

INMATES ON DISPLAY: THE REINFORCEMENT OF SOCIAL EXCLUSION AND
SILENCES THROUGH THE PRESENTATION OF HISTORY AT THE TEXAS PRISON
MUSEUM

A Thesis

Presented to

The Faculty of the Department of History

Sam Houston State University

In Partial Fulfillment

of the Requirements for the Degree of

Master of Arts

by

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December, 2015

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ABSTRACT

Neucere, Elizabeth M., *Inmates on display: The reinforcement of social exclusion and silences through the presentation of history at the Texas prison museum*. Master of Arts (Public History), December, 2015, Sam Houston State University, Huntsville, Texas.

The aim of this research is to provide an understanding of how the representation of an ostracized social group, that also happens to be a stakeholder, is affected by museum exhibits. Moreover, it intends to provide critical analysis of the presentation of controversial topics in the field of prison tourism. This will be done through a case study of the Texas Prison Museum, examining its displays on capital punishment and inmate punishment, arguably the most controversial topics in the museum. The Texas Prison Museum's displays of these two topics create silences in the Texas prison system's history through symbolic annihilation. Moreover, it also silences discourses that relate to these topics, like human and prisoner rights.

KEY WORDS: Dark tourism, prison tourism, heritage studies, human rights, prisoner rights, capital punishment, corporal punishment, Texas, public history.

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CHAPTER I

Introduction

Texas is the leader in the crime and punishment industry with the largest prison system in the United States and the belief “in swift and sure punishment.”¹ In order to cover the cost of running the prison system, which includes 111 prison units, the Texas Department of Criminal Justice (TDCJ) receives a massive budget of over \$3 billion.² By 2007 the state had 2,324 different offenses that resulted in a prison sentence and in 2013 incarcerated 569 Texans per 100,000.³ Texas leads the nation in prison growth, for-profit incarceration, the number of supermax prisons, and the number of people under some form of criminal justice supervision.⁴ Moreover, Texas has the busiest execution chamber with 361 executions between 1924 and 1964 and 528 executions carried out since 1982.⁵ Indeed, Texas was even the first state in the United States to execute with the method of lethal injection.⁶ Given Texas’s notorious standing in the penal industry, the state is

¹ Robert Perkinson, *Texas Tough: The Rise of America’s Prison Empire* (New York: Metropolitan Books, 2010), 4 and Governor George W. Bush quoted on 6; Terry Evans and Anna M. Tinsley, “Texas is tops in locking up prisoners,” *Fort Worth Star-Telegram* August 14, 2012, accessed September 20, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/140A81668E54CAF0?p=AWNB>; “Fiscal Year 2012 Statistical Report,” Texas Department of Criminal Justice, accessed September 21, 2015, http://www.tdcj.state.tx.us/documents/Statistical_Report_FY2012.pdf; Peter Wagner, “Tracking Prison Growth in 50 States,” Prison Policy Initiative, May 28, 2014, accessed September 21, 2015, <http://www.prisonpolicy.org/reports/overtime.html>.

² “Agency Operation Budget 2016 as prepared for the Texas Board of Criminal Justice,” Publications, Business & Finance, Texas Department of Criminal Justice, accessed September 21, 2015, http://tdcj.state.tx.us/documents/finance/Agency_Operating_Budget_FY2016.pdf.

³ Perkinson, 345; “Agency Strategic Plan: Fiscal Years 2015-2019,” Publications, Business & Finance, Texas Department of Criminal Justice, accessed September 21, 2015, http://www.tdcj.state.tx.us/documents/finance/Agency_Strategic_Plan_FY2015-19.pdf.

⁴ Perkinson, 4.

⁵ Manny Fernandez and John Schwartz, “Confronted on Execution, Texas Proudly Says It Kills Efficiently,” *The New York Times*, May 12, 2014, accessed February 3, 2015, http://www.nytimes.com/2014/05/13/us/facing-challenge-to-execution-texas-calls-its-process-the-gold-standard.htm?_r=0; “Executions: December 7, 1982 through August 12, 2015,” Death Row Information, Texas Department of Criminal Justice, last modified August 13, 2015, accessed September 21, 2015, https://www.tdcj.state.tx.us/death_row/dr_executions_by_year.html.

⁶ James W. Marquart, Sheldon Ekland-Olson, and Jonathan R. Sorenson, *The Rope, the Chair, and the Needle: Capital Punishment in Texas, 1923-1990* (Austin: University of Texas Press, 1994), 137.

important to understanding the history of incarceration and the use of capital punishment in the United States.

As inmates are the largest social group of the Texas prison system and are ostracized in society, their representation in museums is crucial. The methods and boundaries of presenting historically marginalized, abused, and overpowered social and ethnic groups are a current discourse in heritage studies.⁷ However, not all groups who experienced mistreatment or violations of human rights are being discussed in museums such as those who have been incarcerated. Inmates lose at least one, if not all, of the human rights tenets of “dignity, liberty, equality, and brotherhood” when incarcerated.⁸ Once behind bars, their human rights are sacrificed to ensure security and to protect innocent citizens.⁹ In the history of human rights there are discrepancies between expanding these liberties and simultaneously deciding *who* deserves them.¹⁰ Repeatedly inmates are determined as people who are not entitled to or deserve protection of their human integrity.¹¹ This is not only accurate in the present day but also historically, if not more so. In Texas, inmates have repeatedly faced malfeasance and physical and mental

⁷ For more on this discourse see: Linda K. Richter, “The Politics of Heritage Tourism Development: Emerging Issues for the New Millennium,” in *Contemporary Issues in Tourism Development*, ed. Douglas G. Pearce and Richard W. Butler (London and New York: Routledge, 1999), 107-124; E. Arnold Modlin, Jr., Derek H. Alderman, Glenn W. Gentry, “Tour Guides as Creators of Empathy: The Role of Affective Inequality in Marginalizing the Enslaved at Plantation House Museums,” *Tourist Studies* 11 no. 1 (April 2011): 3-19; Teresa Bergman, *Exhibiting Patriotism: Creating and Contesting Interpretations of American Historic Sites* (Walnut Creek, CA: Left Coast Press, 2013); Kathy Allday, “From Changeling to Citizen: Learning Disability and its Representation in Museums,” *Museum & Society* 7 no. 1 (March 2009): 32-49; Richard Sandell, Jocelyn Dodd, and Rosemarie Garland-Thomson, eds., *Re-Presenting Disability: Activism and Agency in the Museum* (London and New York: Routledge, 2010); Christine N. Buzinde and Carla Almeida Santos, “Representations of Slavery,” *Annals of Tourism Research* 35 no. 2 (April 2008): 469-488.

⁸ These tenets were officially outlined with the Universal Declaration of Human Rights in 1948. One general definition of human rights can be the “rights held by individuals simply because they are part of the human species.” Micheline R. Ishay, *The History of Human Rights: From Ancient times to the Globalization Era* (Berkeley: University of California Press, 2004), 3-4.

Ishay, *The History of Human Rights*, 3.

⁹ Ishay, *The History of Human Rights*, 12.

¹⁰ Ishay, *The History of Human Rights*, 4.

¹¹ Ishay, *The History of Human Rights*, 4.

abuse done under the false claim of rehabilitation and protection of citizens. The violence inmates encounter in prison is viewed as inmates “getting what they deserve.”¹² This misconception is reinforced by superficial presentations at the Texas Prison Museum, which is the only museum that covers the history of the Texas prison system.

The Texas Prison Museum silences aspects of the Texas prison system’s history. Michel-Rolph Trouillot developed the concept of historical silences and it is pertinent to the Texas Prison Museum’s one-dimensional displays.¹³ Trouillot argues that historical narratives are a collection of silences or erasures that produce a specific history.¹⁴ Deconstructing those histories reveals what is missing and also the power structure behind the creation of the narrative.¹⁵ The Texas Prison Museum erases aspects of history through “symbolic annihilation” with the active choices made in exhibit design, which creates a superficial or absent historical narrative.¹⁶ Jennifer L. Eichstedt and Stephen Small composed the term symbolic annihilation in their work on the representation of slavery at Southern plantation homes.¹⁷ However, the phrase also provides analytical parallels to how the prison system’s dark history is presented. Broadly, symbolic annihilation defines how a museum either completely ignores a topic or discusses it offhand in its exhibits.¹⁸ As Eichstedt and Small demonstrate, there are arguments over

¹² Patricia O’Connor, “Telling Bits: Silencing and the Narratives Behind Prison Walls” in *Discourse and Silencing: Representation and the Language of Displacement*, ed. Lynn Janet Thiesmeyer (Amsterdam: John Benjamins Publishing Co., 2003), 142.

¹³ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995).

¹⁴ Trouillot, 27.

¹⁵ Trouillot, 27.

¹⁶ Museums hold a unique role in displaying objects and value is inherently assigned to the artifacts that are put on display. Susan M. Pearce, *Museums, Objects, and Collections: A Cultural Study* (Washington, D.C.: Smithsonian Institution Press, 1992), 7.

Trouillot, 26.

¹⁷ Jennifer L. Eichstedt and Stephen Small, *Representations of Slavery: Race and Ideology in Southern Plantation Museums* (Washington: The Smithsonian Institution, 2002), 10.

¹⁸ Eichstedt and Small, *Representations of Slavery*, 10.

how slavery should be and is exhibited in museums and heritage sites. Symbolic annihilation is just one of the ways slavery is presented. The Texas Prison Museum engages in this method both in its capital and inmate punishment displays.

The creation of an “authorized heritage discourse” (AHD) of the Texas prison system’s history is the consequence of the Texas Prison Museum’s symbolic annihilation and historical silences. AHD, developed by Laurajane Smith, refers to revered histories that positively reflect on a culture or place and are preserved for the sake of the future.¹⁹ The Texas Prison Museum creates its own AHD in presenting mainly the “front regions,” or positive aspects, of the prison system.²⁰ These narratives are the affirming representations of inmate life, such as recreational activities and education, the Prison Rodeo, and exhibits that do not deal with controversial aspects of the prison system.²¹ When the back regions of the penitentiary are presented, such as capital punishment or inmate punishment, the presentation is superficial, non-existent, or diverts blame for the prison system’s problems to outside forces.²² Moreover, the Texas Prison Museum’s AHD is significantly from a male perspective. Throughout the museum, inmates and guards are represented as male, creating a double erasure of female inmates and guards. By creating silences in these histories, the Texas Prison Museum inherently diminishes the historic mistreatment inmates experienced in prison, especially female inmates, and are fighting against in court. Critically, these omissions lessen and conceal the historical malfeasance performed by the Texas prison system. This creates a misunderstanding and

¹⁹ Laurajane Smith, *The Uses of Heritage* (New York and London: Routledge, 2006), 29.

²⁰ Wilson, “Dark tourism and the celebrity prison,” 10.

²¹ Wilson, “Dark tourism and the celebrity prisoner,” 7.

²² Dubin, 3.

misinformation of the history of malfeasance and inmates fighting for their human rights.²³

The Texas Prison Museum embodies the prison system's power over inmates with the silencing of misconduct and where inmate narratives become inferior to the dominant voice of the prison system. Texas's penitentiary system, by definition, is already suppressing inmates with their separation from society.²⁴ The Texas Prison Museum is reinforcing this with the symbolic annihilation of the prison system's history of violating human rights. Moreover, the Texas Prison Museum inadvertently creates limited-access to knowledge of the prison system's history. This produces a one-sided history of the Texas prison system that has a principle voice of a literal ruling class.²⁵ From this history, the record of impropriety in the Texas prison system goes unnoticed by museum visitors, making contemporary inmate battles for human rights seem unwarranted. A reason for this absence of discussion is because inmates are socially "othered." Once inmates are convicted of a crime they are no longer seen as a part of society or deserving of empathy over what happens to them once the cell doors close. However, the reality of inmate sexual violence, abuse of power by prison personnel, and inmates having to be "ready to fight to the death for their survival" is not a part of their prison sentence.²⁶

With its focus on penal history and that death is discussed throughout its display, the Texas Prison Museum is a part of "dark tourism." John Lennon and Malcolm Foley first developed the phrase dark tourism. This phrase developed into a prominent phrase

²³ O'Connor, "Telling Bits," 140.

²⁴ O'Connor, "Telling Bits," 139.

²⁵ John Urry, "How Societies Remember the Past," in *Theorizing Museums*, ed. Sharon Macdonald and Gordon Fyfe (Oxford: Blackwell Publishers, 1996), 57.

²⁶ O'Connor, "Telling Bits," 139.

used by scholars when examining the visitation of sites or museums that focus on death, atrocities, and disasters or other dark events and subjects.²⁷ Although a popular term, scholars have debated if it is even the correct phrase for the visiting sights and museums that focused on death or distress.²⁸ Other terminologies such as negative sightseeing, Black Spots tourism, and tragic tourism have been suggested as alternatives to dark tourism.²⁹ Michael Bowman and Phaedra Pezzullo directly challenged the phrase arguing that by labeling sites as “dark,” negative assumptions are made about the sites and those that visit them. Indeed, dark tourism should exclude judgment on those that participate in it for everyone is interested in it to some degree.³⁰ In addition, the wording marginalizes sites from being considered as heritage sites and calling a site dark is in the eye of the beholder.³¹ Bowman and Pezzullo call for the term dark tourism to be abandoned since it hinders a comprehensive examination of the ambiguities of tourist sites. To try to uncover the uncertainty, they suggest a framework using the tourists’ action upon tradition, entertainment, their personal identity, and subjects that represent their identity when visiting sites to define dark tourism.³² Richard Sharpley agrees with Bowman and

²⁷ There also exists two websites that focus on dark tourism. Grief-Tourism.com is a non-academic website that provides locations and information on ‘grief tourism’ sites around the world, Grief Tourism, accessed January 20, 2015, <http://www.grief-tourism.com/>; The Institute for Dark Tourism Research through the University of Central Lancashire, headed by Philip Stone and Richard Sharpley is a useful academic resource on dark tourism, Institute for Dark Tourism Research, accessed January 20, 2015, <http://dark-tourism.org.uk/home>.

John Lennon and Malcolm Foley, *Dark Tourism: The Attraction of Death and Disaster* (London: Cengage Learning EMEA, 2000), 3 and 10; Michael S. Bowman and Phaedra C. Pezzullo, “What’s so ‘Dark’ about ‘Dark Tourism’?: Death, Tours, and Performance,” *Tourist Studies* 9 no. 3 (2010): 188.

²⁸ Carolyn Strange and Michael Kempa. “Shades of Dark Tourism: Alcatraz and Robben Island.” *Annals of Tourism Research* 30 no. 2 (2003): 387.

²⁹ See Dean MacCannell, *The Tourist: A New Theory of the Leisure Class* (Berkeley: University of California Press, 1989); Chris Rojek, *Ways of Escape: Modern Transformations of Leisure and Travel* (Basingstoke: Macmillan, 1993); Lucy R. Lippard, *On the Beaten Track: Tourism, Art, and Place* (New York: The New Press, 1999).

³⁰ Seaton, 240.

³¹ Bowman and Pezzullo, 191.

³² Bowman and Pezzullo, 199.

Pezzullo and suggests that reasons for participating in dark tourism could be for the social experience, shared commemorations with the dark site or through death itself, and as a mark of social status to be able to travel to such sites.³³

Dark tourism is not a new travel phenomenon and scholars are trying to comprehend visitor motivation to tour dark tourism sites. Scholars argue that some of the oldest instances of dark tourism date back to gladiators fighting to the death in the Roman Coliseum.³⁴ Despite dark tourism's arguably long history, scholarly research of the topic and the availability and visitation of dark tourist sites has increased in the twenty-first century.³⁵ Some scholars credit this growth to the amplified availability of dark sites, dark tourism becoming an accepted method of touring and way of promotion, and tourists being more willing to travel to dark sites.³⁶ In addition, the expansion of the media has also been credited to expanded dark tourism since death and disaster is widely covered in the media.³⁷ Henri Lefebvre argues that tourism is a break from "everyday life."³⁸ This definition of tourism highlights the difficulty scholars have with defining motivations for dark tourism. Touring is generally understood as a means to escape everyday life, not to be confronted with the darker realities of life. Some scholars identified that the main reasons tourists participate in dark tourism range from a "curiosity and fascination with thanatological concerns," entertainment, "ghoulish titillation," or an interest with famous

³³ Sharpley, "Shedding Light on Dark Tourism: An Introduction," in *The Darker Side of Travel: The Theory and Practice of Dark Tourism*, eds. Richard Sharpley and Philip Stone (Bristol: Channel View Publications, 2009), 18-19.

³⁴ Seaton, "Guided by the Dark," 240.

³⁵ Leanne White and Elspeth Frew, "Exploring dark tourism and place identity," in *Dark Tourism and Place Identity: Managing and interpreting dark places*, ed. Leanne White and Elspeth Frew (New York: Routledge, 2013), 2.

³⁶ Sharpley, "Shedding Light," 5.

³⁷ Seaton, "Guided by the Dark," 242; Lennon and Foley, *Dark Tourism*, 10.

³⁸ Henri Lefebvre, *Everyday Life in the Modern World*, trans. Sacha Rabinovitch (New Brunswick: Transaction Publishers, 1971), 54 and 85.

places.³⁹ Others argue that visitors see dark sites in order to feel “ontological security.”⁴⁰ Despite this discussion, scholars still agree that it cannot be easily explained why people are motivated to visit dark tourism sites. Engagement in dark tourism is behavioral and its activities are ambiguous making it difficult to comprehend its dynamics.⁴¹ Consequently, others have felt a need to develop typologies to better understand dark tourism. Sharpley, A. V. Seaton, and Philip R. Stone have each created different typologies for dark tourism in order to try to better understand it.⁴² With these categories it is argued that some dark tourism sites are “darker” than others and that dark tourism sites are not equal.⁴³

Prison tourism fits into the discourse of dark tourism for the reason that prisons are considered an undesirable part of society. The fact that prisons are separated from the public drives public curiosity to prison tourism for it provides a chance to see a prison’s inner workings. This type of tourism is generally located at old prison or jail facilities that are not in use and through “designation” have been converted into museums.⁴⁴ State and federal prisons or jails, political prisons, and even prisoner of war camps are included as destinations in prison tourism. Since the late twentieth century prison tourism has increased because the older prison buildings of the nineteenth century have been shut

³⁹ White and Frew, “Exploring dark tourism,” 3.

