



Interview with **Russell Oswald**

Date: February 24, 1989

Interviewer: Sheila C. Bernard

Camera Rolls: 2098-2102

Sound Rolls: 245-246

Team: B

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Note: These transcripts contain material that did not appear in the final program. Only text appearing in ***bold italics*** was used in the final version of *Eyes on the Prize II*.

[camera roll #2098]

[sound roll #245]

[slate]

00:00:10:00

Camera crew member #1:

Marker.

[slate]

00:00:15:00

Interviewer:

OK. Can you describe for me the new kind of prison movement that had originated at San Quentin in the 1960s? What was going on in prisons?

00:00:24:00

Russell Oswald:

Well, there were, there were attempts made to develop them more along treatment lines rather than strictly custody. But of, of course that was a long haul because you had to change

so many things, and you had to get so much more money to do a real treatment job rather than just keeping people in custody.

00:00:49:00

Interviewer:

What was going on in terms of prisoner uprising? There had been trouble at, at the Folsom Prison and in Auburn. What was going on in terms of prisoners?

Russell Oswald:

Well, they were—

Interviewer:

I'm sorry, if you could—

Russell Oswald:

They represented—

Interviewer:

If you could tell me "the prisoners."

Russell Oswald:

Yes, if you could tell me—

Interviewer:

No, I need you to say a full sentence in terms of "the prisoners represented"—

00:01:11:00

Russell Oswald:

Oh, the prisoners represented what was really in our larger society. There was a, a terrible rebellious attitude in the late 60s as you might recall. They— Kent State, and the Chicago Seven, and the, the [pause] difficulties at Folsom Prison with George Jackson. And everyone was rebellious. It was a mini rebellion. So different from the days that we have today or the, in 1970.

00:01:52:00

Interviewer:

OK, cut.

Camera crew member #1:

OK.

[cut]

00:01:55:00

Camera crew member #1:

Mark it.

Camera crew member #2:

Any time.

[slate]

00:01:56:00

Interviewer:

OK. The prison situation in your words went critical when George Jackson was killed. Can you talk about his death and about your response when the prisoners held their, their memorial to him?

Russell Oswald:

Well, I felt that when, after Jacks—George Jackson's death, that—

Interviewer:

OK. I'm sorry, can I start you, can you begin with saying after George Jackson's death?

00:02:22:00

Russell Oswald:

After George Jackson's death, several of the institutions wanted to put on memorials for him, and we exceeded [sic] to that. We, however, felt that it was just the start of more trouble in the institutions because he was far from being an untroubled individual. He had troubles of his own. And all of these people liked to mimic him. As a matter of fact, many of them were

using all of his rhetoric, and they subsequently used the rhetoric from all of the demands that were made in San Quentin and Folsom to ship to New York State prisons and oth—other places.

00:03:11:00

Interviewer:

If, if I'm a sixteen-year old viewer, and I have never heard of George Jackson, can you describe who George Jackson was from your point of view as a prison official? Who was George Jackson, and what was he saying in your mind to the prisoners in Attica?

00:03:25:00

Russell Oswald:

Well, I think George Jackson was a, a, a [pause] individual who was alienated. He, he was typical of those times and no—times such as now when, when African Americans felt that they weren't getting an even shake. And he was bitter about that, and he wanted to change things. And certainly I agreed with that. I, I agreed with that from the beginning of time, that much had to be done to, to make situations better for not only African Americans but for the Hispanics, and for, for so many other people who are just disadvantaged either financially or through heredity, or from any number of reasons. And so I, I thought it was alright to have some celebration for him, some, not celebration but some feelings for him.

00:04:36:00

Interviewer:

And, but when George Jackson was killed, he became sort of a martyr to the inmates at Attica. And the next day, they filed into the cafeteria. And in, was that organized? Can you tell me what happened?

00:04:48:00

Russell Oswald:

Well, I, I'm reasonably sure it was organized, but I don't know that much about it. But [pause] some other things were or—organized.

00:05:04:00

Interviewer:

OK. Can we cut for a second?

Camera crew member #1:

Sure.

[cut]

00:05:07:00

Camera crew member #1:

Mark it please.

[slate]

[cough]

00:05:11:00

Interviewer:

The, the morning that Attica was taken by the prisoners, and you got the call to come to the facility, you arrived at the prison, and you're facing two basic choices. Either to storm the prison with the force you had or to negotiate. Can you tell me what was going through your mind at the time, how you were gonna make that decision, and, and what happened? Just describe the situation for me.

