletcher: No I don't think there are any disagreements there.

Easton: I don't think there are any Lizzie Lizzie diehard Lizzie fans in the in the studio today.

Dr. Fletcher: Yeah, she's shady. But I also think it's interesting the ways that this seems to be very, very isolated because in what y'all have shown me, Landonia has never mentioned.

Hannah and Easton: No

Dr. Fletcher: She's never touched. And so

Hannah: Is it because she's so respectable they don't want to pull her name?

Dr. Fletcher: I, I don't I'm wondering if the media even knows that he married her.

Hannah: Yeah.

Dr. Fletcher: Or if she was. I hate to say it like this, but I wonder if she was an afterthought because she's not central to that story, especially since by that point, she's. And she's an Indianapolis.

Hannah: Mm hmm. So, yeah, I wonder back using her maiden name.

Dr. Fletcher: And that's. I wonder if that was even a path that they even bothered to follow. But I have found that interesting that she is nowhere mentioned is like she doesn't even know this man.

Easton: Maybe she herself found out that early on in their relationship that there was just

Dr. Fletcher: Something wasn't right

Easton: That something about something wasn't right. She de-centralized herself, perhaps

Dr. Fletcher: Could be, but she's also very active in the AME Church. As well. So it could also be something that the folks who were writing these articles at the time period just didn't bother making that connection because she's all the way up here, number one but two church woman activists. She brought Ida B Wells here. They may not have even bothered to make the connection or that it wasn't the kind of story that would sell. I don't know. I don't know.

Hannah: We talked a little bit about this, and I feel like it's one interesting point as well to kind of leave on though that to recenter Kent in this story. He must have been a charismatic fellow like, yeah, he made mistakes. But like also for Landonia to fall in love with him. She was a badass. I mean, she was such a cool woman. So there must have been something about him.

Easton: I don't know what that congressman taught him, but he was a he was a guy.

Dr. Fletcher: He was a guy

Easton: He was some kind of guy. Dr. Fletcher, thank you so much for coming down here and talking to us.

Dr. Fletcher: Any time. This was fun.

Easton: We've learned a lot. I have learned a lot about a state that I was not born in. So thank you.

Dr. Fletcher: You are welcome

Hannah: I have learned a lot about state I was born in, but didn't spend very much time in. So I also appreciate you

Dr. Fletcher: Any time.

Hannah: Well, we thank you, as always, for spending some time with us and listening to our conversation again. You can find us on all of your normal podcast places as Spotify, Apple Music, all of those places. Feel free to check out the website and our social medias.

Easton: Until next time.

Dr. Fletcher: Don't be problematic.