⁴⁰ Philip Stone and Richard Sharpley, “Consuming Dark Tourism: A Thanatological Perspective,” *Annals of Tourism Research* 35 no. 2 (2008): 589.

⁴¹ Seaton, “Guided by the Dark,” 240.

⁴² Sharpley, “Shedding Light;” Philp R. Stone, “A dark tourism spectrum: Towards a typology of death and macabre related tourist sites, attractions and exhibitions,” *Tourism* 54 no. 2 (2006); Seaton, “Guided by the Dark,”

⁴³ The distinction of sites being darker than others is determined by a variety of factors; if the site has an education or entertainment focus, political influence, authenticity, history or heritage geared, the length of time since the event, and if the site is the location of death and suffering or if its associated with death. Stone, “A dark tourism spectrum,” 146 and 152.

⁴⁴ In his book, Foote argues that sites of violence and tragedy go through one of four categories of change: sanctification, designation, rectification, and obliteration. Kenneth E. Foote, *Shadowed Ground: America’s Landscapes of Violence and Tragedy* (Austin: University of Texas Press, 2003), 7. Foote, 16.

down and as of 2012 there are 95 prison museums globally.⁴⁵ Scholarly literature on prison tourism has only surfaced within recent decades and its historiography is sporadic due to the wide scrutiny of case studies.⁴⁶ Similar to dark tourism, the scholarship is trying to catch up with the sudden increase in prison tourism and fully understand why people partake in it. Even though much of the scholarship deals with case studies, each case can be applied to and raises questions at other prison tourism sites and heritage studies in general.

Since prison museums are widely located in decommissioned prisons it is questioned if the physical structure of the building affects the museum's interpretation. Some scholars argue that interpretation does not become limited as a result of the prison's textual fabric and prison museums can engage in many meanings of the prison site besides incarceration. Tina Loo and Carolyn Strange reveal Alcatraz Island's presentation of the island's diverse history beyond its carceral history, especially the Native American occupation of the island.⁴⁷ Moreover, Carolyn Strange and Michael Kampa show the difficulties prison museums face in getting visitors to see beyond a site's notorious

⁴⁵ Some scholars considered operating prisons as part of prison tourism but for the purpose of this thesis only decommissioned prisons or off-site museums will be considered a part of prison tourism. See Alana Barton and Alyson Brown, "Dark Tourism and the Modern Prison," *Prison Service Journal* no. 199 (January 2012): 44-49.

To the knowledge of the author, Jeffrey Ian Ross is the only scholar to conduct a global survey of prison museums. While the statistics gathered by Ross are useful, he does not provide the names of the museums included in the study. To date, the only available list of prison museums are provided by the Eastern State Penitentiary Museum on their website and a questionable list on Wikipedia. "Current Corrections and Prison Museums," Eastern State Penitentiary, accessed January 24, 2015, <http://www.easternstate.org/learn/research-library/prison-museums>; "List of jail and prison museums," Wikipedia: The Free Encyclopedia, accessed January 24, 2014, https://en.wikipedia.org/wiki/List_of_jail_and_prison_museums. Strange and Kampa, "Shades of Dark Tourism," 388.

⁴⁶ Indeed, an internet search of prison tourism reflects the recent development of scholarly research. Through Google Scholar, only 160 results appeared for the search of "prison tourism," eight results appeared in Ebscohost, and there were zero results in JSTOR. This search was conducted on August 5, 2015.

⁴⁷ Tina Loo and Carolyn Strange, "'Rock Prison of Liberation': Alcatraz Island and the American Imagination," *Radical History Review* 78 (2000): 49.

history, reputation, or folklore. Diverging from these scholars, Jennifer Garton-Smith argues that prison tourism is dependent on the fabric of the prison walls to convey history instead of flushing out the complex meanings behind prison museums.⁴⁸

Prison museums can also face difficulty when narratives overlap and when presenting emotive histories.⁴⁹ For instance, park rangers are constantly fighting against the Hollywood formed images of Alcatraz and attempt to show visitors other aspects of the island's history. In South Africa, Robben Island faces challenges in presenting the voices of its former prisoners and not letting Nelson Mandela's account, although important, overshadow the meaning of the Island to its other stakeholders.⁵⁰ Prison museums display the "back regions" or negative aspects of prisons that are—and should be—exposed and site managers often have difficulty in how to present the issues of inmate self-harm and sexual violence in prison.⁵¹ By using anecdotes of celebrity prisoners, prison museums are able to euphemize back regions and make them more manageable to exhibit.⁵² Moreover, the social and historical contexts of a state or nation determine how a prison museum interprets punishment of since incarceration ideologies are locally influenced.⁵³ As a result, prison tourism can become a means in which to

⁴⁸ Jennifer Garton-Smith, "The Prison Wall: Interpretation Problems for Prison Museums," *Open Museum Journal* 2 (2000): 13.

⁴⁹ Strange and Kempa, "Shades of Dark Tourism," 388.

⁵⁰ The term "stakeholder" originated in corporate management and is defined as "any group or individual who can affect or is affected by the achievement of the organization's objectives." Andrew L. Friedman and Samantha Miles, *Stakeholders: Theory and Practice* (Oxford: Oxford University Press, 2006), 1.

⁵¹ Jaqueline Zara Wilson, "Dark tourism and the celebrity prisoner: Front and back regions in representations of an Australian historical prison," *Journal of Australian Studies* 28 no. 82 (2004): 10.

⁵² Wilson, "Dark Tourism and the Celebrity Prisoner," 12.

⁵³ Indeed, the community a prison museum is housed in also plays a role into the museum's success at its mission statement. Seth C. Bruggeman, "Reforming the Carceral Past: Eastern State Penitentiary and the Challenge of the Twenty-First-Century Prison Museum," *Radical History Review* Issue 113 (Spring 2012): 173.

Michael Welch, "Penal Tourism and a tale of four cities: Reflecting on the museum effect in London, Sydney, Melbourne, and Buenos Aires," *Criminology & Criminal Justice* 13 no. 5 (2013): 502.

examine cultural differences and attitudes towards punishment and order in different countries and prison systems, both in the past and in modern society.⁵⁴

As with other sites in heritage studies, the power of some stakeholders over others exists in prison tourism, especially between prison personnel and former inmates.

Broadly, stakeholders are groups that have an interest in a museum or heritage site's representation and interpretation of history. Jaqueline Wilson demonstrates the power conflict between these groups with the Pentridge Prison in Australia. The consequences of former prison guards creating the site's narratives excluded other stakeholders from representation and interpretation decisions and diminished their own narratives.⁵⁵ Wilson identifies inmates as the main stakeholders being subsided and argues that their voice is critical in accessing an accurate historical narrative for they are the "prison's personified *raison d'être*."⁵⁶ What is more, governments could use carceral sites to promote their own meanings of the site. Although the South African government is using Robben Island to help the country process its post-apartheid society, this situation nevertheless questions the ethics of a government entity having a major stakeholdership in a museum and the degree of control they should possess in a museum that focuses on their history.⁵⁷ What is significant and unique to prison tourism is that the dismissal of inmate stakeholdership reflects society's "othering" of inmates and few scholars call for their incorporation.

⁵⁴ Michael Welch, "Penal tourism and the 'dream of order': Exhibiting early penology in Argentina and Australia," *Punishment & Society* 14 no. 5 (2012): 609-10.

⁵⁵ Jacqueline Zara Wilson, "Representing Pentridge: The Loss of Narrative Diversity in the Populist Interpretation of a Former Total Institution," *Australian Historical Studies* 36 no. 125 (2005): 121.

⁵⁶ Wilson, "Representing Pentridge," 126-7.

⁵⁷ Clifford Shearing and Michael Kempa, "A Museum of Hope: A Story of Robben Island," *Annals of the American Academy of Political and Social Science* 592: Hope, Power and Governance (March 2004): 63 and 65.

Prison tourism has drawn the attention of scholars across many fields of study, from criminologists to public historians, in an effort to understand the dynamics of prison tourism. Much of the historiography focuses on international sites in Australia, Britain, South Africa, and Argentina. This is a consequence of these countries possessing a strong and long carceral history in addition to dealing with post-colonial issues. When the focus is shifted to the United States, the scholarship focuses mainly on Alcatraz and the Eastern State Penitentiary. Texas is known for its penal system and it is noteworthy that the Texas Prison Museum has not been a focus of study in prison tourism despite the Texas prison system's notoriety. Possible reasons for this oversight is the fame associated with Alcatraz and the Eastern State Penitentiary and that both are located within the decommissioned prison building. Another possibility is that these museums are located in large cities, San Francisco and Philadelphia, which attract thousands more visitors than Huntsville, Texas where the Texas Prison Museum is.

Huntsville, Texas –“Prison City”—has a long history with the Texas Department of Criminal Justice.⁵⁸ The state's prison system started in this small Piney Woods town in 1849, only 14 years after the town's founding, with the opening of the Huntsville Penitentiary, known euphemistically as “The Walls.”⁵⁹ Since then, 111 other prisons have opened across Texas, yet Huntsville, as home to the institution's headquarters and executions, and the erstwhile site of death row and the electric chair, “Old Sparky,” has

⁵⁸ A brief account of the Texas prison system's name changes is needed because the institutional name used by sources will not be changed to the system's current name. When established in 1848, the prison system was known as the Texas State Penitentiary. In 1957, Texas legislature changed the prison system to the Texas Department of Corrections (TDC) and again, in 1989, changed to it Texas Department of Criminal Justice, Institutional Division (TDCJ) as it is currently known. For a well-written and brief overview of TDCJ's history please see: Paul M. Lucko, “Prison System,” *The Handbook of Texas Online*, uploaded June 5, 2010, accessed March 27, 2015, <https://tshaonline.org/handbook/online/articles/jjp03>.

⁵⁹ Charles L. Dwyer and Gerald L. Holder, “Huntsville, TX,” *The Handbook of Texas Online*, uploaded June 15, 2010, accessed September 20, 2015, <https://tshaonline.org/handbook/online/articles/heh03>.

remained the epicenter of TDCJ and an integral part of the town.⁶⁰ The five prisons in Huntsville are not separated from the town with physical distance but are in fact spread throughout the town's periphery, with the Huntsville Unit blocks away from downtown. Seeing gray-uniformed correctional officers who work at any of the seven prisons in the county as well as inmate trustees in all-white work clothes scattered around town performing menial tasks is not an unusual sight. Students at Sam Houston State University, located only two blocks from the Walls, quickly grow accustomed to the mournful blowing of the steam "count whistle" and occasional demonstrations whenever controversial lethal injections are carried out. TDCJ not only helps define Huntsville's place identity, but has also colored the image of Texas that it projects nationwide and globally.

The Texas prison system also plays an integral role at the Texas Prison Museum and continues to have a complex relationship with the museum today. Although the Texas Prison Museum is not officially affiliated with TDCJ, the institution's presence flows throughout the museum. This unique relationship with the Texas Prison Museum exists because the Texas prison system is a major stakeholder in the museum.⁶¹ The prison system is not only a major stakeholder of the museum but also an active and dominant financial presence through donations. The institution's interest as a stakeholder began in 1984, before the museum existed, with assistance from TDCJ to initiate its formation. In addition, several major artifacts, including the official electric chair, Old

⁶⁰ "Old Sparky" was the nickname inmates gave the electric chair when it was used for executions. "Unit Directory," Texas Department of Criminal Justice, accessed May 12, 2015, http://www.tdcj.state.tx.us/unit_directory/index.html.

⁶¹ A stakeholder is an individual that is affected by an organization's actions. In heritage studies, this is applied to mean an individual or group that is affected by how a museum presents its information. Here at the Texas Prison Museum some of its stakeholders are inmates, ex-inmates, TDCJ officials and employees, and members of Huntsville's community. Friedman and Miles, *Stakeholders*, 1.

Sparky, that belong to the state are on loan to the museum. The prison system's influence is carried into the museum through several staff and board members that are former employees of TDCJ. Although this connection allows the museum to understand the history of the Texas prison system from the perspective of a principal stakeholder, the museum is simultaneously hindered by this relationship. By relating primarily to TDCJ, the museum diminishes its other stakeholders, particularly inmates. More importantly, this relationship with the prison system creates interpretation issues with TDCJ's history. Certain areas of the institution's history, such as malfeasance and the fight over prisoner's human rights, are either glossed over or euphemized, creating an affirming historical narrative of the prison system.⁶²

Although the museum is about the Texas prison system, it is not located in a decommissioned prison of TDCJ, making the Texas Prison Museum face site-specific challenges. The Texas Prison Museum is unique in that it is one of only two prison museums in the United States that is not located in a prison facility.⁶³ Prison museums located in the original prisons have the advantage of historical authority and authenticity being affirmed with the building's structure and textual fabric. However, prison museums located in the original structures are also more susceptible to visitors having an emotional reactive experience to the displays and setting, which can detract from the goal of educating.⁶⁴ Since it is located off-site, the Texas Prison Museum does not have an

⁶² Jens Andermann and Silke Arnold-de Simine, "Introduction: Memory, Community and the New Museum," *Theory, Culture & Society* 29, no. 1 (2012): 9.

⁶³ The other museum is Louisiana State Penitentiary Museum in Angola, Louisiana.

⁶⁴ Paranormal tours, like the ones the Eastern State Penitentiary hosts, are an example of this. See: "Terror Behind the Walls at Eastern State Penitentiary," Eastern State Penitentiary, accessed September 20, 2015, <http://www.easternstate.org/halloween>.

automatic confirmation of historical authenticity.⁶⁵ Even though the museum is not within a prison unit, visitors to the museum can easily see the Holliday Unit just across Interstate 45 from the parking lot and this proximity means it is often mistaken as the Huntsville Unit. Indeed, there are a total of five prisons within Huntsville's city limits. The spatial proximity of the units in relation to the Texas Prison Museum's location allows visitors the possibility to see at least two facilities during their trip. To visibly observe or at least learn about Huntsville's prisons through the museum helps visitors understand the anchor function Huntsville plays in the Texas prison system and vice versa. As the mainstay, this helps the Texas Prison Museum overcome some of the disadvantages not being located in a prison facility. By both physical observation of the prison system's spatial and historical context and by the museum presence, visitors can take note of the integral geographical and historical relationship of the Texas prison system, the city of Huntsville, and the state of Texas.⁶⁶ The community's relationship with TDCJ is connected through history, employment, and character to such an extent

⁶⁵ There is much scholarship on the "ownership" of historical authority and authenticity, and historical privileging, which are wider debates in public history and heritage studies. See, Edward T. Linenthal and Tom Engelhardt, *History Wars: The Enola Gay and Other Battles for the American Past* (New York: Holt Paperbacks, 1996); Bill Adair, Benjamin Filene, and Laura Koloski, eds., *Letting Go? Sharing Historical Authority in a User-Generated World*, (Philadelphia: The PEW Center for Arts and Heritage, 2011); Michael Frisch, *A Shared Authority: Essays on the Craft and Meaning of Oral and Public History* (Albany: State University of New York Press, 1990); Emma Waterton and Steve Watson, eds., *Heritage and Community Engagement: Collaboration or Contestation?* (New York: Routledge, 2013); Russell Staiff, Robyn Bushnell, and Steve Watson, eds., *Heritage and Tourism: Place, Encounter, and Engagement* (New York: Routledge, 2013); Simon J. Knell, Suzanne MacLeod, and Sheila Watson, eds., *Museum Revolutions: How museums change and are changed* (New York: Routledge, 2007); Catherine M. Lewis, *The Changing Face of Public History: The Chicago Historical Society and the Transformation of an American Museum* (Dekalb, IL: Northern Illinois University Press, 2005); James B. Gardner, "Contested Terrain: History, Museums, and the Public," *The Public Historian* 26 no. 4 (Fall 2004): 11-21; Alistair Thomson, Michael Frisch, and Paula Hamilton, "The Memory and History Debates: Some International Perspectives," *Oral History* 22 no. 2, 25th Anniversary Issue (Autumn 1994): 33-43; Richard Francaviglia, "History after Disney: The Significance of 'Imagineered' Historical Places," *The Public Historian* 17 no. 4 (Autumn 1995): 69-74.

⁶⁶ Judah Schept, "(Un) seeing like a prison: Counter-visual ethnography of the carceral state," *Theoretical Criminology* 18, no. 2 (May 2014): 211.

that the prison system's and Huntsville's identities are intertwined.⁶⁷ This symbiotic connection creates a cross between dark tourism and place identity when examining the Texas Prison Museum and its link with TDCJ. Place identity can be defined as a component within a city or state that differentiates it from others and can be used as a point of recognition.⁶⁸ The elements that create the identity of a place are the geography, events, and definitions associated with the place.⁶⁹ The Texas prison system defines community identity by the visibility of the five prisons within the city limits, the actions of TDCJ employees and inmates, its institutional purpose, and the experiences that not only the citizens of Huntsville have with the prison system but Texas citizens as well.⁷⁰ These three components are tightly linked together to define Huntsville's identity with TDCJ.