00:05:33:00

Russell Oswald:

Well, when I arrived at Attica, I [pause] had [pause] some feelings about what was going on. I read from, in the plane from Albany to Attica many, many letters from prisoners who had written me after I had been at Attica the week before and outlined the things that I wanted to do for them. And they were commendatory letters. And I fin—found it difficult to understand what suddenly had happened to change this whole situation. I knew that I had to make a decision very quickly. I knew what the standards were of the American Correctional Association in terms of dealing with prisons which, which are being taken over by prisoners. Because my deputy and I had both worked on the books for the American Correctional Association that said you don't ever give in to inmates. You have to take the prison back. However, I felt that since there was a delay in retaking that prison because the state police and the correction department didn't have enough people there to take over the whole institution, they, they delayed further efforts until I got there. And shortly after I got there, there was enough state police troopers to retake the prison. But I felt that I wanted to try something other than bloodshed, retaking of the prison. And I was iconoclastic enough to say that I can do it. And I felt I had previously dealt with situations, not as serious as this, but in

many other states that I had been commissioner in, and every instance, that I had been able to win them over and avoid bloodshed.

00:07:55:00

Interviewer:

Can you describe for me the gravity of the situation then in terms of the hostages, in terms of how many people had, were now in D yard? What, how grave was the situation you were facing?

00:08:04:00

Russell Oswald:

It was very grave. There were, there were over a thousand people in the yard. There were some 43 hostages. Many had been battered, and, and beaten badly. And there was a sense of euphoria in the yard. Everyone was jubilant. They thought they had the thing won. And they were going to show the state, and the commissioner, and the governor, and everyone else that this had to change—

Interviewer:

So—

Russell Oswald:

—and I wanted it to change.

00:08:42:00

Interviewer:

When the prisoners refused to meet you on neutral ground, you then faced the decision whether to go into D yard or not. Can you talk about, about your decision and about the fact that people like Dunbar and Mancusi were saying not to go in. What was, can you describe that?

00:08:59:00

Russell Oswald:

Yes. When I elected to go into the institution alone, I was counseled by all of my lieutenants not to do that, that it was a foolhardy effort. I said, I have to take that step. I can't live with myself unless I go in and try, and I'll try to convince them that I mean business, that I want to do things that I told them I was going to do last week.

00:09:30:00

Interviewer:

Can you, can you just explain the situation a little more fully in terms of, you're trying to save the hostages' lives. You've decided to do it by negotiating. And I'm not exactly following why. What was it that was preventing you from just storming in? Were you afraid that if you stormed the prison, the hostages would be killed or that by negotiating, you could, what? I'm not sure I'm following exactly.

00:09:52:00

Russell Oswald:

Well, what, what I was trying to avoid was having anyone killed. Naturally, I was tremendously concerned with the hostages, but I was also concerned with the many prisoners who were in there, and many of them were there not of their own accord. They were swept in with the whole, retaking of the prison. They had no choice. And a lot of them stayed out and wouldn't go in. So, that I was more, I was interested in both the hostages and the prisoners.

00:10:30:00

Interviewer:

And then if you could just tell me again, as you're going into D yard, what are you hoping to accomplish, and what are you, as you walk into the yard, what are you facing?

Russell Oswald:

Well, I'm, I'm facing a very hostile group, but I—

Interviewer:

Sorry, if you could just give me—

Russell Oswald:

Yes.

Interviewer:

As you walked in—

Russell Oswald:

As I walked into the yard—

Interviewer:

And now I just talked, so you got to do it one more time.

00:10:52:00

Russell Oswald:

As I walked into the yard, I knew I was facing a very hostile group. On the other hand, I knew that there were a lot of people, undoubtedly, in there who believed in what I wanted to do for them. And if—

[rollout on camera roll]

[wild sound]

Russell Oswald:

—what they had in mind—

00:11:09:00

Interviewer:

Oh, sorry. cut.

[cut]

[camera roll #2099]

00:11:11:00

Camera crew member #2:

Interview with Oswald continues. New camera roll 2099. Sound roll 244 continues.

Camera crew member #1:

Mark it.

[slate]

00:11:19:00

Interviewer:

OK. And if you would just tell me again, why did you decide to go into D yard, and what was your impression as you walked in and faced twelve hundred men who no longer considered themselves inmates?

00:11:32:00

Russell Oswald:

I decided to go into D yard for humanitarian reasons. I knew that the hostages were in a very difficult situation. They had been beaten. I knew that. I knew that they were harassed. I also felt that to do otherwise then to go in there would leave me with one option. That was to go in armed. And there would be unfavorable consequences. People would be killed in— invariably. So, I decided that I could do better going in there and trying to talk them into reasonableness. That was my hope. Unfortunately, it didn't turn out just the way I hoped it would.

00:12:31:00

Interviewer:

So, describe it for me. What was it like? What did it look like? What were people doing?

00:12:35:00

Russell Oswald:

Well, first I saw the hostages. I had a chance to look at them, and they were badly beaten, and they had cloths over their eyes blinding them, you know. And they were cowed, they had been beaten—so badly. And the prisoners, the leaders, were up on the stand looking down on me. And they were trying to humiliate me any way they could that they were asking for certain things, and they wanted those, or there would be people killed. *I talked as rationally as I could with them and listened to them for some period of time. And ultimately, they said they had an agenda of what they wanted, and I said, Well, give me the agenda,* and they did. They said, What can you do about that? Can you give us all these things? I said I'd have to study them. And they said, Well, when do you want to study them? I said, As soon as you're through with me, I'll go out and study them, which is what I did.

00:13:56:00

Interviewer:

OK, how would you characterize the rebel leadership? Were these people interested in prison reform? Was this Black Power? What was, what were the leaders and people like Richard Clark, and Herb Blyden? Did they represent the prisoners?

Russell Oswald:

Well, I think that they represented—

Interviewer:

If you could just tell me who I'm talking about.

00:14:13:00

Russell Oswald:

You asked about—No. I'm, I noticed that Clark and Blyden seemed to be leaders among the group. There were others however. Sam Melville was there. Jerry Rosenberg was there. Butler was there. A number of them. However, Clark and Blyden seemed to be the leaders. They, they sounded like they were fairly intelligent people, and one wondered how they could think that they could control the whole state government and, and change everything through violence. However they, they undoubtedly felt that they could do it that way.

00:15:05:00

Interviewer:

OK, cut please.

Camera crew member #1:

Sure.

[cut]

00:15:06:00

Camera crew member #2:

Speed.

Camera crew member #1:

Mark, mark it.

[slate]

00:15:09:00

Interviewer:

OK. If you could just, as the person in charge of this prison and the other prisons in the state, characterize what's going on here. Who is leading this rebellion, and is it, is it, what is it? What's going on?

00:15:22:00

Russell Oswald:

The people leading this rebellion as others around the country were definitely a revolutionary group, which was not unlike what was going on on the outside in terms of rebellion, and the Vietnam war and so on. This group at Attica were all enrolled in a civics class, and they, they met daily for class, but that class I later learned out was controlled by a revolutionary group. And they were constantly talking revolution. Day after day after day. And undoubtedly they, they finally fought, found or thought that they would be able to take over this institution.

00:16:22:00

Interviewer:

So, if I, if, if someone said, Well, Attica was just a spontaneous prisoner uprising against conditions, what would your response be?

00:16:32:00

Russell Oswald:

If someone asked me if that was a spontaneous revolution, taking over that institution, I would have to say as I said many times before, it was planned. It was not spontaneous. And I have very good evidence for that. Number one, the day before, when two men got in a, a little fisticuff affair, a lieutenant split the two up. And the one purposely struck the lieutenant. Now, this is not done in prisons and—very, very serious thing for a prisoner to do that. It was obviously planned that he'd do that. They were subsequently put in P block, these two men. And that night, everyone in the institution was saying, They are gonna be beaten. And in the morning, the next morning, the people weren't going to breakfast. And some of them were not able to go to breakfast. They were keep-locked. So, the thing was set up. An additional factor which makes me know that it wasn't spontaneous is that one of the individuals, a prisoner, who wrote me often and was probably one of the brightest individuals in that prison, and who did some work for the, the leadership, arranged to put himself in the hospital the night before the institution was taken over.

00:18:35:00

Interviewer:

OK. Did you feel as, as you were hearing the demands, did you feel that they were reasonable, they were simply demands for prison reform?

00:18:44:00

Russell Oswald:

Yes. When I heard the demands that they made, I looked at them quickly, and I said, What are they doing? Are they taking my agenda? It was almost exactly the same things that I had talked with them, and, and the radio the day before, or the week before. And I found no big difficulty with most of those demands of theirs. So, that I felt, Well, we're home free now because if I say that I'm going to do these things, they ought to agree to, to release the hostages.

00:19:22:00

Interviewer:

By the third time you went into D yard, which was Friday around noon—

Russell Oswald:

Yes.

Interviewer:

—everything was different. The mood was very, very different. Can you tell me about that?

Russell Oswald:

Well, they, by Friday noon, when I went in the third time, it seemed to me that they were feeling much differently. They, they had a feeling that I wasn't going to give them the things that they had asked for. And the fact of the matter is I was going to give them twenty-nine of the thirty-two demands. There were three demands I said I couldn't give them. One was amnesty for capital crimes.

Interviewer:

And let me interrupt you. Why, why couldn't you give them amnesty? What was the—

00:20:12:00

Russell Oswald:

Well, how can you give amnesty for the killing of a person? No one can that I know of.

00:20:19:00

Interviewer:

But amnesty was, amnesty was refused before. What was it about amnesty that, even before William Klein was dead.