The Texas Prison Museum is not the only conduit for prison tourism in Huntsville. Through the city's website a self-guided tour is mapped out that visitors can embark on to see the prison units, the Texas Prison Museum, and the Captain Joe Byrd Prison Cemetery.⁷¹ In addition to having the seven surrounding prison units listed there is intermixed prison trivia and also information about buildings within the Huntsville Unit. On the "Prison Driving Tour" tourists are told to start at the Texas Prison Museum, however, beyond that the driving tour becomes difficult to interpret. With two maps, one of Huntsville and one of the Huntsville Unit, in the document it is unclear what correlating information belongs to what map. The driving tour also fails to inform its

⁶⁷ E. Relph, *Place and Placelessness* (London: Pion Limited, 1976), 34.

⁶⁸ Relph, *Place and Placelessness*, 45.

⁶⁹ Relph, *Place and Placelessness*, 48.

⁷⁰ Relph, *Place and Placelessness*, 47.

⁷¹ "Self-Guided Tours," Huntsville: Where a Warm Welcome Awaits!, accessed January 17, 2015, <http://www.huntsvilletexas.com/departments/fDD=9-0>.

readers that they are not allowed to drive up to the various prison units, which could cause potential security issues for guards at the prisons. A penitentiary tour is also offered through the organization Heritage Tours. On the “Two Sides of Huntsville” tour, tourists are educated on the “two distinct themes that dominate” Huntsville, Sam Houston and the Huntsville Unit.⁷² The wording of the website is confusing in stating how many prisons are in Huntsville and which ones are included in the tour. The website states that groups will visit the Huntsville Unit, which is “the major unit” of the prison system.⁷³ While this statement is not incorrect, it does lead visitors to believe that there is only one prison in Huntsville, instead of five. Then further down the page when the highlights of the prison tour are discussed, the website briefly mentions that there is in fact several prisons and that all of them will be visited in the tour. Similar to the city’s driving tour, the website is also misleading in what it means by “visiting” the prisons in Huntsville. The website also claims that groups will “gain a rare insight” into the issues of the prison system by special presentations put on by professors from the College of Criminal Justice at Sam Houston State University.⁷⁴

The prison system also offers community tours at the Holliday and Huntsville Units, both within Huntsville. However, the wording used to describe the tours is misleading in who is able to see the prisons.⁷⁵ By calling the visits “community tours” the prison system portrays the units as fully open to the public for groups to schedule a tour,

⁷² “The Two Sides of Huntsville: Sam Houston and the State Penitentiary,” Heritage Tours, accessed January 17, 2015, <http://www.heritagetoursllc.com/huntsville.shtml>.

⁷³ “The Two Sides of Huntsville: Sam Houston and the State Penitentiary,” Heritage Tours, accessed January 17, 2015, <http://www.heritagetoursllc.com/huntsville.shtml>.

⁷⁴ “The Two Sides of Huntsville: Sam Houston and the State Penitentiary,” Heritage Tours, accessed January 17, 2015, <http://www.heritagetoursllc.com/huntsville.shtml>.

⁷⁵ “Huntsville (HV),” Unit Directory, Texas Department of Criminal Justice, last modified August 31, 2013, accessed January 26, 2015, http://www.tdcj.state.tx.us/unit_directory/hv.html; “Holliday (NF),” Unit Directory, Texas Department of Criminal Justice, last modified August 31, 2013, accessed January 26, 2015, http://www.tdcj.state.tx.us/unit_directory/nf.html.

when in reality, the opposite is true. The community tours are actually reserved for college classes and other groups the prison system approves to visit the units. Prison tours are also offered through TDCJ's Victim Services Division. Victim Services' webpage states the purpose of these tours are to "educate criminal justice professionals, victims, their families, and others about the realities of prison life in Texas" in order to correct the "often erroneous perceptions" of it.⁷⁶ Although the webpage seems to promote that anyone can schedule a tour by calling a toll-free phone number, the language of the page states that these tours are reserved for victims and their family members. Even though there are other means of prison tourism available in Huntsville, the Texas Prison Museum is the main conduit where tourists can gain detailed information about the Texas prison system.

In focusing on the Texas Prison Museum, the aim of this research is to provide an understanding of how the representation of an ostracized social group, that also happens to be a stakeholder, is affected by museum exhibits. Moreover, this research also intends to provide critical analysis of the presentation of controversial topics in the field of prison tourism. The lack of a gendered examination in this research is a reflection of the double erasure of female perspectives in the Texas Prison Museum. Methodology for this research consisted of research in the Texas Prison Museum's archives, interviews of employees and board members, and a survey of museum visitors. The following chapter will detail the context of the Texas Prison Museum's development in order to understand the Texas Prison Museum's approach to presenting the Texas prison system's history. The historical contexts of when a museum was created can impact the ideologies of a

⁷⁶ "Victim Services Division-Prison Tours," Texas Department of Criminal Justice, accessed January 26, 2015, http://www.tdcj.state.tx.us/divisions/vs/victim_prison_tour.html.

museum's goals and how historical topics are presented.⁷⁷ The extent of the prison system's influence on the Texas Prison Museum will also be examined. Narrowing in on the disputed subject of inmate punishment, Chapter Three examines the historical silences created from symbolic annihilation. A history of punishment in the Texas prison system is provided to illustrate the degree of historical silence in the Texas Prison Museum's display. Shifting to capital punishment, Chapter Four explores the silences resulting in a biased museum display. These silences are historical, broader discourses that are connected to controversial topics, and even of court cases that greatly affected the Texas prison system.

⁷⁷ Bruggeman, 174.

CHAPTER II

Old Sparky's Keeper

For the Texas Prison Museum, the *Ruiz v. Estelle* court case influenced the development of the Texas Prison Museum and may have even spurred the call for the museum's creation. During the trial, TDCJ was consistently in the media, making the trial a public relations nightmare for the agency. The twelve-year inmate lawsuit ended in 1980 determined the prison system violated prisoners' rights protected under the 8th and 14th Amendments. This forced massive prison reform that toppled the Texas prison system and changed almost every aspect of prison life.⁷⁸ *Ruiz* is not remembered fondly among the prison system and this is reflected in the museum along with any other court case against the system.⁷⁹ By navigating the expansion of the museum, the nuances of the museum's relationship with TDCJ—a major stakeholder—and its staff's identity with the Texas prison system can be pinpointed. It is important to distinguish the nature of the museum's relationship with TDCJ for it ultimately affects how the museum presents the history of malfeasance in the Texas prison system, preventing the museum from accomplishing its mission and responsibility to cover the Texas prison system with an in-depth history. Moreover, the museum's focus on current public perceptions about TDCJ leaves visitors with a narrative free of the darker aspects of the system's history such as allegations and documented cases of abuse, misconduct, sexual violence, and racial prejudice.

⁷⁸ *The Handbook of Texas*, s. v. "Prison System," by Paul M. Lucko, accessed November 20, 2014, <http://www.tshaonline.org/handbook/online/articles/jjp03>.

⁷⁹ The court cases of *Lamar v. Coffield* (1977), *Guajardo v. Estelle* (1983), and *Ruiz v. Estelle* (1980) are mentioned in the prison museum's panel on inmate gangs, where they are attributed for causing the rise of inmate gangs in the Texas prison system.

Texas Department of Criminal Justice's active role as a stakeholder in the Texas Prison Museum started with the celebration of the 150th anniversary of the founding of the Republic of Texas. As part of the celebrations, Huntsville's Sesquicentennial Coordinating Committee proposed the idea for a Texas prison museum in 1984, with the Prison Archives as a starting point.⁸⁰ Taking joint responsibility, the Criminal Justice Center at Sam Houston State University worked with TDCJ to establish the archives within the Criminal Justice Center in August of 1984.⁸¹ Robert Pierce, who previously worked in the prison system's Windham School District, volunteered as director of the archives. From the beginning, TDCJ personnel collected artifacts for the Prison Archives with vigilance. The prison system's director at the time, O. L. McCotter, even took a supportive role by asking personnel throughout the agency to send artifacts to the archives for preservation.⁸² In order to collect and preserve historical artifacts for the archives, and ultimately the future prison museum, James E. Riley, TDCJ's Deputy Director of Operations, gave Pierce complete unrestricted access to TDCJ's prison units. The prison system created a special identification card for Pierce, allowing him to tape interviews with any inmate or employee, collect artifacts, explore the units without question, and take photographs.⁸³

⁸⁰ Robert Pierce, "Brief History of the Texas Prison Museum," (2000 Folder, Texas Prison Museum Board Minutes, Archives, Texas Prison Museum, Huntsville, TX) Henceforth to be noted as TPMBM, TPM Archives.

⁸¹ Robert Pierce, "Brief History"; Inter-Office Communications, O. L. McCotter to All Wardens, December 19, 1984, (Criminal Justice Center Archives Folder, Texas Prison Museum Records, Archives, Texas Prison Museum, Huntsville, TX) Henceforth to be noted as TPMR, Archives; Kenneth Johnson, interview by Elizabeth Neucere, October 24, 2014; Agreement between Texas Department of Correction and Sam Houston State University, signed by D. V. McKaskle and Dr. Elliott T. Bowers, April 11, 1984, (Criminal Justice Center Archives Folder, TPMR, TPM Archives).

⁸² Inter-Office Communications, O. L. McCotter to All TDC Personnel, December 19, 1984, (Criminal Justice Center Archives Folder, TPMR, TPM Archives).

⁸³ Inter-Office Communication, James E. Riley to Regional Directors, August 1, 1985, (Criminal Justice Center Archives Folder, TPMR, TPM Archives).

Even though TDCJ helped initiate the idea for the Texas Prison Museum, it did so unofficially.⁸⁴ Rather than as official TDCJ policy, prison personnel—largely administrative—undertook the responsibility of starting the process to create a prison museum in their free time and the state institution provided no financial assistance to the effort of the museum’s creation.⁸⁵ To TDCJ, the museum offered the potential to “educate the people of Texas on the prison system they pay for with their tax dollars” and alleviate perceived misconceptions the public had on the inner workings of the prison system.⁸⁶ The museum would provide a way for the agency to be seen from an administrative point of view counter to the prisoner viewpoint covered in the media with *Ruiz* and the subsequent prisoner right’s movement happening throughout the United States.

Ken Johnson, the Chief of the Staff Management Division of TDCJ, led the initiative and organized the Texas Prison Museum Planning Group (TPM Planning Group) to determine if establishing and sustaining a prison museum was feasible in Huntsville.⁸⁷ The TPM Planning Group first met September 18, 1985 and consisted of personnel from the prison system, Sam Houston State University, and the Huntsville community.⁸⁸ The TPM Planning Group organized major actions needed in order for a

⁸⁴ Johnson interview.

⁸⁵ O. L. McCotter to Alfred D. Hughes, 22 October 1985, (1985 Folder, TPMBM, TPM Archives).

⁸⁶ “Effort Underway to Establish Texas Prison Museum,” press release to Texas Sesquicentennial Commission, December 31, 1985, (1985 Folder, TPMBM, TPM Archives).

⁸⁷ Johnson interview.

⁸⁸ Inter-Office Communications, Kenneth Johnson to James Riley, August 23, 1985, (1985 Folder, TPMBM, TPM Archives); Agenda Texas Prison Museum Planning Group Meeting, October 16, 1985, (1985 Folder, TPMBM, TPM Archives). The Planning Committee consisted of Kenneth Johnson, TDC; James A. Lynaugh, Deputy Director of Finance, TDC; Leonard Peck, Legal Services, TDC; Jim Balzaretti, Chief, Mineral and Land Program, TDC; Dr. George Beto, Dean and Director, Criminal Justice Center, SHSU; Jane Monday, Mayor of Huntsville; Dr. Robert Pierce, Volunteer Director, TDC Archives; Roy Williams, President, Huntsville Chamber of Commerce; Dr. Peter Phillips, Director, Criminal Justice Institute, SHSU; James Patton, Walker County Clerk, Terry Bertling, Editor of the Huntsville Item; San Angulo, Acting Director, Sam Houston Memorial Museum; Dr. Rush G. Miller, Director of Newton

prison museum to successfully be established and operated. With the founding of the non-profit Texas Prison Museum, Incorporated in 1986, which was to run the museum with a Board of Trustees, the Huntsville Chamber of Commerce became the administrative headquarters for the organization.⁸⁹

To determine the feasibility of a prison museum, various surveys were conducted both by the Huntsville Chamber of Commerce and the TPM Planning Group. The Planning Group performed unofficial verbal surveys in 1986 at the Criminal Justice Center, the Sam Houston Folk Festival in Huntsville, TX, and also in Spring, TX.⁹⁰ The Huntsville Chamber of Commerce also conducted a survey. While serving as an administrative base, the Chamber gave a survey to both residents and visitors of Huntsville. For visitors of Huntsville, the surveys were to determine if they would return to visit the Texas Prison Museum, opinions of how the museum should be financed, and the rate of admissions. Surveys distributed to residents asked if the community should pursue a Texas Prison Museum and if it would bring visitors. The resident survey also made a comparison of greater visitor attraction between the Texas Prison Museum and the Sam Houston Memorial Museum and like the visitor survey, asked how the museum should be financed.

Even though the TPM Planning Group received positive responses in 1986 about the creation of a prison museum, a downturn in the economy made it difficult to raise funds to build the museum. It would not be until January of 1989 that conversations about opening the Texas Prison Museum started again as the economy recovered. The change

Gresham Library, SHSU; Debbie Baker, Manager, Community and Economic Development, Huntsville Chamber of Commerce; Jim Riley, Deputy Director, TDC.

⁸⁹ Kenneth Johnson, e-mail to author, April 1, 2015.

⁹⁰ Robert Pierce, e-mail to author, March 10, 2015; Kenneth Johnson, e-mail to author, March 30, 2015.

in the economy allowed the TPM Planning Group to have a successful letter-writing fundraising effort that by the end of January 1989 resulted in \$6,000 being donated.⁹¹ With the money raised, the museum's Board of Trustees secured a 2,500 square foot old bank building in downtown Huntsville to serve as a temporary location for the Texas Prison Museum. The Board of Trustees set the opening date of April 20th 1989 in order to be ready for the influx of visitors in Huntsville expected for the upcoming Sam Houston Folk Festival and Walker County Fair. It was due to a wide community effort that the museum was ready for its opening date. Board members, Huntsville residents, and even a fraternity from Sam Houston State University helped in renovating the building and organizing the museum for opening. While downtown, the museum mainly displayed items without interpretation because of the building's confined space. Of the artifacts at the museum, ninety-five percent belonged to the state, containing weapons from the armory—including Bonnie and Clyde rifles—and the electric chair, Old Sparky.⁹² An understanding existed between the Board of Trustees and the prison system about displaying state-owned artifacts when the museum was still in the planning stage. However, since it took so long for the museum to come to fruition, supportive administrative personnel in TDCJ changed, forcing the Board to request permission to display the artifacts.⁹³ With having to regain permission to display state-owned artifacts it is clear the Texas Prison Museum depends on TDCJ in order to display objects that have the greatest visitor draw.

⁹¹ Jean Ann Ruth, "Prison museum wins approval," *The Huntsville Item*, January 28, 1989, (1988-89 Folder, TPMBM, TPM Archives).

⁹² Kent Biffle, "Museum is prisoners' grim legacy," *The Dallas Morning News* 1 July 1990, (1986-87 Folder, TPMBM, TPM Archives).

⁹³ Roy Williams to James A. Lynaugh, 11 January 1989, (1988-89 Folder, TPMBM, TPM Archives); Johnson interview; Roy Williams to James A. Lynaugh, 2 January 1989, (1988-89 Folder, TPMBM, TPM Archives).

At its downtown location, the Texas Prison Museum continually faced financial obstacles. When on the square, the museum ran on a “shoestring operation” and could barely afford to stay open. Although otherwise considered a prime location, a limited amount of parking for visitors and poor visibility from the street worked against the museum. Furthermore, the museum did not have consistent hours, had a limited gift shop, and even though the museum received visitors, with admissions at only \$2, the numbers barely made a financial difference. The winter months were particularly difficult for the museum because of low visitor numbers and the feasibility of staying open was always questioned during that time. The financial stability of the museum became such a problem that in 1990 the Huntsville City Council gave the museum \$2,400 of “seed money” to survive the winter months. In addition to the help from the city, the Texas Prison Museum also hosted fundraisers like a pistol shooting competition to pay off the museum’s debt and to get the museum “through the bad times.”⁹⁴

By late 1995 the Texas Prison Museum was in serious financial straits and its future looked uncertain. Rising rents and space constraints had highlighted the unsuitability of its downtown location. As the collections grew it had critically outgrown the building’s small size, with artifacts being stored at various prisons due to the lack of space. Members of the Board of Trustees approached TDCJ and its Board of Corrections several times about either leasing or donating ten acres of the Wynne Unit’s Longhorn Pasture along Highway 45 to the museum in order to build a new museum. *The Huntsville Item* even supported donating the land after TDCJ employees donated the

⁹⁴ Robert Pierce interview by Elizabeth Neucere, December 13, 2014; Janice Willett, interview by Elizabeth Neucere, November 5, 2014; Greg Juneke, “Seed money from city to aid Texas Prison Museum,” *The Huntsville Item* May 26, 1990, (1990 Folder, TPMBM, TPM Archives); Tim Orwig, “Museum tells prisons’ story,” *The Picket: News for Texas Correctional Employees* February 2002, (2000-02 Newspaper Articles, TPMR, TPM Archives).

\$300,000 needed for the museum to construct a new building. The newspaper cried “it would seem a slap in the face” to TDCJ employees for the Board of Corrections to not provide the land and that donating the land would “stand as a monument to cooperation between TDCJ and the community that has always been its greatest supporter.”⁹⁵

However, being that the land belonged to the state, the Texas Legislature had to approve the appropriation of land for the new museum building. To make this happen, State Senator Steve Ogden (R-Bryan) and Representative Allen Hightower (D-Huntsville) pushed forth a bill in May 1997 in the Texas Legislature that allowed the Texas Board of Criminal Justice to donate the land to Walker County for the specific purpose of building a larger prison museum. Even though the legislative bill passed and in September 1997 the Board of Corrections approved the ten acres to be donated, the deed exchange would not happen until early 2000. The chairman of the board, Allan Polunsky, withheld transferring the land due to concerns about the museum’s financial stability and strength to build and operate a new building, for which he wanted the Board of Trustees to save \$1.5 million. The museum had begun saving for a building fund as far back as 1993 when it anonymously received a donation of over \$60,000 explicitly for a

⁹⁵ By the time the museum moved to its current location, its monthly rent was \$1,100 a month forcing the museum to make about \$2,000 a month in order to stay open, Janice Willett interview. Jenna Jackson, “Prison museum going through growing pains,” *The Huntsville Item* November 21, 1995 (1994-96 Newspaper Articles, TPMR, TPM Archives); Allan Turner, “A little shop of prison history,” *The Houston Chronicle* October 24, 1997 (1997-99 Newspaper Articles, TPMR, TPM Archives); Dan Richard Beto to James A. Collins, March 22, 1995, (New Building and Land Folder, TPMR, TPM Archives); James A. Balzaretto to Allan B. Polunsky, October 17, 1995, (New Building and Land Folder, TPMR, TPM Archives); “Board Meeting: December 13, 1995,” (1995-97 Folder, TPMBM, TPM Archives); Mark A. Bull to Wayne Scott, 20 June 1996, (Museum Planning Folder, TPMR, TPM Archives); Jenna Jackson, “TDCJ employees raise \$300,000 for museum,” *The Huntsville Item* May 17, 1997, (New Building-Fundraiser Folder, TPMR, TPM Archives); “TDCJ board should donate museum land,” *The Huntsville Item* May 21, 1997, (New Building-Fundraiser Folder, TPMR, TPM Archives).

new building. To reach the rest of the \$1.5 million requirement, the Board of Trustees largely relied on a photo fundraiser through TDCJ known as the Photo Fund.⁹⁶

Without the Photo Fund, the Texas Prison Museum would not have been able to fundraise enough money for the new building. The fundraiser is a major charity sale TDCJ conducts on visitation weekends at the prison units. Visitors can pay \$3 to have photos taken with the inmate they came to see and the monthly collection of the money is donated to a prison unit's chosen charity. The prison system wanted to build a monument in honor of the officers killed in the line of duty but being that they are a state institution TDCJ could not do the fundraising for the marker and approached the museum to take charge of making the monument a reality. In exchange for managing the marker, Wayne Scott, TDCJ's Executive Director, designated the Texas Prison Museum as an agency-purpose charitable organization. The Photo Fund was re-instated on Mother's Day in 1998 and all monies collected from it would be donated to the museum. However, in order to partake in the Photo Fund the museum spent \$50,065.68 to provide film and Polaroid cameras to every prison unit in the state because the supplies could not be provided with state money. As treasurer of the Board of Trustees, Janice Willett was "scared to death" that the fundraiser would not work and the museum would not make back their investment or a profit, which is understandable given the museum's financial history. However, after a two-year hiatus visitors "went crazy buying photos" and the

⁹⁶ Jenna Jackson, "Bill would allow TDCJ to donate museum land," *The Huntsville Item* May 23, 1997, (New Building and Land Folder, TPMR, TPM Archives); "Texas Prison Museum Board Meeting: January 26, 2000," (2000 Folder, TPMBM, TPM Archives); "Texas Prison Museum Board Meeting: June 8, 1999," (1998-99 Folder, TPMBM, TPM Archives); "Board Meeting: August 24, 1993," (1993-94 Folder, TPMBM, TPM Archives).

museum not only made back their investment but also a sizeable profit from the Mother's Day weekend.⁹⁷

The museum continued to receive donations through the Photo Fund beyond the completion of the Fallen Officer Plaza and Monument in September 1998 and by 2001 had over \$1 million dollars in their building fund. In addition to the Photo Fund, corporations like Coca-Cola and local banks donated money for the museum's building fund.⁹⁸ Construction of the new building started in August 2001 and the new prison museum complex opened November 14, 2002. For the grand opening of the new museum, the Board of Trustees put on three days of events including a re-enactment of the Bonnie and Clyde raid and escape from the Eastham Prison Farm, complete with guards on horseback, inmates in stripes, and guns blazing with blanks in the surrounding fields of the museum.⁹⁹ Considering the Texas Prison Museum's respect for guards killed in the line of duty, it is surprising they re-enacted Bonnie and Clyde's raid where Major Crawson, a prison guard, died in the process. This re-enactment reinforces the romanticized story of Bonnie and Clyde where the fact that they committed murder in addition to bank robberies is often overlooked. Moreover, the Bonnie and Clyde re-

⁹⁷ Janice Willett interview; Wayne Scott to All TDCJ Employees, 27 April 1998, (New Building and Land Folder, TPMR, TPM Archives); Untitled list of expenses for supplies per prison units, (New Building Fundraiser Folder, TPMR, TPM Archives); Janice Willett, e-mail message to author, January 9, 2015. For more information on why the photo fund had been discontinued see, Terri Langford, "Investigators probe prison 'pizzagate'," *The Houston Chronicle* August 16, 1996; "Fund-raising activities are halted at all Texas prisons after reports," *Dallas Morning News* August 17, 1996; "Lack of accountability prompts prison chief to halt fund raising," *The Houston Chronicle* August 17, 1996; "Captive audience? Prisons seek consent to raise money from inmates," *The Houston Chronicle* September 3, 1996.

⁹⁸ Mark Bull, interview by Elizabeth Neucere, May 23, 2015.

⁹⁹ "Texas Prison Museum Board Meeting: October 27, 1998," (1998-99 Folder, TPMBM, TPM Archives); Janice Willett interview; Michelle C. Lyons, "Construction at prison museum under way," *The Huntsville Item* 17 August 2001, (New Building and Land Folder, TPMR, TPM Archives); Kent Biffle, "Old Sparky lives on in museum," *The Dallas Morning News* 1 December 2002, (2002 Folder, TPMBM, TPM Archives).

enactment serves as an example where entertainment trumps the importance of the educational role of a museum or heritage site.¹⁰⁰

The new building of the Texas Prison Museum became the permanent house for the Prison Archives. Before the museum, the Prison Archives constantly changed locations and experienced a devaluation of its collection. Originally located in what is now called the Beto Room in Sam Houston State University's Criminal Justice Center, Robert Pierce who helped start the museum oversaw the collection. While there, he experienced dissension with professors borrowing artifacts for their classes and not returning them in a timely manner. When he threatened to have a professor arrested for theft for not returning artifacts, Pierce and the Prison Archives were moved to the basement of the old administration building across from the Huntsville Unit. Then after being there for a few years, TDCJ "for some mysterious reason" needed that room and moved the Prison Archives to TDCJ's Brown Oil Tool Administrative Complex (BOT) along Interstate 45. While at the BOT, Pierce was moved again within the building's complex and then placed at the top floor of the Wynne Unit inside old prison cells. The conditions there were not ideal for the archives because the cells were not climate controlled and "very hot." By this time, the Texas State Archives heard about the Prison Archives and determined that TDCJ was not taking care of its historical items. The State Archives visited the Prison Archives and took official state records from the collection back to Austin. At the same time, Pierce removed documents, artifacts, and newspaper clippings that were his personal property from the collection to prevent the State Archives or TDCJ from taking them and terminated his role as caretaker of the Prison Archives. After Pierce left, the archives were moved again to the old prison director's

¹⁰⁰ Smith, 33.

mansion in Huntsville and left in open boxes with no one supervising or taking care of the artifacts. Security of the archives at the director's mansion was so nonexistent that the riot squad of the Department of Public Safety took artifacts and documents from the archives during the Karla Faye Tucker execution in 1998. The Prison Archives were housed at the director's mansion until the opening of the Prison Museum at its current location.¹⁰¹

Throughout the Texas Prison Museum's existence, the museum has received divided reactions from residents regarding its existence, in addition to its artifacts and displays. From surveys conducted by the Chamber of Commerce, Huntsville residents voiced their opinions the most with their written comments. From the responses, residents are exasperated with the attention focused on the prison system. One resident wrote, "What a grotesque idea! We do not need this kind of blight in Huntsville."¹⁰² By calling the idea of the Texas Prison Museum "blight" the respondent considered any focus on the prison system as deteriorating Huntsville's identity. They also specifically referred to either the coverage of *Ruiz* or other prisoner rights cases discussed in the media in their response and are even contradictory in their opinion.¹⁰³ "Don't you think the public has been educated, recently, on the aspects of prison life? Why give prisoners more, and more, and more...Are YOU proud of the weapons, the leg irons, etc.?"¹⁰⁴ This respondent was tired of the controversies over the prison system, simultaneously expressing their opposition to prisoner rights and disgust of the prison system's history of

¹⁰¹ Pierce interview.

¹⁰² Texas Prison Museum Survey Resident Survey, (Surveys Folder, TPMR, TPM Archives).

¹⁰³ During the *Ruiz* trial, there was extensive media coverage as inmates testified the abuses and malfeasance they experienced in the Texas prison system. Ben M. Crouch and James W. Marquart, *An Appeal to Justice: Litigated Reform of Texas Prisons* (Austin: University of Texas Press, 1989), 124.

¹⁰⁴ Texas Prison Museum Survey Resident Survey, (Surveys Folder, TPMR, TPM Archives).

abuse. The Texas prison system is often in the news for various reasons, the most common being executions. In the 1980s, however, when the Chamber conducted its survey the dominant news story was not executions but the recent *Ruiz v. Estelle* court case. It was also due to media coverage that some Huntsville residents believed the museum unnecessary for they “are informed in papers, TV and radio all there is to know about T.D.C.”¹⁰⁵ On account of the media being relied on for information by the public, James Willett, the current director, believes the Texas Prison Museum serves as a different source of information on TDCJ since the public receives selective information from the media.¹⁰⁶

Residents of Huntsville recognize the strong connection between the town and the Texas prison system and try to lessen it by promoting the town’s self-identity with Sam Houston.¹⁰⁷ Sam Houston, who was president of the Republic of Texas and participated in the war for Texas Independence, is the AHD of Huntsville. Although Smith’s work does not look at Huntsville, it is still applicable for the town does not shy from promoting its own AHD, its connection to Sam Houston. Not only does Huntsville have a university named after him, Sam Houston State University, but there is also a memorial museum that centers on his life, the location of his marble gravesite is bolstered, and there is a massive 67-foot statue of Houston that shoulders the highway that passes through Huntsville.¹⁰⁸ In connecting with this positive AHD, Huntsville citizens inevitably

¹⁰⁵ Texas Prison Museum Survey Resident Survey, (Surveys Folder, TPMR, TPM Archives).

¹⁰⁶ James Willett, interview by Elizabeth Neucere, October 22, 2014.

¹⁰⁷ Elizabeth Neucere, “Texas Prison Museum Visitor Surveys,” November 28 and 29, 2014.

¹⁰⁸ “Statue and Visitor Center,” Huntsville Tourism Department, accessed September 22, 2015, <http://www.huntsvilletexas.com/148/Statue-Visitor-Center>.

marginalize other aspects of the town's history and also Sam Houston's own personal history like the fact that he was a slave-owner.¹⁰⁹

The Texas prison system is a marginalized history in Huntsville for it contradicts the positive image endorsed with Sam Houston.¹¹⁰ Even though some Huntsville residents protested against the building of a prison museum because it would further highlight the town's connection to the prison system, *The Huntsville Item* was the museum's loudest supporter.¹¹¹ In August of 1986 the newspaper published an editorial arguing that a prison museum was of great benefit to not only Huntsville but also the state of Texas for it provided a better understanding of the prison system's history.¹¹² Indeed, when the museum opened at its current location, David Arkin from the *Huntsville Item* argued the necessity of the Texas Prison Museum in order to show the public that there is more to the grim realities of the prison system and "to look beyond executions" when thinking about the prison system.¹¹³ He recognized the integral role the prison system played in Huntsville's history and economy.¹¹⁴ Arkin further argued that Huntsville's reputation as "the death penalty capital of the world" is not going to disappear and that the Texas Prison Museum will allow the public to understand that the Texas prison system is not solely about executions.¹¹⁵

When the Texas Prison Museum finally developed its mission statement and goals, it focused on presenting certain aspects of the prison system. Until the museum's

¹⁰⁹ Smith, 30.

¹¹⁰ Smith, 35.

¹¹¹ Johnson interview.

¹¹² "Prison museum a benefit for all Texans," *The Huntsville Item* August 1, 1986, (1986-87 Folder, TPMBM, TPM Archives).

¹¹³ David Arkin, "Museum's great, education on prison history needed," *The Huntsville Item* n. d. (2002 Folder, TPMBM, TPM Archives).

¹¹⁴ Arkin, "Museum's great."

¹¹⁵ Arkin, "Museum's great."

purpose was officially established in 2000, various mission statements were written down and proposed but they did not develop into fruition. Examining the different unofficial mission statements is important by reason of the museum personnel's familiarity with prison system affected the evolution of the museum's final mission statement. During the TPM Planning Group, TDCJ prepared a possible purpose, scope, and theme for the Texas Prison Museum that had to be approved by the committee.¹¹⁶ TDCJ wanted the museum to "educate the public on all aspects of prison life. It [was] hoped that increased public awareness of the life and workings within the prison system will preclude recurrence of periods of public neglect of the system."¹¹⁷ The phrase "educate the public on all aspects of prison life" is vague about what exactly TDCJ wanted museum visitors to learn from the museum. As a government agency involved in executing people and having dealt with criticism for decades, TDCJ has a need for good public relations, especially after *Ruiz*. The Texas prison system realized the potential the Texas Prison Museum had in helping counteract negative publicity and thus became an interested party in the development of the museum. The second sentence of TDCJ's proposed museum purpose strictly deals with public relations, especially with the statement "periods of public neglect of the system." In the context of the *Ruiz* court case, this statement is pointing to the ignorance of the public's knowledge of the prison system for causing a court case like that to happen. Significantly, the museum's Planning Group rejected TDCJ's proposed statement because TDCJ did not make their statement concern itself enough with educating the museum's visitors and did not include a dedication to ex-inmates who

¹¹⁶ Major Actions Required to Establish and Operate a Texas Prison Museum, (1985 Folder, TPMBM, TPM Archives).

¹¹⁷ Agenda: Texas Prison Museum Planning Group Meeting, September 18, 1985, (1985 Folder, TPMBM, TPM Archives).

benefited from rehabilitation.¹¹⁸ This rejection of TDCJ's proposed statement meant that the Planning Group did not want the museum to simply become positive public relations for TDCJ. However, it is unclear what type of "education" the Planning Group wanted for museum patrons, for the Planning Group itself never developed an official museum purpose statement. When the Board of Trustees approached opening the Prison Museum again, the purpose and goals of the museum developed into showing the public the realities of prison life, depicting it from both the inmate and prison personnel point of view, displaying the history of the Texas prison system, and to also be a memorial to TDCJ personnel who died in the line of duty.¹¹⁹ However, by attempting to make the museum a memorial to the prison system's employees, the Texas Prison Museum has implicitly aligned with TDCJ and cannot fully incorporate an inmate voice. By choosing to memorialize those who have died at the hands of inmates, it makes it difficult, or even impossible, to present interpretations of inmates that are sympathetic or critical of guards.

At the Texas Prison Museum there has always been an underlying goal to present specific modern day aspects of prison life in order to counteract perceived misconceptions the public had of the Texas prison system.¹²⁰ The daily lives of the inmates, the work they perform, and their recreation are some of the realities of the prison system that the museum wanted to present for these are what they believe are the

¹¹⁸ Summary of Discussion: Texas Prison Museum Working Group Meeting, October 16, 1985, (Museum Planning Folder, TPMR, TPM Archives). There is no documentation in the Texas Prison Museum's records stating if the purpose statements mentioned were officially sanctioned making it unclear as to what the museum's precise mission statement was. According to Janice Willett, treasurer of the museum's Board of Trustees, there was not an official mission statement created before the Strategic Planning Meeting, Janice Willett interview.

¹¹⁹ Texas Prison Museum attachment to Roy Williams to James A. Lynaugh, 11 January 1989, (1988-89 Folder, TPMBM, TPM Archives).

¹²⁰ Johnson interview.

important aspects of the prison system's narrative.¹²¹ These are legitimate goals as the media and politicians often portray prison as a resort for the inmates.¹²² Indeed, James Willett, the Texas Prison Museum's current director, believes the museum is important to Texas taxpayers considering it is a way for them to learn what their taxes are paying for.¹²³ As former inmate Dan Beck put it, the museum "gives people an idea of how you get to live in a penitentiary."¹²⁴ Consequently, this focus on a highly selective presentation of modern aspects of the prison system is at the cost of the Texas prison system's history. The museum does not fully delve into prison life throughout the prison system's history despite the fact the timeframe of the museum starts in 1848 with the establishment of Texas's prison system. Moreover, controversial issues of the prison system's history are marginalized as well, such as the use of building tenders, decades of racial segregation, and sexual violence.

The lack of trained museum professionals involved in the Texas Prison Museum was a key factor in the length of time taken to establish an official mission statement. The absence of trained museum professionals also prevented the museum from fulfilling its mission. In order for the museum to become a more professional entity at its new location the Board of Trustees held a Strategic Planning Session on March 18, 2000.¹²⁵ It is at this meeting that the goals, mission statement, and purpose of the Texas Prison Museum were officially designated. In addition to board members attending the session, other people in

¹²¹ Sheila Watson, "History Museums, Community Identities, and a Sense of Place: Rewriting Histories," in *Museum Revolutions: How museums change and are changed* eds. Simon J. Knell, Suzanne MacLeod, and Sheila Watson (New York: Routledge, 2007), 170.