Russell Oswald:

Well, yeah, but, amnesty, I gave them complete amnesty for any of the property damage they, they performed. But I couldn't give them that for, for, in case anyone was killed before we even knew that Klein was killed.

Interviewer:

And why?

00:20:58:00

Russell Oswald:

Well, because I, I wouldn't ever think of giving amnesty, amnesty for a capital crime. Neither would the governor.

00:21:08:00

Interviewer:

OK.

Russell Oswald:

Neither would most people.

Interviewer:

OK. cut please.

[rollout on camera roll]

[wild sound]

Russell Oswald:

Oh, if he's guilty, you can't grant amnesty. That's what I'm saying.

Interviewer:

Oh, I see.

[cut]

[camera roll #2100]

[sound roll #245]

00:21:18:00

Camera crew member #1:

Camera roll 2100, sound roll 245. Commissioner Oswald.

[slate]

00:21:27:00

Interviewer:

What led you to decide that the third time you went into the, into D yard that it would be the last time, that you shouldn't go in?

00:21:36:00

Russell Oswald:

Well, they were, when I went into the institution for the third time, I was in there for I think over an hour and a half. And there was a different mood. They seemed to be more bitter and more demanding, and one of the prisoners began yelling that instead of releasing me, they should hang me in the yard on this occasion and that they ought not to let me out. And that picked up. There was a chant, Hang Oswald. And so on. And I then felt that I had to talk my way out of it. I told them that they were ill advised to think of anything like that. That I was more help to them alive than dead and that they ought to give serious thought to that. Well, they thought, talked for some time, and the leaders said, Don't be worried like that. But meanwhile they were still yelling, hang me. Finally they gave the assignment to Big Smith, who was a big, husky fellow, and he led a troop of prisoners. And they said, Just relax now for a few minutes, and he'll get you out of here. And in ten or fifteen minutes, they got a group of prisoners together and provided a guard for me to get out.

00:23:23:00

Interviewer:

Can you tell me, by Saturday—that was Friday—and all Friday night the observer committee starts to assemble.

Russell Oswald:

Yes.

Interviewer:

And on S—and they worked all night with the prisoners and came up with an expanded list of, of twenty-eight demands not including the three that were, the three immediate demands which were nonnegotiable.

00:23:41:00

Russell Oswald:

Yes.

00:23:42:00

Interviewer:

Can you tell me about hammer—that session with the, with the observers committee when you're hammering through and reaching that agreement? How did you feel? Were you hopeful?

Russell Oswald:

I was hel—hopeful because we seemed to be agreeing.

Interviewer:

If you could just start by telling me about the observer committee.

00:23:59:00

Russell Oswald:

I, on Friday night, with the observer committee, we began trying to ham—hammer out these demands of theirs and, and refine them. And it was encouraging to me to get all the help that I did from many of the observers. For instance, Mr. Kunstler was very helpful, helpful in working out the demands. And several of them were. Mr. Garcia and others. And with my deputy and I working with them, we thought we were able to ha—hammer out a satisfactory set of demands. And we, we did.

00:24:51:00

Interviewer:

And when you presented those demand, when you called the governor and told him about these twenty-eight demands that you thought you had worked out, if you could just tell me about what your sense was of the demands that you could agree to them and, and the governor's response.

00:25:04:00

Russell Oswald:

I afterwards called the governor and told him that we had worked out this agenda that Mr. Dunbar and I both felt that this was reasonable and the direction we had been wanting to go for a long time. And the question now was even during the big financial difficulty that was in—the state was in at that time, did he feel that he was able to help us attain those, those goals that we put in the demands. And he said yes, he would definitely work hard with the legislature to get the money, and he agreed with me that these demands seemed alright. And he approved.

00:25:57:00

Interviewer:

And can you, if you could just tell me—in your book, you describe that this feeling of unity, that it was a high point in the Attica thing, that people were working together and that you actually felt jubilant at that point. Can you just describe, is that inaccurate?

00:26:09:00

Russell Oswald:

No, I, I, I felt after this work on the set of demands that we were coming together a little better. But what I didn't realize was that there were dissidents who were not with the observers that we worked with when we worked out this, this agenda. There were many dissident people who were real troublesome and, and the sort of persons that I shouldn't have permitted to be on the observer committee in the beginning.

00:26:47:00

Interviewer:

I'm not, can you give me more information? I'm not following who you're talking about.

00:26:52:00

Russell Oswald:

Well, I'm not going to name names. But there were a number of people on the observers committee who were so partisan that they couldn't be ob-objective observers about anything. And they were just there to foment trouble. And those are the ones I'm talking about.