¹²² Nygel Lenz, "'Luxuries' in Prison: The Relationship Between Amenity Funding and Public Support," *Crime & Delinquency* 48 no. 4 (October 2002): 500.

¹²³ James Willett interview.

¹²⁴ Hockstader, "A Texas Town."

¹²⁵ Texas Prison Museum, Inc. Strategic Planning Session, March 18, 2000, (2000 Folder, TPMBM, TPM Archives).

administrative positions in Huntsville attended, making it a community, yet bureaucratic, effort to develop crucial aspects of the new museum.¹²⁶ The Texas Prison Museum's current mission statement dates from this meeting: to "collect, preserve, and showcase the history and culture of the Texas prison system and educate the people of Texas and of the world."¹²⁷ Perhaps most importantly, the museum asserts that visitors will see the Texas prison system's history "both from the point of view of the inmates as well as the men and women who worked within the prison walls."¹²⁸ What is critical is that the Texas Prison Museum, in fact, does not have the point of view of either of these parties. The voice of the Texas Prison Museum is from an administrative viewpoint. True, inmates and guards are discussed in the museum, but not to the extent of what is claimed by the museum's mission statement. The museum has several panels about inmate life but none of these actively have an inmate voice. What is surprising is that guards have an even lesser representation in the museum and are only seen in one small corner of the museum. If trained museum professionals had been involved in the creation of the exhibits and panels of the Texas Prison Museum the disparity between the museum's goals and reality would be lessened. Museum professionals could possibly implement changes in the Texas Prison Museum's interpretation that could incorporate both inmate and officer point of views.

Although creating an official mission statement was a step towards professionalizing the Texas Prison Museum there are issues with its wording. Weldon

¹²⁶ While museum volunteers did attend the meeting, the majority of those attending held administrative positions in Huntsville or with the museum. Those in attendance included museum board members, museum volunteers, the Director of the Sam Houston Statue and Visitor Center, Huntsville City Manager, administrative TDCJ employees, the Chamber of Commerce, Huntsville Cultural Services. TPM, Inc. Strategic Planning Session.

¹²⁷ "About the Museum," *Texas Prison Museum* accessed November 11, 2014, <http://txprisonmuseum.org/about.html>.

¹²⁸ "About the Museum," *Texas Prison Museum*.

Svoboda, director of the museum from 2001 to 2003, asserted that the museum does not glamorize TDCJ.¹²⁹ However, the word “showcase,” which appears in the museum’s mission statement, is associated with a sense of pride. By using the word showcase the museum is exhibiting pride towards the prison system and reviews of the museum have pointed out as much.¹³⁰ Indeed, Thom Marshall from the *Houston Chronicle* felt it had “a certain amount of pride in the product, such as you might expect to see in a historic display connected to a beer brewery.”¹³¹ The Texas prison system has a notorious reputation and harsh history, which is generally the knowledge visitors have of the system when coming to the museum.¹³² As a result of the museum not discussing current problems facing TDCJ or the malfeasance in the system’s history, the museum is perceived as prideful of the institution’s reputation as “one of the roughest penal regimes in American history.”¹³³

The use of the word “educate” is ambiguous in the museum’s mission statement for it is opaque in its meaning. Museum staff and past board members all agree that the museum’s goal is to dispel misconceptions about how the Texas prison system is run and make visitors aware of the work inmates perform. James Willett especially wants visitors to learn how dangerous prisons are for both the inmates and the guards.¹³⁴ By providing a limited presentation of prison life, however the museum itself ultimately creates misconceptions, particularly about inmate rehabilitation and education, contradicting

¹²⁹ Hockstader, “A Texas Town,”; Johnson interview.

¹³⁰ For examples of these museum reviews see, Alex Lichtenstein, “Exhibition Review: Texas Prison Museum,” *The Journal of American History* 91 no. 1 (June 2004): 197-200; Thom Marshall, “Prison museum visit is joyless,” *The Houston Chronicle* November 20, 2002;

¹³¹ Thom Marshall, “Prison museum visit is joyless,” *The Houston Chronicle* November 20, 2002, (2002 Folder, TPMBM, TPM Archives).

¹³² Texas Prison Museum Visitor Surveys, November 28 and November 29, 2014; Perkinson, 6.

¹³³ Perkinson, 7.

¹³⁴ James Willett interview.

their goal to “educate.”¹³⁵ This is due to the inconsistencies between the museum staff’s goals for the museum and its vague mission statement. Museum staff wants visitors to realize the realities of prison life in terms of what inmates do on a daily basis. By having this goal, there is implicitly a focus on the present instead of the past. There is also issue with the museum’s claim to present viewpoints of both the inmates and the guards. This wording indicates that these viewpoints are represented equally in the museum, whereas in reality, the museum is presenting from the viewpoint of TDCJ and marginalizes the inmate perspective.

¹³⁵ The information provided on rehabilitation and education in the prison system has not been updated within the museum since its current location opened in 2002. The panel covering these two subjects does not discuss the major cutbacks that have happened to these programs in recent years, making visitors believe that the extent of inmate rehabilitation and education is the same as it was in the 1960s. Elizabeth Neucere, “Punishment Displays and Visitor Responses at the Texas Prison Museum Survey.” To learn about changes in the education and rehabilitation programs see: Jennifer Veneklasen, “District offers inmates training,” *Amarillo Globe-News* 1 July 2002, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0F53B2BF281C4C8B?p=AWNB>; Jim Vertuno, “TDCJ says cuts could hurt inmate medical care, rehab programs – 7 percent cut requested by Perry means \$172 million less for prisons freezes, layoffs possible,” *Corpus Christi Caller-Times* 8 February 2003, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0F915DDFEAA49AB0?p=AWNB>; Jennifer Barrios, “Helping Texas prisoners turn a page – As state trims prison education, Austin group fills need for books,” *Austin American-Statesman* 11 June 2003, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0FBA510F841A12A6?p=AWNB>; Dianne Solis, “Going STRAIGHT...to work – Project RIO helps convicts overcome barriers to jobs after their release – If you dress ‘like you are interviewing for a Snoop Dogg video, that won’t cut it’,” *The Dallas Morning News* 24 September 2006, access 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/1145BE16B8C47C68?p=AWNB>; Ryan Myers, “The great prison debate – State corrections officials have asked for new prisons, but lawmakers are pushing changes to parole, rehab programs in attempt to eliminate need for new facilities,” *The Beaumont Enterprise* 15 January 2007, accessed 16 January 2015; Patricia Kilday Hart, “Prison Schools eyed for overhaul Education system costs state \$65 million a year FUNDING: Impact of programs studied,” *The Houston Chronicle* 18 March 2011, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/1360FF4CD565A940?p=AWNB>; Cody Stark, “Windham school cutbacks reduce staff, programs for inmates,” *The Huntsville Item* 4 September 2011, accessed 16 January 2015; Peggy Fikac, “CRIMINAL JUSTICE: Prison-release program found to be wanting,” *San Antonio Express-News* 6 September 2012, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/141235C0E57CC570?p=AWNB>; “Huntsville residents speak up for Windham,” *The Huntsville Item* 25 January 2013, accessed 16 January 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/14410C73D250ACC8?p=AWNB>.

Although it has been decades since the Texas Prison Museum's goals had been officially written, they still pertain today.¹³⁶ For Tommy Martin, current president of the Board of Trustees, the most important goal for the museum is to balance its finances. When the museum experienced a changeover with its accountant in June of 2012, it was discovered that there were duplicate numbers, making the museum's financial books incorrect.¹³⁷ This is critical not only for financial reasons but also because the museum has once again run out of space and is in need of an expansion for not only display space but administrative space as well. This cannot feasibly be done until the museum's finances are in order. Another crucial goal that Sandra Rogers, the museum's current Curator of Collections, has for the museum is a much-needed inventory of its collection.¹³⁸ A full inventory of the museum's collection has never been done and the artifacts and documents have not been fully accessioned. A lack of professionally trained museum personnel and a small staff are reasons for this failure. When Rogers first came to the museum in 2003, it was discovered that there was no organization to the records of the museum's artifacts, nor were the artifacts stored properly. Due to the cost of archival storage materials the museum has had to make do with the supplies it is able to afford. Some organization of the museum's collection exists today but it still needs much improvement. However, the small number of employees prevents this from being accomplished. The lack of employees and finances also prevents the feasibility of

¹³⁶ The Texas Prison Museum's goals according to its website are: "To collect, preserve, and maintain prison artifacts, documents, oral histories, photographs, and all prison museum collections. To publicize and showcase the history and culture of Texas' prison system in order to attract visitors to the museum annually and to enhance learning. To maintain fiscal accountability for the operation, maintenance, and expansion of the Texas Prison Museum, Inc. To operate, maintain, and expand quality made properties." "About the Museum," Texas Prison Museum, accessed August 12, 2015, <http://txprisonmuseum.org/about.html>.

¹³⁷ Tommy Martin, interview by Elizabeth Neucere, April 13, 2015; Kathryn Nickoll, e-mail to author, August 11, 2015.

¹³⁸ Sandra Rogers, interview by Elizabeth Neucere, February 19, 2015.

updating the museum's panels and displays, which have not been changed since the museum opened at its current location.¹³⁹

The museum's current displays are almost exclusively from the point of view of the prison administration and not inmates or guards, a significant omission that was noted soon after the museum opened by a museum reviewer.¹⁴⁰ This reinforces the AHD of the Texas Prison Museum in allowing visitors to overlook the unpleasant realities for inmates and guards and of the prison system's history. By not focusing on issues facing TDCJ, a type of nostalgia for the prison system that existed prior to the *Ruiz* case is created.¹⁴¹ Moreover, not discussing the problems facing the prison system currently gives visitors the impression that TDCJ is operating without issue. For example, how the museum discusses the dangers facing inmates and guards inside the prison system is problematic. The alarming aspects of prison life are presented in the museum with displays on inmate gangs, inmate-made weapons or "shanks" and contraband, and the guards killed in the line of duty. However, outside the display on officers that died at the hands of inmates, the dangers to prison staff of inmate-made weapons are only mentioned in one sentence in the correlating panel with the shank and contraband display. By minimizing the discourse on the threats to officers, the museum portrays the prison system as successfully having control over its inmates even though TDCJ is currently facing a

¹³⁹ Granted, objects have been added to the museum's displays over the years and the museum recently updated pictures on two panels and added three panels to its "Infamous and Famous Inmates" exhibit. However, no major modernization has taken place in the museum since 2002. Mark Bull acknowledges that the museum is only able to survive with its limited budget because it pays its employees low wages and is not a "job builder." Bull interview.

¹⁴⁰ Alex Lichtenstein, "Exhibition Review: Texas Prison Museum," *The Journal of American History* 91 no. 1 (June 2004): 198 and 200.

¹⁴¹ Smith, 41.

guard-shortage, which increases the dangers they face.¹⁴² To make visitors aware of the fact that shanks are not only used on other inmates but guards as well, more needs to be said on the subject.

Museum employees and board members appear to have a good working relationship with the TDCJ.¹⁴³ Although the museum has favorable relations with its biggest stakeholder that does not eliminate the power TDCJ has over the museum. Several of the museum's major artifacts are on loan from the Texas prison system, particularly Old Sparky, which is arguably the museum's most popular exhibit and draws a great deal of visitors.¹⁴⁴ Despite the working relationship with the prison system, the museum is under a constant threat of the prison system removing its artifacts and even board members who were employees understood the power the prison system has over the museum.¹⁴⁵ In fact, the Board of Corrections threatened to remove the electric chair if the museum did not include a conference room for TDCJ to use when planning the construction of its current building.¹⁴⁶ The museum's board tried to create legal protections against this risk but was not able to come to agreeable terms with TDCJ.¹⁴⁷ The Texas Prison Museum has had a perpetual relationship with TDCJ. While the museum's contact with its major stakeholder continues to be beneficial, it also inhibits the museum's ability to critically display the prison system's history.

¹⁴² Hugo Lopez, "TDCJ seeking candidates for correctional officers," *The Huntsville Item* June 12, 2015, accessed September 22, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/155EBCAE9EF94688?p=AWNB>.

¹⁴³ Mary McClain interview by Elizabeth Neucere, October 31, 2014.; James Willett interview; Janice Willett interview, November 5, 2014; Rogers interview; Pierce interview, Johnson interview; Stephen Shotwell, interview by Elizabeth Neucere, May 23, 2015.

¹⁴⁴ Pierce interview, Janice Willett interview.

¹⁴⁵ Bull interview.

¹⁴⁶ Janice Willett interview.

¹⁴⁷ Janice Willett interview.

The Texas Prison Museum's relationship with TDCJ is so closely connected that it is commonly misperceived that the prison system oversees the museum, both by visitors and prison personnel.¹⁴⁸ Throughout the museum's history there has been constant confusion about the museum's affiliation with TDCJ. To this day members of the public, including current TDCJ employees, erroneously believe that the museum is officially affiliated with the penitentiary system. This misunderstanding is so prevalent that the museum even has signs displayed at admissions to counteract this misconception. Also, this connection creates the impression that the museum's presentation of the prison system's history is strictly from the point of view of prison administrators instead of from both the inmates and guards as the museum claims online.¹⁴⁹ Visitors only get Texas prison history from the perspective of TDCJ as a consequence of the lack of inmate voice or the presence of other stakeholders, such as prison guards.

This misconception is so strong it even brought a member of the Board of Trustees under scrutiny by the Huntsville Chamber of Commerce. During the process of raising money for the new building the Board of Trustees faced political strife from the misconception that the Texas Prison Museum was a part of the prison system. The Chamber wanted the Board to hire one of their employees to oversee the fundraising for the new building. However, the cost to pay the salary of the Chamber employee was too high and the Board had confidence in their own ability to fundraise. Moreover, the Chamber had a different mission for the museum than the Board, believing the purpose of the new building was to "pour money into the city and county" and wanted to eventually

¹⁴⁸ Bull interview.

¹⁴⁹ "About the Museum," *Texas Prison Museum*.

have control of the museum.¹⁵⁰ The Board disagreed with this ideology and wanted to be as independent as possible from city politics. This decision did not “garner [the Board] any love with the local community.” When Mark Bull, Vice-President of the Board of Trustees at the time and a TDCJ employee, was in Austin for state-related business, Allan Polunsky, president of the Board of Corrections, asked to see him. An employee from the Chamber of Commerce had filed a personal complaint against Bull to Polunsky asking him to be removed from the Board of Trustees for he was a TDCJ employee. Ultimately, Polunsky supported Bull and the Texas Prison Museum, telling him that “as far as the agency was concerned [he] was fine...and to move forward.”¹⁵¹ This incident highlights the misconception that the prison system either funds or oversees the Texas Prison Museum. No conflict of interest existed for Bull or any TDCJ employees who worked at the museum for the prison system was not officially affiliated with the museum.

The Texas prison system possesses both an actual and perceived influence over the Texas Prison Museum. TDCJ’s involvement as a stakeholder antedates to when the Texas Prison Museum existed simply as an idea. The institution’s interest in the museum is embodied in various ways, which gives the Texas prison system a unique and undisclosed power in the Texas Prison Museum. The strength of this influence extends to the Texas Prison Museum’s interpretation of TDCJ’s history where it positively reflected, almost in a nostalgic way. The penitentiary system has a staked interest in how its history is presented when, in recent years, it has been in the news due to scandals or lawsuits against the institution.¹⁵² This media attention provides the public with a

¹⁵⁰ Bull interview.

¹⁵¹ Bull interview.

¹⁵² Two major recent news stories is the scandal over the meat supplement Vita-Pro and the lawsuit on releasing the name of the drug supplier for lethal injections. For news stories over Vita-Pro see the

negative viewpoint of the Texas prison system. To TDCJ, the Texas Prison Museum can be seen as a way to counter-act this damaging publicity for the museum's presentation reflects favorably on the prison system's history. It is through symbolic annihilation in the Texas Prison Museum's exhibit designs that positive ideologies, opinions, and histories of the Texas prison system are communicated.

following: Associated Press, "'Roadkill helper' - Meat substitute bought by prison system gets poor reviews from chefs in Austin," *The Dallas Morning News*, February 25, 1996, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED3D6805D94158F?p=AWNB>; James E. Garcia, "VitaPro forces Collins to resign - Former prisons director 'a liability' as clients react to negative publicity," *Austin American-Statesman*, February 28, 1996, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0EA213F4D73F6DC0?p=AWNB>; Kathy Walt, "Prisons told to serve soy 'once a day' / Administrator details pressure from Collins," *Houston Chronicle*, March 1, 1996, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED7B50EF51DE9EE?p=AWNB>; Associated Press, "Ex-prison chief talks - He hints at problems beyond contract probe," *The Dallas Morning News*, April 18, 1996, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED3D693298254FC?p=AWNB>; "Closing the loopholes," *Austin American-Statesman*, May 21, 1996, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0EA2135522872BCC?p=AWNB>; Kathy Walt, "VitaPro dispute must go to trial, court rules," *Houston Chronicle*, October 23, 1997, accessed March 9, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED7B8C3A1A6BBEF?p=AWNB>; For news stories over the lawsuit and controversies surrounding the lethal injection drugs see the following: Cody Stark, "TDCJ has enough drugs to carry out executions in 2012," *The Huntsville Item*, February 15, 2012, accessed December 10, 2014, <http://www.infoweb.newsbank.com/resources/doc/nb/news/13CF5541714962C8?p=AWNB>; Brian Rogers, "Death row inmate contests the drug," *The Houston Chronicle*, September 24, 2012, accessed December 10, 2014, <http://www.chron.com/default/article/Death-row-inmate-contests-the-drug-3890814.php>; Brandon K. Scott, "TDCJ to run out of execution drug," *The Huntsville Item*, August 2, 2013, accessed December 10, 2014, <http://infoweb.newsbank.com/resources/doc/nb/news/147EED0451F21208?p=AWNB>; Allan Turner, "Tug of war over death drug-Woodlands firm that supplied execution doses wants them back after 'firestorm'," *The Houston Chronicle*, October 8, 2013, accessed December 10, 2014, <http://infoweb.newsbank.com/resources/doc/nb/news/149528C040481138?p=AWNB>; Mike Ward, "Judge orders Texas to release information on execution drugs," *The Houston Chronicle*, March 27, 2014, accessed December 10, 2014, <http://www.chron.com/default/article/Judge-orders-Texas-to-release-information-on-5355245.php>; Dan Solomon, "Questions Remain About Texas' Pentobarbital Supply," *Texas Monthly*, April 2, 2014, accessed December 10, 2014, <http://www.texasmonthly.com/daily-post/questions-remain-about-texas-pentobarbital-supply>; Terri Langford, "TDCJ has supply of drug used in botched Oklahoma execution," *The Brownsville Herald*, May 1, 2014, accessed December 10, 2014, <http://www.infoweb.newsbank.com/resources/doc/nb/news/14D8CB09B3BAB4D0?p=AWNB>; Terri Langford, "Death row appeal alleges execution drugs have expired," *ABC-8 WFAA*, September 10, 2014, accessed December 10, 2014, <http://infoweb.newsbank.com/resources/doc/nb/news/1506A67C1305BC58?p=AWNB>.