00:27:13:00

Interviewer:

Can you, can you recall much about your conversation with William Kunstler about inviting Bobby Seale to come? Do you, what was your sense of whether it would be a good idea to bring him or not?

00:27:24:00

Russell Oswald:

Well, I think Mr. Kunstler suggested that, that he, that Bobby Seale should be brought there, brought to the institution. And I think Arthur Eve did, Eve did, too. And after thinking about it a very short time, I felt that it was worthwhile, that he was important from the West Coast in this movement and that if he came and saw what the situation was and what we were willing to do that if he agreed with us, he might be persuasive in helping us get this thing, thing settled.

00:28:09:00

Interviewer:

And what, what happened?

Russell Oswald:

Well, when he first arrived at the institution—

Interviewer:

If you could just, "When Bobby Seale first came..."

00:28:17:00

Russell Oswald:

When Bobby Seale first arrived at the institution, the men at the gates would not let him in. And he got in his car, whoever was driving him, and they left the institution. Someone

telephoned me then that this had happened, and he had been told that he might be arrested for being in that area because of a curfew in the Buffalo area for felons being on the street at night. And I sent word to stop him. So, the state police stopped his car and brought him back to the institution.

00:29:13:00

Interviewer:

OK. If I could just interrupt you. What I, I should have been more specific. When he, when he went into the yard—

Russell Oswald:

Well, that, he's not there yet.

Interviewer:

—he was pretty—I know. I'm, I'm, I'm jumping ahead.

Russell Oswald:

Yeah.

Interviewer:

And it was pretty clear that he wasn't going to—

Russell Oswald:

Yeah.

Interviewer:

—to push for, for these demands.

00:29:27:00

Russell Oswald:

That's right. That's right.

00:29:28:00

Interviewer:

Can you, can you jump when he's in the yard?

Russell Oswald:

And stop from there?

Interviewer:

And just tell me, start from there. What, after he got into the yard?

Russell Oswald:

All right.

Interviewer:

Did—was he helpful as you had hoped?

00:29:40:00

Russell Oswald:

After Bobby Seale was admitted to the institution and went into the yard, he was of no help at all. He said he could understand their problems, and he would try to help them, but he would have to go back and talk with some of the leaders of his movement. And he stayed a very short time and left and was no, of no help at all.

00:30:13:00

Interviewer:

OK. Can we cut for a second?

Camera crew member #1:

Sure.

[cut]

00:30:16:00

Camera crew member #1:

Marker.

[slate]

00:30:18:00

Interviewer:

OK. By Sunday, it was pretty clear to you and—that the inmates were not going to pay attention to those twenty-eight demands because they were focusing on the other three. And the observers had a new recommendation, that Governor Rockefeller should come to the prison. Did you join in that recommendation, and can you tell me why?

00:30:39:00

Russell Oswald:

The observers committee by Sunday began to realize that the prisoners apparently were not going to accept the twenty-eight answers to their demands, which were affirmative. They felt that they needed to get some commitment from the governor that he would either come to the institution or he would grant amnesty for any crimes that might have been committed. They got in touch with District Attorney James, and a group of the, observers—I've forgotten who was all included, but I know Tom Wicker was one of them and Senator Dunn. And there was a third. They talked with him at length, and he spent a lot of time talking with them. But he gave them no s—no answer that was satisfactory to, with them. And previously before they talked with the governor, they talked with District Attorney James, who also assured them he would give them no, no answer on amnesty, that he would have to prosecute. So, that, at that point, they [coughs] they felt that they were getting nowhere. Not with the governor, not with—

[rollout on camera roll]

[wild sound]

Russell Oswald:

—District Attorney James, and certainly not with me at that point.

00:32:27:00

Interviewer:

Mm-hmm. Rollout [pause] You've already answered the part about trying to—issue of amnesty in terms of the district attorney.

Russell Oswald:

Yeah. Yeah. Yeah.

Interviewer:

And with the governor's office. So, I wanted to ask you about the observers wanting the governor to actually be at the prison.

Russell Oswald:

Mm-hmm. OK.

[cut]

[camera roll #2101]

00:32:44:00

Camera crew member #1:

Marker.

Camera crew member #2:

Camera roll 2101, sound roll continuing 245.

[slate]

00:32:54:00

Interviewer:

So, if you could tell me about the observers recommending that Governor Rockefeller come to Attica.