CHAPTER III

The Symbolic Annihilation of Inmates and Emotive Histories

The Texas Prison Museum presents a selective history of capital punishment and inmate punishment that avoids their contentious nature. Both of these issues are historically controversial elements of the Texas prison system. Correlating panels display basic narratives and information and when no panels are afforded, simple labels are provided for the objects that are meant to represent the death penalty and punishment. None of these panels or descriptions engages in the debates, problems, or nuances surrounding the death penalty and inmate punishment. Moreover, prisoner rights and human rights, which are vital to these topics, are not mentioned in any part of the Texas Prison Museum.

The discourse of all these particulars is important to present in the Texas Prison Museum for it underlines the complexity of the convergence and divergence between retribution and a citizen's constitutional rights. Once imprisoned, an inmate loses almost all of their constitutional rights and the only rights they retain are the ones that society decides they can continue to possess.¹⁵³ It is harmful to stifle the dialogue of capital punishment and inmate retribution with superficial exhibits. The reason for this is that it perpetuates misinformation, prevents comprehension of the controversies surrounding the death penalty, inmate punishment, as well as, their historical contexts, and inhibits the ability to connect historical problems to the present. In addition, it reinforces the invisibility, disposability, and social "othering" of inmates through the symbolic annihilation of abuse in the prison system.

¹⁵³ Susan Easton, *Prisoners' Rights: Principles and Practice* (London: Routledge, 2011), 7.

Outcry over the presentation of emotive issues at museums, both in the United States and abroad, increased during a “museological paradigm shift” at the end of the twentieth century.¹⁵⁴ Globalization caused this shift by allowing for the creation of diverse connections between museums and groups of people, both internationally and transnationally.¹⁵⁵ This development of interconnectedness between nations and societies effected museums in creating an expansive range in the exchange of histories, cultures, and identities.¹⁵⁶ However, with globalization museums have to address a variety of “imagined communities” in their exhibits and interpretations.¹⁵⁷ It is the contestations of scholars and members of the public over what is displayed that is the consequence of a more pluralistic world. Broadly, these disputes center around interpretation issues of which groups should be included in presentations; problems of a museum’s interpretation of history, race, religion, or identity; power struggles between stakeholders; questions over the influence of financial donors in museum exhibits; and what the role of a museum is supposed to be.¹⁵⁸ As society moved away from having a dominant monolithic perspective, arguably white and male, different groups advocated for their perspective and place in history to be represented in museums. Museums can face real consequences from these disputes. For example, stakeholders and constituents becoming uncooperative, the museum could lose funding, be reprimanded by government officials, and in extreme

¹⁵⁴ Teresa Bergman, *Exhibiting Patriotism: Creating and Contesting Interpretations of American Historic Sites* (Walnut Creek, CA: Left Coast Press, 2013), 18.

¹⁵⁵ Corinne A. Kratz and Ivan Karp, “Introduction, Museum Frictions: Public Cultures/Global Transformations,” in *Museum Frictions: Public Cultures/Global Transformations*, eds. Ivan Karp et al. (Durham, Duke University Press, 2006), 2 and 12.

¹⁵⁶ Kratz and Karp, 4.

¹⁵⁷ Benedict Anderson framed the idea of imagined communities in his book *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: New Left Books, 2006). Kratz and Karp, 5.

¹⁵⁸ Kratz and Karp, 12.

cases, museum personnel could be fired from the repercussions.¹⁵⁹ The challenge of these “museum frictions” is to recognize them and instead of retreating or avoiding the potential liability, discover ways to use the discourse to produce a stronger exhibit.¹⁶⁰

The Texas Prison Museum has yet to face serious backlash about its exhibits for visitors do not notice how inmates are represented by the museum since they are already marginalized in society. Due to the Texas Prison Museum presenting the front regions of the prison system, inmates fade to the background of the museum as it concentrates on TDCJ’s “public face.”¹⁶¹ Before entering the Texas Prison Museum, visitors are visually prompted to think about incarceration. This is done with the sight of the Holliday Unit from the museum’s parking lot and the architecture of the museum itself (See Figures 3.1 and 3.2). The museum’s building emulates the design of the historic Huntsville Unit with a red brick façade and picket where a guard “dummy” waves to those below. When opening the loud crashing metal doors, mimicking the clash of cell doors, at the museum’s entrance, the visual representation of a prison is reinforced with continued red brick façade, black prison bars, chain link fences, and barbed wire. Visitors notice that

¹⁵⁹ An unfortunate example of this remarkable backlash is the *Enola Gay* exhibit at the Smithsonian Institution’s National Air and Space Museum. The exhibition planned by the Smithsonian was to mark the fiftieth anniversary of the end of World War II and to examine several aspects of the dropping of the atomic bomb such as its development, the decision to use the bomb, the after effects of using atomic weapons, especially in Japan, and the new era in science and warfare the atomic bomb created. However, the fierce retaliation from military officials, veterans’ groups, the media, and politicians prevented this exhibit from fruition and Smithsonian employees either lost or resigned from their positions due to the controversy. Tom Engelhardt and Edward T. Linenthal, “Introduction: History under Siege,” in *History Wars: The Enola Gay and Other Battles for the American Past*, eds., Edward T. Linenthal and Tom Engelhardt (New York: Owl Books, 1996), 2. See also: Thomas F. Gieryn, “Balancing Acts: Science, ‘Enola Gay’ and History Wars at the Smithsonian,” in *The Politics of Display: Museums, Science, Culture*, ed. Sharon MacDonald (London and New York: Routledge, 1998), 197-228; Steven C. Dubin, *Dispalys of Power: Memory and Amnesia in the American Museum* (New York: New York University Press, 1999); Otto Mayr, “The Enola Gay Fiasco: History, Politics, and the Museum,” *Technology and Culture* 39 no. 3 (July 1998): 462-473; John Whittier Treat, “The Enola Gay on Display: Hiroshima and American Memory,” *Positions: Asia Critique* 5 no. 3 (Winter 1997): 863-878; Martin Harwit, *An Exhibit Denied: Lobbying the History of Enola Gay* (New York: Springer-Verlag New York, Inc., 1996); Vera L. Zolberg, “Museums as contested sites of remembrance: the Enola Gay affair,” *The Sociological Review* 43 no. 1 (May 1995): 69-82.

¹⁶⁰ Kratz and Karp, “Introduction, Museum Frictions,” 27.

¹⁶¹ Wilson, “Dark tourism and the celebrity prison,” 10.

these various prison structures encompass the museum from the admissions and gift shop (See Figure 3.3.). Regularly there is also audible reinforcement with the clanking of the opening and closing of the door to the museum's replica prison cell, the wail of inmate work songs, and cheers from footage of the Prison Rodeo.

After paying the five-dollar admission, visitors are directed to the museum's orientation video located on the other side of a partial wall made of fake prison bars (See Figure 3.4). The spatial design for the film-viewing area mirrors that of a prison dayroom (See Figure 3.5). The small television the orientation video plays on sits on top of a tall metal shelf, with long wooden baby blue benches, donated from a prison, lined up in front.¹⁶² The film does not play at regular intervals but is controlled by the museum employee in the gift shop. The video shown can be considered an artifact instead of an orientation video for it is a film shown to prison guards in their pre-service training and is property of the Texas Department of Criminal Justice (TDCJ). Even if visitors choose not to watch the video, if it is playing in the background, it is still within earshot as they wander through the museum, therefore still exposing some visitors to its content, even if they themselves have chosen not to view it. The eight-minute orientation video provides a brief and selective history of the Texas prison system. The video discusses the prison system's growth and consequences of its expansion, prison reform during the 1950s and 1960s, the operation of TDCJ, and population growth in the 1980s and 1990s.

The bias of TDCJ is highly recognizable in the video. The first hundred years of the prison system is casually and briefly discussed as a time when inmates did agricultural work in the system. There is no mention of how the prison system started,

¹⁶² The benches were donated to the museum after the prison system started reinforcing metal benches to the ground in the dayrooms. With the wooden benches like those in the museum, inmates were taking them apart to fashion weapons out of.

executions, convict leasing, the Legislative Investigation of 1909, corporal punishment, or the forced reforms in the prison system. In fact, any negative aspect of the prison system is either overlooked or presented in a way where outside forces are at fault for the issues of the prison system and not the penitentiary itself. For instance, the video mentions Austin McCormick's review of the prison system in the 1940s but leaves out the fact that he called the Texas prison system "among the worst in the United States."¹⁶³ However, the narrator of the film does make sure to announce the American Corrections Association referred to the prison system as one of the best in the nation in the 1970s. The video proclaims that despite this recognition, inmates "continued to sue the agency," when introducing the *Ruiz v. Estelle* court case.¹⁶⁴ This language places blame on the inmates for seeing error in how the prison system ran instead of discussing the different violations to the 8th and 14th Amendments the institution was responsible for. As an explanation for the system's strict nature, the narrator proclaims that Texas does not run a "country club" prison.¹⁶⁵

Since the museum is not laid out in a sequential format, at the conclusion of the orientation video visitors are not provided visual guidance of where to begin their tour. Direction solely depends on the museum employee in the gift shop informing visitors where to start, which does not always happen. The built space of the museum is divided thematically and historical context for the themes displayed in the museum is largely

¹⁶³ Mrs. C. T. Schaedel and the Committee on Prison Work of the Texas State Council of Methodist Women convicted the prison board to hire McCormick to review of the Texas prison system. After visiting the prison system in February of 1945 he made his official report to the Texas Legislature in 1947. Crouch and Marquart, 30.

Donald R. Walker, "Texas State Penitentiary at Huntsville," The Handbook of Texas Online, Texas State Historical Association, last modified June 15, 2010, accessed July 19, 2015, <https://tshaonline.org/handbook/online/articles/jjt01>.

¹⁶⁴ Texas Department of Criminal Justice, *The Evolution of Modern Texas Corrections*, DVD.

¹⁶⁵ Texas Department of Criminal Justice, *The Evolution of Modern Texas Corrections*, DVD.

missing (See Figure 3.6). Objects are greatly depended upon throughout to present the themes of historical eras in the prison system, agriculture and industry, guards, the Prison Rodeo, inmate punishment, capital punishment, famous inmates and escapes, inmate life and death, dangers of prison life, educational rehabilitation, and statistical data about the prison system. If provided with guidance, visitors are directed to start on a far right brick wall where a series of panels cover historical eras of the Texas prison system. These panels serve as a historical overview or introduction to the Texas prison system. Some visitors might feel inclined to walk by them in the view that they feel the video already provided them with the information, which is another reason why the film is problematic. On the concrete floor next to this wall, visitors may notice a yellow line that runs along the outer walls on the museum, which can provide them with a vague sense of direction. This line mimics the yellow lines painted on prison floors to guide the flow of people and keep inmates separated from guards, allowing the museum to continue the visual representation of incarceration.¹⁶⁶

With no guarantee of guidance, visitors can wander through the museum, view the cases and panels at variance, and potentially pass cases or artifacts. A visitor walking by Old Sparky without seeing it is a consequence of this. This situation happens if visitors choose to move through the museum along its outer walls by following the yellow line painted on the floor. Between Old Sparky and the museum's outer wall is a display case that completely blocks the electric chair from view, allowing visitors to tour the museum without ever seeing it or the display on capital punishment that is on the other side of the

¹⁶⁶ In Texas prisons, inmates are to stay against the wall on the right side of the yellow line while guards walk along the left side of the line.

case. Not seeing the electric chair or the capital punishment display prevents visitors from gaining basic knowledge of the death penalty's place in the Texas prison system.

Another display case that has the potential to be overlooked is the exhibit on inmate punishment (See Figures 3.7 and 3.8). The display case is in a back corner of the museum and the nearby displays on the Prison Rodeo and prison guards' weapons can distract visitors from the display. Moreover, the excessive use of objects in the case can prompt visitors to lose interest and walk by it. Although the case has been categorized as inmate punishment, in reality, it is more of a case about the physical restraints used on inmates with the different types of handcuffs, locks, keys, body chains, and ball and chains shown. The museum's only indication of punishment is with two leather straps or bats once used to whip inmates when corporal punishment was legal. A leather strap hangs on the wall of the display with a poster depicting an inmate being whipped proclaiming "Its Hell in a Texas Pen!" Copies of punishment rules and regulations are across from it with a photograph of retired guards holding a bat in a showcase fashion below. On the floor of the case is a broken bat that is approximately three feet long and it is unnoted how it became broken.

This display on punishment is detrimental prevents an understanding of the controversy of corporal punishment and the forms of punishment that followed it for no historical context is provided. Although the whipping of inmates in Texas had been legal since 1858, discourse over this form of punishment did not occur until the turn of the century.¹⁶⁷ This seemingly long time for opposition of inmate whipping to appear can be

¹⁶⁷ Under Article 186 of the Texas 1856 Penal Codes the whipping of inmates was illegal. The 7th Legislature of Texas reversed this in 1858 to where the whipping of inmates occurred at the director's order. "The Penal Codes," *Southern Intelligencer*, March 10, 1858. *The Penal Code of the State of Texas*, adapted by the 6th Legislature of Texas, 1857, 33.

accredited to the disjointed development of the field of criminology. During the nineteenth century, the discipline of criminology existed as various sciences and pseudo-sciences, which argued the cause of criminal activity broadly through moral insanity, degeneration, and social ramifications.¹⁶⁸ It is through the lens of these different ideologies that prison reformers developed their own viewpoints of how to rehabilitate the criminal. The sporadic development of criminology in the nineteenth century resulted in contradictory ideologies of prisoner reformers in the twentieth century. While penologists and reformers began to understand that one's environment played a role in criminal activity, at the same time, progressive penologists still regarded crime as a disease, taken from moral insanity, and saw sterilization of criminals as a way to end crime, which was taken from eugenic criminology.¹⁶⁹ These changes in the understanding of criminology are important for it also marks the shift in comprehension of prisoner personal rights. The fact that prison reformers believed that inmates experienced injustice meant that they, the inmates, possessed personal rights that were being violated.

Reformers during the United States' Progressive Era advocated for changes to social injustice and government regulations.¹⁷⁰ Muckrakers in Texas did not diverge from this social advocacy as they published several articles concerning the treatment of

The Bastrop Advertiser, January 28, 1882; "The State Press," *Dallas Morning News*, March 15, 1893.

¹⁶⁸ Nicole H. Rafter, ed. *The Origins of Criminology: A Reader* (New York: Routledge, 2009), xv and xvii.

¹⁶⁹ Indeed, at the meeting of the American Prison Congress in the fall of 1909, which Tom Finty, Jr. attended, discourse over the sterilization of inmates caused a heated debate among the Congress' attendees. Also, S. M. Lister, chairman of the Texas Prison Board in 1941, supported the sterilization of inmates. Tom Finty, Jr., "Work of American Prison Congress," *Dallas Morning News*, September 6, 1909; Tom Finty, Jr., "Doctors Disagree over Degenerates," *Dallas Morning News*, September 9, 1909; Board Fires Ellingson, Prison Head," *Dallas Morning News*, September 9, 1941.

Paul Lucko, "Prison Farms, Walls, and Society: Punishment and Politics in Texas, 1848-1910," (PhD diss., University of Texas at Austin, 1999), 361-362. Nicole Rafter, "The murderous Dutch fiddler: Criminology, history, and the problem of phrenology," *Theoretical Criminology* 9 no. 1 (2005): 86; Rafter, *The Origins of Criminology*, 43 and 237.