00:33:00:00

Russell Oswald:

The ob-observers decided that they had to make an effort to get Governor Rockefeller to come to Attica. They had failed, and so they wanted us to contact the governor and get him to come. They asked Bobby Douglas, who was his chief assistant, to get in touch with him and see if he could get Gov—the governor to come to Attica. We got him on the phone. First Bob Douglas talked with him for some time and then hung up. And he came back and told me that the governor wasn't, didn't feel he should come. And I was to go back and tell the observer's committee, but I said, Bob, I would just as soon if you'd tell them that. But in any event, we both told them that, and they then asked us to get in touch with him again. So, I talked with him at great length, and the general talked with him. And two or three other people. Senator Dunn talked with him. And he finally asked me, Russell, what is your true feeling? Can I

help by coming? I said, Well, I think that your public image would be improved if you came, but I, I'm sincere in feeling that it's not going to change anything because they'll insist that you come into the yard to talk with them. They will not meet you anywhere else. I'm certain of that because they wouldn't meet any of us any time any place else. I often offered them an opportunity for safe passage to a separate cell block to meet with me alone. They wouldn't do that. And so he said, Well, I really don't believe I can do any good. He said, I have heard, and I had heard the same thing, that after they get me there, they're going to demand President Nixon come in as well. And he said, Under those circumstances, I don't think I should come.

00:35:35:00

Interviewer:

Can I—that was a wonderful answer. I want to ask you the same question just to get your answer not in, not, not specifically the conversation but just what was your sense? Could the governor, his presence, did you support the request the governor come, and did you think he could accomplish anything?

00:35:53:00

Russell Oswald:

No, I didn't think he could, I didn't think if the government, governor came he would have accomplished anything at all. Because they, they were so determined that, they were gonna make everyone grovel. And my difficulty with this whole group was that never did I run into such an, such a group that was that obdurate or that intransigent. Never. They wanted to take everything and give nothing. They wouldn't meet with us at any time. They just insisted on having their own way constantly.

00:36:44:00

Interviewer:

Can you tell me about the letter that you sent into the facility on Sunday, which, which you sent in trying to, trying to say, let's negotiate directly again, because the observers weren't, weren't getting anywhere. And, but it kind of misfired. Arthur Eve actually said it was as good as signing his death warrant. Can you tell me about that? What was the intent, and what happened?

Russell Oswald:

Well, the intent was that I was in, in—

Camera crew member #3:

Excuse me. I—when you lean forward you get—

Russell Oswald:

Oh, I'm sorry.

Camera crew member #3:

—behind the mic.

Russell Oswald:

I'm sorry.

00:37:15:00

Camera crew member #3:

That's, that's OK. Go ahead. We're still rolling.

00:37:17:00

Interviewer:

Don't, don't pay any attention to it.

00:37:20:00

Russell Oswald:

I, at all times, was trying to be honest with everyone – the prisoners, the observers. And I couldn't believe that these men would sit and work out this agenda with me all that time and all that work and then say that they weren't part of it. They, they subsequently tried to say, and Arthur Eve apparently was one of them, who said, Well, that's my agenda for death. Why? I don't understand that. We all agreed on it. And I merely said, Here is what we agreed on. Which was true.

00:38:11:00

Interviewer:

OK, if, if you could just give it to me in, in a little more, so people understand what it is you're talking about. That—

Russell Oswald:

The set of demands.

Interviewer:

But then you wrote a letter and sent it into the prisoners on Sunday saying, We're urging you to, to start negotiating.

Russell Oswald:

Yeah.

Interviewer:

Is that right? Can you tell me about that?

00:38:27:00

Russell Oswald:

I can't remember more than what I told you now.

00:38:30:00

Interviewer:

OK. What was your sense as, as time was going by? Can you tell me what your sense was—it's sort of the same answer you gave me—of the observer committee and particularly some of the people like Eve and Wicker, of their, your sense of what was happening to them in terms of their relationship to, to the inmates versus their role as negotiators and observers. What was happening?

Russell Oswald:

Many of them were—

Interviewer:

And if you could just give me, many of who? Many—

00:38:58:00

Russell Oswald:

Many of the observers were becoming completely polarized, identifying with the prisoners, saying how brilliant they were, and how, how thoughtful they were, and praising them. And others were more detached and more objective about it. So that there was a dichotomy there

between the observers. Some going all to one side and some the other side. But the more objective ones staying in the middle and trying to, to work on what they were there for.

00:39:48:00

Interviewer:

But what was behind your decision as evening went on, and Sunday evening, to actually tell, forbid the observers from going into the yard again? What was happening? How had things changed?

00:39:59:00

Russell Oswald:

Well, a certain individual went into the insti-institution. There were two or three, went in alone, not the whole observers committee. And we have affidavits from hostages who were being held that this individual said, We should, that they should refuse to give in.

00:40:41:00

Interviewer:

Well, you know what? I'm sorry. I have to stop you. I need to deal only with what you knew at the time. So, so, based on other information, 'cause you didn't have those affidavits yet. Something led you to decide that things have changed and that it wasn't, was no longer prudent to allow the observer committee into the yard, into direct contact with the inmates. On the knowledge you had that Sunday, what had changed? Why did you decide that?

00:41:06:00

Russell Oswald:

Well, I decided not to let them go into the institution anymore because they were polarizing the, this group in the yard. And I knew that I had to make a decision soon. I couldn't let it go much longer. And for them to, fear—for them to make matters worse by going into the yard would just make it impossible for us to, to deal with them subsequently that night or the next morning. As a matter of fact, that night some of them stayed in the yard all night, some of the obser—observers.

00:41:57:00

Interviewer:

OK. Can you think back to Monday morning? What, what were you thinking? What were you feeling? What led you to decide that the time had come to retake the prison by force? What was happening?

00:42:11:00

Russell Oswald:

I decided to take the prison by force for a number of reasons. One, that I obviously had erred in letting a number of these observers take part in these discussions. I knew that, that there were, there were increasing dangers for the hostages. Our doctor who had been in there several times told us so. I knew that, that they were getting wilder. And, and building more arms all the time. Sam Melville and the others. Knives, and, and tanks, things to throw, projectiles into the air. And I knew that to let them go in anymore would just alienate all of us further.

00:43:25:00

Interviewer:

So, can you tell me about the decision you made and what, how did you set the chain of events into place?

00:43:31:00

Russell Oswald:

We decided late Sunday night that unless we could get some movement from the group, the prisoners—

[rollout on camera roll]

[wild sound]

Russell Oswald:

—on Monday morning that—

00:43:49:00

Interviewer:

Oh, sorry. cut.

[cut]

[camera roll #2102]

00:43:53:00

Camera crew member #1:

Marker.

[slate]

00:43:55:00

Interviewer:

OK. If you could tell me again. You were telling me about putting the chain of events into place beginning with Sunday night. You said Sunday night, it was decided that if things hadn't—

00:44:04:00

Russell Oswald:

Well, we had heard that there were some atrocities taking place in the institution and that there, there was a restlessness that had been growing. In addition to that, we knew that we had to prepare if by any chance we couldn't deal with them any longer. So, that we decided to, to [pause] decided which we wanted to do. Were we going to take over the institution the next day or not. We decided we couldn't make up our mind at that time, but we had to prepare for it. And so we got together after finishing with the observers and decided that we would wait until morning. And it was a long, long night waiting. Do you want me to go on from there?

00:45:20:00

Interviewer:

Yes.

00:45:22:00

Russell Oswald:

[coughs] It was a sleepless night. Meanwhile, I tried to etch out a memorandum that I wanted to send to, to [pause] Clark. The thing that we remembered so well was that the night before, they asked me to come into the institution one last time, and I was tempted to do it, on Sunday night. They said they needed me to come in, so I went down to the gate, and I was considering going in when all of my staff was there and said by no means can you go in. So, I

told Clark that I would meet him and his lieutenants in the tunnel. And he said, Well, that sounds alright. Just a minute. And he went back to talk with the, the other people he had with him. And he said, Alright, we'll do that. So, meanwhile my people told me that under no circumstances would they let me go into that tunnel because this was obviously going to be the time they would grab me. They said, You can't go in there. I said, I'm going to go in there. They said, We'll let you go in there if you know in advance that our sharp shooters are going to have their guns at ready and stand right in this hall. And you go into that tunnel, you have to remember that if they grab you, you have to throw yourself to the floor because we're firing. So, I said, Alright. So, I started to go to the gate, and the men had their rifles leveled. Clark and the others said, No, we don't want you. And they walked out. So that, that's another thing, gave us the feeling that they really didn't want to deal with me.

00:47:48:00

Interviewer:

So, Monday morning, you made one last effort to negotiate. What happened, and, and what led to the, the action that was taken in the prison?

00:47:57:00

Russell Oswald:

On Monday morning, I got there early because I was up all night anyhow, and I had the memorandum typed in which I told them all of the efforts that I had made all this time and that I wanted him to release the hostages and meet with us outside in any place he suggested, and we'd work out the, the, the difficulties. And he knew that from the material I had given, given him previously what we planned to give to the prisoners. And I ended it by saying, I implore you under these circumstances to make the decision to meet with us. And I handed it to him, and I said, You will have a half hour to make up your mind. He said—no, I said 15 minutes. He said, I need a half an hour. I said, We'll give you a half an hour. And I said, Mr. Clark, I not only beg you to do this, but I implore you to do it. And he left. And 15 minutes later, they took the hostages up on the catwalk blindfolded with a so-called executioner at the neck of all of the eight men who were put on the catwalk. So, with that information and the fact that he had done that and wouldn't come back, we had the CD already for the helicopters, and they called me and told me that, that he hadn't answered. So, we sent the helicopters over with the CDS, and we began the retaking of the institution.