¹⁷⁰ Theresa R. Jach, "Reform versus Reality in the Progressive Era Texas Prison," *The Journal of the Gilded Age and Progressive Era* 4 no. 1 (January 2005): 57.

inmates in the Texas prison system and on inmate lease farms. Journalists George Waverly Briggs and Tom Finty, Jr. discussed the controversies of the Texas prison system and more importantly made it public information through their articles. Together, these journalists transformed prison reform into a concern for progressive Texans and sparked legislative action.¹⁷¹

From December of 1908 to January of 1909 in the *San Antonio Express*, Briggs wrote a series of articles detailing his personal tour and investigation of the conditions in Texas prisons. While in Huntsville during his tour of the prison system, Briggs met Reverend Jake Hodges of the Huntsville Penitentiary who detailed accounts of inmate torture, deaths from severe corporal punishment, and sexual abuse of female inmates at the Johnson prison farm.¹⁷² In the wake of Briggs' articles, the Texas Legislature passed Senate Bill 159 in March of 1909 authorizing an investigation of the prison system.¹⁷³ The investigation committee's objective was to inspect inmate living conditions, treatment, "and all matters pertaining to their discipline, safe keeping, and reformation."¹⁷⁴ During their investigation, committee members were blunt when questioning inmates about their conditions: "if there are abuses we want to know it."¹⁷⁵ Committee members verified various deviations from corporal punishment procedures

¹⁷¹ Another critical goal for Texas prison reformers was to end the leasing of inmates. Inmate leasing existed in Texas since 1871 and prison reformers advocated for its abolishment because of prisoner abuse, it removed control of the prisoners from the State, and reforming the prisoners was not its main tenant. Jach, "Reform versus Reality," 53-59.

¹⁷² Lucko, "Prison Farms, Walls, and Society," 350.

¹⁷³ S.B. 159, 31st Legislature, Regular Session, (1909).

¹⁷⁴ S. B. 159, 31st Legislature, Regular Session, (1909).

¹⁷⁵ "Stenographer's Report of Evidence adduced before the Penitentiary Investigation Committee," of the *Report of the Penitentiary Investigation Committee*, Published by Order of the House of Representatives, (August 1910), 275.

when guards whipped inmates.¹⁷⁶ Guards commonly did not wait for permission to whip inmates, as was required, but followed the personal policy of “whip first and make inquiry afterwards.”¹⁷⁷ Prison officials believed the bat to be the only definite way to keep inmates working in the fields.¹⁷⁸ Several inmates testified of the abuse prison guards enacted upon their and other inmate’s bodies, “I have carried two men to the water wagon...after they had been punished, whipped until they couldn’t walk no more...and on the way to the building they died...On the foot-board the disease they died of was sunstroke. I helped dig the grave.”¹⁷⁹ From prisoner testimony it was discovered that inmate abuse at the hand of the bat occurred throughout the penitentiary system, not just at the prison or lease farms.¹⁸⁰ The Legislative Investigating Committee uncovered in the Texas prison system mismanagement, corruption, inmate abuse, both physical and sexual,

¹⁷⁶ One deviation in the procedure of whipping inmates the committee asked about was the placing of a bucket of water on top of the inmate to hold them down and drawing the “bat” through sand. Whipping orders were also forged. Instead of notifying the inspector and having them approve corporal punishment, guards kept a stack of blank whipping orders to have the inspector sign on a later date. The “bat” used to whip inmates often extended beyond the legal size limitations of two feet long and two and a half inch wide, to four or five feet long and three to four inches in width.

Report of the Penitentiary Investigation Committee, 260; “Scandal and Reform (1909-1911),” Fear, Force, and Leather: The Texas Prison System’s First Hundred Years, 1848-1948 on Texas State Library and Archives Commission, last modified August 22, 2011, accessed July 15, 2015, <https://www.tsl.texas.gov/exhibits/prisons/scandal/page3.html>; Lucko, “Prison Farms, Walls, and Society,” 410

¹⁷⁷ Testimony of inmate W. A. Parks, *Investigation*, 272

¹⁷⁸ Texas was not the only state to maintain a long use of corporal punishment but in fact corporal punishment endured longer in the South than it did in the North. Smith, *Punishment and Culture*, 87.

¹⁷⁹ Testimony of inmate H. W. Johnson, *Report of the Penitentiary Investigation Committee*, 252.

For newspaper coverage of the legislative investigation see: “Six Convicts Give Testimony,” *Dallas Morning News*, July 23, 1909; “Henderson & Tompkins Plantation is Visited,” *Dallas Morning News*, October 21, 1909; “Prison Probe Committee at Allen and Steele Farms,” *Dallas Morning News*, October 22, 1909; “Moller Trims Strap in Use at Rusk,” *Dallas Morning News*, November 4, 1909; “Ex-Parte Testimony Given by Convicts,” *Dallas Morning News*, November 6, 1909; “Convict Farm at Harlem Better,” *Dallas Morning News*, November 9, 1909; “Committee Sees Imperial Camp,” *Dallas Morning News*, November 12, 1909; “Investigation at Cunningham Farm,” *Dallas Morning News*, November 14, 1909; “Believes Penitentiary a Place of Punishment,” *Dallas Morning News*, November 15, 1909; “Two Almost Model Convict Farms,” *Dallas Morning News*, November 15, 1909; “Some Very Bad Treatment Alleged,” *Dallas Morning News*, November 15, 1909; “Conditions Found at Clemens Farm,” *Dallas Morning News*, November 16, 1909; “Testimony Damaging to Prison Officials,” *Dallas Morning News*, November 23, 1909; “Striking of Convict Matter of Investigation,” *Dallas Morning News*, December 29, 1909;

¹⁸⁰ Lucko, “Prison Farms, Walls, and Society,” 367-368.

and deplorable living conditions for the inmates from the testimony of inmates and former and current prison employees.¹⁸¹ When the Legislative Investigative Committee submitted its report, the Penitentiary Board called an emergency meeting and amended the rules for corporal punishment. Inmates could not be whipped without a written order, a prison physician and private citizen must be present during the whipping, and an inmate could not receive more than twenty lashes at a time. Additionally, on a monthly basis an inspector was to examine the inmates' bodies to determine "whether or not the punishment was excessive or in any manner inhuman."¹⁸²

Tom Finty, Jr. covered the proceedings of the investigation in the *Galveston-Dallas News*, exposing the Texas public to the investigating committee's discoveries of inmate treatment and conditions.¹⁸³ As a result, several Texans supported inmate classification, creating a parole system, and that "corporal punishment was useless at best, and harmful at worst."¹⁸⁴ Although the Investigating Committee did not recommend the abolishment of the bat, some members of the Committee believed better punishment methods existed "than the drunken guards with their bullwhips, trained dogs, and brutality."¹⁸⁵ After the Committee's report was submitted, the Texas Legislature wrote Senate Bill 10, which reorganized the prison system, implemented reforms, and rewrote the policies and procedures for corporal punishment. Whipping became restricted to only

¹⁸¹ "Scandal and Reform (1909-1911)," Fear, Force, and Leather: The Texas Prison System's First Hundred Years, 1848-1948 on Texas State Library and Archives Commission, last modified August 22, 2011, accessed July 15, 2015, <https://www.tsl.texas.gov/exhibits/prisons/scandal/page3.html>.

¹⁸² "Minutes of the Special Session of the Penitentiary Board, November 30, 1909," Fear, Force, and Leather: The Texas Prison System's First Hundred Years, 1848-1948 on Texas State Library and Archives Commission, last modified August 17, 2011, accessed July 15, 2015, https://www.tsl.texas.gov/exhibits/prisons/scandal/penminutes_nov30_1909.html.

¹⁸³ Finty published his articles into a pamphlet because of their popularity and copies were provided to the Investigating Committee members. Jach, "Reform versus Reality," 59.

¹⁸⁴ Jach, "Reform versus Reality," 59.

¹⁸⁵ Senator Claude B. Hudspeth quoted in Lucko, "Prison Farms, Walls, and Society," 413.

third class inmates, with twenty lashes on the inmate's backside and thighs as a last resort. The leather strap of the bat could not be longer than two feet and two and a half inches wide, and permission from two Prison Commission members must be attained in order for the whipping to occur.¹⁸⁶ Moreover, the Senate added a new measure where if an officer violated the new policies and procedures of corporal punishment they would be charged with a misdemeanor.¹⁸⁷ Although the Texas Legislature made these meager steps to prevent the abuse of inmates, exploitation of the bat would again become a scandal in the Texas prison system in three decades.

Most likely due to the public exposure and coverage of the legislative investigation, prison reform became a campaign issue during the 1912 gubernatorial election, alongside prohibition. During the campaign, Governor Oscar Colquitt and his opponent Judge William Ramsey, who had been chairman of the Board of Commissioners for the prison system, accused the other of allowing abuse to happen to Texas's inmates. Days before the campaign began, Colquitt abolished the use of the bat because he "thoroughly believe[d] that the law [could] be fully maintained and prison discipline maintained without the use of the bat."¹⁸⁸ To further his arguments, Governor Colquitt melodramatically waved a bloodstained bat during his campaign speeches.¹⁸⁹ Due to the timing of the newspapers reporting this and Ramsey's opening campaign speech where he advocated ending corporal punishment, more controversy sparked in the

¹⁸⁶ It also became required for a prison physician to be present during the execution of the whipping order. The guard performing the whipping had to write a report to the Prison Commission, who had to keep record of all whippings in the prison system.

S. B. 10, 31st Legislature, 4th Congressional Session, 152-153.

¹⁸⁷ Violators also were to be fined between 50 and 250 dollars and placed in jail between thirty days and six months. Guards also could be charged with assault if they inflicted a punishment without authorization. Section 33 of Senate Bill 10, 31st Legislature, 4th congressional session, 153 and 158.

¹⁸⁸ Lucko, "The Governor and the Bat," 407.

¹⁸⁹ Paul Lucko, "The Governor and the Bat: Prison Reform during the Oscar B. Colquitt Administration, 1911-1915," *The Southwestern Historical Quarterly* 106 no. 3 (January 2003): 398.

campaign over who had called for banning the bat first.¹⁹⁰ In the end, Colquitt won re-election and abolished corporal punishment in 1912. In lieu of the bat, more humane means of punishment were sought and would prove to be disastrous.

With the abolishment of corporal punishment, “dark cells,” a primitive form of solitary confinement, became the main method of punishment.¹⁹¹ On an evening early in September of 1913, eight of twelve inmates suffocated to death in the dark cell located at Harlem’s Camp No. 3 prison farm.¹⁹² The deaths of the eight inmates sparked a debate over which punishment was more humane, the bat or the dark cells. The Prison Commission investigated the episode and was divided on if the deaths called for reinstating the bat. Prison Commissioner Braham argued that a single incident where the dark cell was abused should not reflect upon the entire punishment method itself. “We don’t stop using ocean liners because the Titanic sank,” he contended in comparison.¹⁹³ Inmates from the *Huntsville Prison Monitor* asserted the preference of the dark cell over the use of the bat, despite the recent abuse of the new punishment method. The inmates did not necessarily consider the dark cell more humane but “the lesser of the two evils.”¹⁹⁴ They indicated the bat not only caused physical abuse but also mental abuse to

¹⁹⁰ Lucko, “The Governor and the Bat,” 407.

¹⁹¹ “Dark cells” were called so because when inmates were placed inside, they were deprived of light. It is unknown when “dark cells” first became a form of punishment but newspapers from 1864 listed whipping, the “dark cell,” and the stocks as punishment in the prison system. “Navasota,” *Houston Tri-Weekly Telegraph*, December 2, 1864.

¹⁹² The twelve inmates were placed in the “dark cell” for insubordination and laziness and guards did not discover the four surviving inmates until they came to release them the following morning. The cell was eight feet by ten feet, with air holes in the ceiling, and a hole in each corner of the floor. It was with the air holes in the ground that the four surviving inmates were able to breathe. “Eight Convicts are Suffocated and Four Overcome in Dark Cell,” *Dallas Morning News*, September 8, 1913. See also “Dark Cell on Farm is Mostly Underground,” *Dallas Morning News*, September 8, 1913.

¹⁹³ “Dark Cell Survivors Tell of Experiences,” *Dallas Morning News*, September 9, 1913.

¹⁹⁴ “Bat vs. Dark Cell,” *Huntsville Prison Monitor* published in *El Paso Morning Times*, November 2, 1913.

inmates for they “fear[ed] the bat worse than death.”¹⁹⁵ Foreshadowing a call to re-implement corporal punishment in light of the inmates’ deaths, Colquitt declared, “that as long as I am Governor the bat will never be introduced into the prison system.”¹⁹⁶ His statement would prove to be true for the bat would not be reinstated until Colquitt’s successor, James “Pa” Ferguson who became governor in 1915.¹⁹⁷

As the United States became involved in World War I and Governor Ferguson underwent impeachment for financial fraud with state money, social feminist groups took charge in lobbying for prison reform in Texas.¹⁹⁸ The largest advocate of the groups was the Texas Committee on Prisons and Prison Labor and under the governorship of Dan Moody several of its members were appointed to the Texas Prison Board.¹⁹⁹ The new members of the Prison Board closely inspected the prison system of inmate treatment, decreased the number of whippings, and fired prison employees who abused inmates.²⁰⁰ However, Lee Simmons reversed this when he became general manager of the prison system in April 1930.²⁰¹ During the 1930s, controversies over corporal punishment and

¹⁹⁵ “Bat vs. Dark Cell,” *El Paso Morning Times*, November 2, 1913.

¹⁹⁶ “Governor Orders Investigation,” *Dallas Morning News*, September 8, 1913.

¹⁹⁷ “Colquitt and the Bat,” Fear, Force, and Leather: The Texas Prison System’s First Hundred Years, 1848-1948 on Texas State Library and Archives Commission, last modified August 23, 2011, accessed July 16, 2015, <https://www.tsl.texas.gov/exhibits/prisons/inquiry/bat.html>.

¹⁹⁸ Ralph W. Steen, “Ferguson, James Edward,” The Handbook of Texas Online, Texas State Historical Association, accessed July 16, 2015, <https://tshaonline.org/handbook/online/articles/ffe05>; Paul Lucko, “A Missed Opportunity: Texas Prison Reform during the Dan Moody Administration, 1927-1931,” *The Southwestern Historical Quarterly* 96 no. 1 (July 1992): 30.

¹⁹⁹ Other groups involved in prison reform were the Texas Prisoners’ Protective Association, the Texas Prison Association, the League of Women Voters, the Texas Federation of Women’s Clubs, and the Woman’s Christian Temperance Union. The Texas Committee on Prisons and Prison Labor also reorganized the administration of the Texas Prison System and throughout Moody’s administration, from 1927 to 1930, overlooked management of the prison system. Lucko, “A Missed Opportunity,” 30-31 and 37; Paul M. Lucko, “Texas Committee on Prisons and Prison Labor,” The Handbook of Texas Online, Texas State Historical Association, accessed July 16, 2015, <https://tshaonline.org/handbook/online/articles/mdtva>.

²⁰⁰ Lucko, “A Missed Opportunity,” 40.

²⁰¹ Lee Simmons was a member of the Texas Prison Board at the same time as members of the Texas Committee on Prisons and Prison Labor and opposed several of their reforms. Lucko, “A Missed Opportunity,” 38 and 41.

discussion concerning prison reform lessened as the Great Depression “put a stop to the liberalism and progressivism” of the previous decades.²⁰² Contrary to prison reformers, Simmons believed corporal punishment an important measure to manage inmates and to prevent escapes and he worked to counteract the efforts of Texas prison reformers.²⁰³ Inmate abuse hid behind his excellent ability at public relations and inmates received the bat for a variety of labor infractions, fighting, disobedience, sodomy, and for self-mutilation.²⁰⁴ Inmate self-mutilation became a major issue for the prison system in the 1930s and eventually led to the abolishment of corporal punishment.

In March of 1940, newspapers declared an “epidemic of self-mutilation” had broken out at the Eastham prison farm.²⁰⁵ Since February of that year, five inmates purposely broke their legs, eight broke their arms, and one inmate cut flesh off his heel. The prison system’s general manager, O.J.S. Ellingson’s asserted the reason for the self-mutilations was to protest against work and there would be no investigation.²⁰⁶ The *Dallas Morning News* released an editorial covering the maiming and Texas women wrote to the newspaper arguing that the inmates did not maim themselves to get out of work. They proclaimed something else caused the inmates to mutilate themselves and that the prison board needed to find out why.²⁰⁷ With no response from the prison system,

²⁰² Melossi, “The cultural embeddedness of social control,” 416.

²⁰³ Paul M. Lucko, “Counteracting Reform: Lee Simmons and the Texas Prison System, 1930-1935,” *East Texas Historical Journal* 30 no. 2 (1992): 19 and 22.

²⁰⁴ Lucko, “A Missed Opportunity,” 50; Lucko, “Counteracting Reform,” 22.

²⁰⁵ An earlier instance of inmates maiming themselves occurred the previous year. “20 Convicts Maim Selves at Eastham,” *Dallas Morning News*, March 12, 1939.

“Felons, Hating Work, Cut off Their Legs,” *Dallas Morning News*, March 13, 1940.

²⁰⁶ General Manager Ellingson blamed Clyde Barrow for sparking the outbreak of self-mutilation, for he had famously cut off two of his toes to escape work “Felons, Hating Work, Cut off Their Legs,” *Dallas Morning News*, March 13, 1940.

²⁰⁷ That same year an inmate won a temporary restraining order preventing prison guards from moving him from the prison hospital in Houston back to the Eastham prison farm. The inmate testified that he feared for his life if returned to Eastham for a guard continuously threatened to kill him. Newspaper articles claim the inmate was hospitalized for purposely breaking his arm to escape work. However, in the petition, the

on his own accord, C. V. Compton, a Dallas citizen, inspected the prisons, and declared the inmates maimed themselves, not to get out of work but to escape the bat. The bat had inadvertently caused disorder in the prison system as inmates used their physical bodies to protest the use of inmate whipping. Compton composed his findings of prison conditions into a brochure that he sent to all members of the Texas Legislature and received wide support for his actions and call to abolish the bat.²⁰⁸

Reacting to Compton's discovery, Representative Sam Hanna (D-Austin) introduced a bill to end corporal punishment stating, "I'm trying to stop guards from whipping prisoners, as you all know they do."²⁰⁹ As Hanna's bill made its way through the Texas Legislature, the Texas Prison Board voted to end corporal punishment and instead enact a disciplinary system of solitary confinement and depriving privileges.²¹⁰ Although most likely provoked by the actions of the Legislature, the board claimed to have conducted an expansive study of other prison systems in the country and determined abolishing the bat necessary to maintain "our advanced progress in improving conditions in the Texas prison system."²¹¹ The ignorance of the Prison Board became obvious in this meeting when Dr. S. M. Lister, chairman of the Prison Board, stated his unawareness of

inmate stated the reason he continuously broke his arm was to escape the abuse of the prison guard. "Convict Fearing for His Life Gets Court's Aid in Prison," *Dallas Morning News*, December 29, 1940. "Maiming at Eastham," *Dallas Morning News*, March 14, 1940; "Letters from Readers: Maiming at Eastham," *Dallas Morning News*, March 18, 1940; "Letters from Readers: Treatment of Prisoners at Eastham Farm," *Dallas Morning News*, March 26, 1940.