00:50:11:00

Interviewer:

OK. cut for a second.

Camera crew member #1:

OK.

[cut]

00:50:14:00

Camera crew member #1:

Mark it please.

[slate]

00:50:17:00

Interviewer:

OK. If you could just explain once again the three demands that were, that stalled everything, the demand for safe passage to—

Russell Oswald:

Yes. Yes.

Interviewer:

—the third world country, for amnesty. Can you characterize what those demands were that—in your book, you said that they were not prison reform. That those were revolutionary demands. If I asked you what was it about the three, the, the three immediate demands that the inmates had that you couldn't grant, what was it?

00:50:47:00

Russell Oswald:

Well, the, the demands that they made that I couldn't oblige them with, or acquiesce with, were first, they wanted to be shipped to a non-imperialistic country. Obviously, I couldn't do that. I couldn't let them go when, when they're rioting in an institution. Secondly, they asked that they get complete amnesty from prosecution. I couldn't do that for—if there were capital crimes. Three, they asked for the removal of the warden, Mancusi. And I refused to do that, which would have been ridiculous. Everyone, every prison would ask for the removal of the warden the next day if they could do that. The, the great thing, I think, that Warden Mancusi did was when I refused that, he came to me and said, I'll be glad to resign if you want me to. And I said, No, I won't take the resignation.

00:52:05:00

Interviewer:

But can you, there's more to it than that. It's sort of the same thing as you don't trade guns for hostages. There's something about the message it would send to prisons across the country, isn't there? In terms of what you can negotiate and what you won't negotiate if you have to keep a prison in line. Isn't there more to it than that?

Russell Oswald:

Oh, I, I think that—

Interviewer:

If you could hang on one second. OK.

00:52:25:00

Russell Oswald:

I think that it would be—been foolhardy to think of adhering, giving in to any of those demands because it was just more of the same revolutionary talk, and prisons all over the country would be faced with this same problem. As a matter of fact, it, it gives me no pleasure to say this, but it's been generally conceded that this particular decision has been a deterrent in prison riots for many years. And it's a sad thing to have to say.

00:53:17:00

Interviewer:

Let me ask you what, what is your response when critics charge—which obviously you know that people have charged that the state engaged in a, what's been called a turkey shoot. That the prisoners weren't going anywhere, that the force that they took the prison back with was just completely unnecessary. What's your response?

00:53:41:00

Russell Oswald:

I have heard people say that it was a turkey shoot. I heard Mr. Williams, who was the, one of the top men in the state police, and a Captain Monaghan of the state police lecture to all of their men on at least two occasions that, make certain no one can ever say that this was a turkey shoot. And it certainly was not. It was planned, carefully planned so that, that they could do it with the least damage in individual lives. The fact of the matter is a lot of it changed when they put the men on the, on the tunnels and at the top of the tunnels and began to cut them. Things changed at that point.

00:54:43:00

Interviewer:

And, and, and why—it seemed like knowing that you're taking a prison, somebody's gonna get hurt, it also seems like there was not enough—

[rollout on camera roll]

[wild sound]

—the state was not prepared medically. Are you out? [Inaudible]

Camera crew member #2:

All right, give me a second. I need a roll.

Camera crew member #1:

Whenever you're ready, I'm ready.

Camera crew member #2:

Oswald interview continues. New camera roll 2103.

00:55:05:00

Camera crew member #1:

Mark.

[slate]

Camera crew member #1:

Thank you.

00:55:09:00

Interviewer:

OK. If you could just start telling me the same thing you were telling me.

00:55:12:00

Russell Oswald:

I, I have often thought about the Liman Commission report. I have great respect for Arthur Liman.

00:55:21:00

Interviewer:

If you could just start from the images the press had. Because we're not covering the report in the film. It, there, what you see is men being herded naked through the mud.

Russell Oswald:

Oh. Well—

Interviewer:

What's, what's really going on?

00:55:35:00

Russell Oswald:

One of the things that bothered me about the McKay Commission report and their book was that they showed on the cover of the book all of the men being taken naked into the institution from the yard. Now, the average person reading that book and seeing the book would think it was a horrible thing that happened. They wouldn't realize as the McKay Commission should have realized that in any time of a riot of this kind where C Da—D gas is, is used, you certainly strip the men because your, your institution is already, has part of the gas in it. The, the number of cells that you can use is minimal. And you can't take saturated clothing in to a prison with CD gas in it. Secondly, you strip them because you want to see if there are any wounds, and, and you then check the wounds as they go through. And third, you also check to make certain that they don't have the weapons going through. Three logical reasons any correction person would know, and yet they show that picture on the book.

00:57:17:00

Interviewer:

OK, cut.

Camera crew member #1:

OK.

[cut]

[end of interview]

00:57:20:00

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