²⁰⁸ Compton also challenged Texas officials to experience for themselves the same punishment inflicted on inmates. He promised to pay a variety of monetary sums for whoever submitted themselves to the "bat." "\$200 Offered Prison Officials to Take Whippings They Inflict," *Dallas Morning News*, December 29, 1940; "Many Score Use of Lash in Prison," *Dallas Morning News*, January 5, 1941.

²⁰⁹ "Bill to Bar Lash in Prison is Promised," *Dallas Morning News*, January 12, 1941; "Antiwhipping Bill Gets OK in Committee," *Dallas Morning News*, February 7, 1941.

²¹⁰ "Disciplinary System to Include Solitary Confinement in Cells," *Dallas Morning News*, February 12, 1941.

²¹¹ When asked why the Board waited until the Legislature started taking action, the chairman claimed the Prison Board was unaware of the bill to end inmate whippings. "Relation of Prison Whippings and Self-Mutilation Studied in Lawmakers' Hearing on Bat," *Dallas Morning News*, February 14, 1941. "Disciplinary System to Include Solitary Confinement in Cells," *Dallas Morning News*, February 12, 1941.

the Penal Code requirement for two Prison Board members to authorize whipping orders. He did not sign any orders for the 334 cited whippings in 1940 and claimed the superintendent of the prison system instructed the whippings.²¹² This lack of knowledge in part by the prison system's overseers helps explain the mismanagement and continued abuse of inmates.

Compton advocated for the Texas Legislature to pass the anti-whipping law despite the actions of the Texas Prison Board in order to ensure the Board does not revoke its action.²¹³ After the House of Representatives voted almost unanimously, the bill sat in the Senate for two months, and was eventually passed with a viva voce vote April 30, 1941.²¹⁴ Although verbal voting can be difficult in a divided legislature, the Texas Senate only had to call the vote once, reflecting Texans' determination to end corporal punishment.²¹⁵ However, despite the passed legislation, some Texans were still not satisfied and called for another investigation of the prison system to ensure that guards were not using the bat.²¹⁶ Their suspicion did not go unwarranted for the Texas Prison Board fired O. J. S. Ellingson after a separate legislative investigation discovered

²¹² "Relation of Prison Whippings and Self-Mutilation Studied in Lawmakers' Hearing on Bat," *Dallas Morning News*, February 14, 1941.

²¹³ While the bill to abolish corporal punishment sat in the Texas Senate, organizations in Texas met and discussed their support of ending the use of the "bat." A delegation of women also sat in on the Senate when the bill came before the Senators, representing a wide variety of women's organizations in Texas who were against corporal punishment. "Women to Debate Prison System Practices," *Dallas Morning News*, April 10, 1941; "Salvation Army Head Speaks on Democracy," *Dallas Morning News*, April 15, 1941; "Banishing the Bat Hearing to Attract Dallas Delegation," *Dallas Morning News*, April 29, 1941. "Law is Urged Against Bat in State Pen," *Dallas Morning News*, February 16, 1941.

²¹⁴ H. B. 10, 47th Regular Session," Search Results, History, Legislation, Legislative Reference Library of Texas, accessed July 16, 2015, <http://www.lrl.state.tx.us/legis/billsearch/BillDetails.cfm?legSession=47-0&billtypeDetail=HB&billNumberDetail=10&billSuffixDetail=&startRow=1&IDlist=&unClicklist=&number=100>.

²¹⁵ "HB 10, 47th Regular Session," Search Results, Text, Legislation, Legislative Reference Library of Texas, accessed July 16, 2015, <http://www.lrl.state.tx.us/legis/billsearch/text.cfm?legSession=47-0&billtypeDetail=HB&billNumberDetail=10&billSuffixDetail=&startRow=1&IDlist=&unClicklist=&number=100>.

²¹⁶ "Letters from Readers: For Sweeping Reform in Texas Prison System," *Dallas Morning News*, September 19, 1941.

horrible medical and sanitary conditions and claimed prisoners were not being treated humanely.²¹⁷

With the abolition of the bat, official and unofficial use of force by guards became a means to punish inmates. The prison system maintained a “culture of force” allowing coercion to be a part of the “guard subculture” where they viewed force as a logical method to control inmate infractions and maintain inmate subordination.²¹⁸ Use of force divided into three categories, with each one more intense in the injuries inflicted upon inmates: “tune-ups;” “ass whippings;” and “severe beatings.”²¹⁹ Guards also used “slamming” where they forcibly slammed inmates to the ground.²²⁰ Use of force was not limited to physical methods and officers also used excessive amounts of tear gas to control inmates.²²¹ Similar to the inadequate record keeping of whipping orders, records for use of force incidents were not kept properly and often the extent of an inmate’s injury resulting from the incident was not fully reported.²²² When guards did face retribution for exorbitant use of force, it often resulted in punishment not equivalent to the severity of the episode that provoked it. For instance, after kicking an inmate in the head while they were restrained on the ground, a guard only received a day’s suspension and nine months of probation.²²³

²¹⁷ “Board Fires Ellingson, Prison Head,” *Dallas Morning News*, September 9, 1941.

²¹⁸ Crouch and Marquart, 78 and 81-82; David Ruiz v. Gary Johnson, 37 F.Supp.2d 858, 932 (S.D. Tex. 1999).

²¹⁹ Tune-ups relied on scaring an inmate after they challenged the authority of an officer. Serious injury usually did not result from this level of use of force as guards slapped, shoved, or kicked inmates while verbally humiliating the inmate. With ass-whippings, guards used their weapons to physically beat inmates such as blackjacks, riot batons, or aluminum-cased flashlights when, again, an inmate challenged a guard’s authority. In severe beatings, the intent was to administer deliberate harm to inmates that violated significant rules, like attacking a guard. Crouch and Marquart, 78-80.

Crouch and Marquart, 78.

²²⁰ Ruiz, 37 F.Supp.2d at 933.

²²¹ Ruiz, 37 F. Supp.2d at 935.

²²² Ruiz, 37 F. Supp.2d at 937 and 939.

²²³ Ruiz, 37 F. Supp.2d at 934.

In addition to use of force, building tenders increasingly used violence against inmates to maintain control over the years. Building tenders were inmates that guards used to help maintain control and order throughout the prison system. Although the prison system used building tenders since the late 1800s, it was with the twentieth century that they became a necessity.²²⁴ Indeed, both O. B. Ellis and George Beto, directors of the prison system from the 1940s-1960s, wanted to end the use of building tenders but realized they were a source of information on inmate activity and helped maintain order as the prison population increasingly outnumbered the guards.²²⁵ However, building tenders often abused their power and were overly violent towards other inmates for minor instances:

Once you crossed the line, man, you got beat down hard. They ruled through fear. If they didn't like you, you had hell to pay. They'd steal your property, try to make a punk [sexual victim] out of you, or else set you up in some way. If you was weak they'd make you pay protection...Dudes would pay them off right in the open in front of other people. A lot of dudes paid them off, just to make it. You couldn't win, man. You couldn't fight just one of them, you fought them all, plus them bosses.²²⁶

In the 1970s, as the inmate population became overwhelming, building tenders gained more discrepancy in their power as the guards became dependent on them to maintain order because there simply were not enough guards to oversee the inmates.²²⁷

The violent punishment experienced by inmates from building tenders and guard use of force became crucial aspects of the *Ruiz v. Estelle* court case.²²⁸ During the trial, state officials argued that inmate abuses were not the pattern but the exception of the

²²⁴ Crouch and Marquart, 85.

²²⁵ Crouch and Marquart, 91 and 114.

²²⁶ Crouch and Marquart, 112-113.

²²⁷ In ten years, from 1968 to 1978, the inmate population in the Texas prison system increased by 101 percent. Crouch and Marquart, 120.
Crouch and Marquart, 114.

²²⁸ Although, David Ruiz, an inmate, filed the class action suit against TDCJ in 1972, the trial did not begin until October of 1978 due to the massive gathering of information to use in the trial and a change of venue requested by TDCJ. Crouch and Marquart, 122 and 124.

prison system.²²⁹ However, testimony of inmates and former prison employees stated otherwise.²³⁰ Ultimately Judge William Wayne Justice, who oversaw the trial, ruled the conditions of the Texas prison system as unconstitutional calling for aggressive reforms to inmate overcrowding, security and supervision, inmate health care, inmate discipline, inmate access to courts, fire safety and sanitation of the prisons, work safety and hygiene, and the size, structure, and location of prison units.²³¹ With these requirements, Judge Justice effectively called for the entire prison system to change, which it did drastically to both the inmate population and the prison employees.

The sporadic challenge to the Texas prison system's treatment of its inmates is one of the many anecdotes represented by the bat that is not pursued by the Texas Prison Museum. Although the purpose of the restraints and the bat is self-explanatory, this is not a strong defense for a lack of interpretation. The designer of the case made an active choice in not engaging with the subject of institutional violence against inmates through the presentation of the bat. In fact, the current president of the Texas Prison Museum's board believes that the word punishment should not be placed in a negative context within the museum.²³² Punishment is inseparably negative and there is no positive connotation to it, especially when it is abusive. In not presenting on the abusive use of punishment by the prison system, the Texas Prison Museum completely undermines and silences the historical maltreatment of prisoners, which prevents the understanding of chronicled prison reform efforts. Moreover, the fact that punishment is negative is not a logical reason to avoid discussing it, particularly when other sites engage in the subject

²²⁹ Crouch and Marquart, 125.

²³⁰ During the trial, 349 witnesses that included inmates, prison employees, and expert witnesses like penologists and academics. Crouch and Marquart, 124.

²³¹ Crouch and Marquart, 126-127.

²³² Martin interview.

like the Clink Prison in London, Museo Penitenciario in Buenos Aires, and the Old Melbourne Gaol in Melbourne, Australia.²³³

Unlike the Texas Prison Museum, the Old Melbourne Gaol Museum, which is located in a decommissioned prison, is currently trying to improve its presentation of corporal punishment as the museum undergoes a cultural transformation.²³⁴ It is with the museum's presentation of the whipping triangle, which was used to tie down inmates when flogged, that the Old Melbourne is focusing its exhibit changes (See Figure 3.9). With addressing the flaws of its presentation, Old Melbourne is setting a precedent for engaging with corporal punishment after a long silence on the issue. Currently the whipping triangle is on the third floor of the prison next to the men's restroom for that was the only area where the large object could be placed.²³⁵ A glass cabinet contains objects from inmate floggings such as whips, birches, and throat protectors worn by inmates and a panel lists prisoners punished at Melbourne Gaol and their punishments.²³⁶ Melbourne Gaol staff acknowledges the whipping triangle is "poorly display[ed]" and they are in the process of developing a better interpretation and location for the object.²³⁷

Melbourne Gaol's display is not only an example of the difficulties that arise in presenting a dark subject but also of unavoidable limitations in creating a display.

Recognizing that violent objects like the whipping triangle fascinate visitors, Melbourne

²³³ For an examination of these sites see: Michael Welch, "Penal tourism and a tale of four cities: Reflecting on the museum effect in London, Sydney, Melbourne, and Buenos Aires," *Criminology and Criminal Justice* 13 no. 5 (2013): 479-505.

²³⁴ "Gaol" is the British spelling for jail. It is cultural transformation that allows museum staff to become content with displaying dark topics as members of the public become more fascinated with them. The phrase cultural transformation is taken from Michael Welch, "Penal tourism and the 'dream of order': Exhibiting early penology in Argentina and Australia," *Punishment & Society* 14 no. 5 (2012): 584-615.

²³⁵ Martin Green, Learning and Interpretations Manager of the National Trust of Australia, e-mail to author, July 2, 2015.

²³⁶ Martin Green, Learning and Interpretations Manager of the National Trust of Australia, e-mail to author, July 1, 2015.

²³⁷ Green, e-mail to author, July 1, 2015.

Gaol staff does not want the object to turn into a “sideshow attraction” by “over indulg[ing] prurient interest.”²³⁸ Considering its disturbing nature to younger museum patrons, the staff is also concerned about how visitors access the whipping triangle.²³⁹ In developing its new display, the staff wants to place the whipping triangle within the context of nineteenth century punishment with correlating interpretive panels and the display of punishment objects. However, they also face the issue of spatial limitations. The whipping triangle is a large object, making it hard to find a suitable location for it within the prison. Adding wings to a museum is hugely expensive and while theoretically possible, is often practically impossible. This is even more so with Melbourne Gaol since it is located in a decommissioned prison. The museum is limited in what it is able to do with the building considering the integrity of the prison’s architecture must be maintained, especially since only one wing of the original prison is left. In addition to the challenge of finding proper space for the object, the original location of the whipping triangle on prison grounds is unknown to Melbourne Gaol staff, preventing them from placing it in its historic location.

Misconceptions on the number of credible sources on inmate punishment, the lack of professionally trained museum personnel, and the museum’s bias towards the prison system prevent the Texas Prison Museum from experiencing a cultural transformation. Even though the bat is on display, the Texas Prison Museum does not make any effort to place it within its historical context, promote visitor engagement, or discuss its controversial usage, nor does it plan on doing these things in the future.²⁴⁰ According to

²³⁸ The issue of displays becoming more entertainment or expository focused than exhibitionary is a current discourse in museum studies. Kirkshenblatt-Gimblett, “Exhibitionary Complexes,” 37.

²³⁹ Green, e-mail to author, July 1, 2015.

²⁴⁰ James Willett, e-mail to author, July 15, 2015.

museum staff, the explanation for the lack of interpretation is that the display is already informative and that there are not enough credible sources to provide more information about punishment.²⁴¹ Without the skills of conducting extensive research and knowledge of how to effectively design a panel or display, museum staff will continue to believe the current display is informative and that not enough sources exist to further develop it.²⁴² By employing scholars and professionally trained personnel the Texas Prison Museum can “design ways to activate a collaborative cognitive capacity” not only with its corporal punishment presentation, but in other avenues as well.²⁴³ As seen with the example of Melbourne Gaol, cultural transformation does not inherently mean an object will be displayed casually. Instead, it is displayed with a complete historical context and addresses issues and controversies of the object. A hesitance towards illuminating the dark aspects of the Texas prison system’s history, as seen with the president of the museum’s board, hinders the motivation to expose the prisoner abuse committed by the prison system. This bias towards the prison system, coupled with TDCJ’s ownership of the museum’s major artifacts allows for TDCJ to possess a de facto curatorial control of the Texas Prison Museum, which prevents negative histories from being presented. Including the unfavorable aspects of the Texas prison system would generate a complete and accurate history of TDCJ.

²⁴¹ A later part of this chapter covers the history of corporal punishment in the Texas prison system provides a wide variety of newspaper sources. For other sources on the history of punishment in the Texas prison system see: *The Penal Code of the State of Texas*, adapted by the 6th Legislature of Texas; Paul Lucko, “Prison Farms, Walls, and Society: Punishment and Politics in Texas, 1848-1910,” (PhD diss., University of Texas at Austin, 1999); Theresa R. Jach, “Reform versus Reality in the Progressive Era Texas Prison,” *The Journal of the Gilded Age and Progressive Era* 4 no. 1 (January 2005): 53-67; “Stenographer’s Report of Evidence adduced before the Penitentiary Investigation Committee,” of the *Report of the Penitentiary Investigation Committee*, Published by Order of the House of Representatives, (August 1910); “Fear, Force, and Leather: The Texas Prison System’s First Hundred Years, 1848-1948,” Texas State Library and Archives Commission, accessed September 11, 2015, <https://www.tsl.texas.gov/exhibits/prisons/index.html>; S. B. 10, 31st Legislature, 4th Congressional Session.

²⁴² James Willett, e-mail to author, July 14 and 15, 2015.

²⁴³ Hein, *The Museum in Transition*, 49.

Simple exposure to the bat does not ensure visitors will gain information from it or understand its historical context within the prison system. Objects are not simple but ambiguous, have the ability to tell many stories, contain various meanings either “simultaneously or sequentially,” and are “sites of experience.”²⁴⁴ Moreover, these meanings change with different perspectives.²⁴⁵ When the prison system actively used the bat, both inmates and prison personnel developed meanings and memories of the object. To the inmates the bat could represent the abuse they faced at the hands of the prison system, while guards viewed it as a necessary tool to enforce order. How inmates and guards viewed and described the bat provides definitions to nineteenth century prison reform and prisoner rights.²⁴⁶ However, by not presenting an interpretive narrative of corporal punishment, the Texas Prison Museum is changing the memory, experiences, and significance of the bat. Without context, the immediate interpretation visitors develop from the bat’s presentation is that it was a tool to control inmates and they may see it as cruel or a justified means of punishment based on their personal viewpoints.

The continued dominant viewpoint of the prison system is evident in the presentation of the bat where its abusive history is symbolically annihilated. The bat is “dehistorized and mythologized” to an object simply used to punish inmates that deserved retribution.²⁴⁷ The bat’s meaning and value is effectively removed by the lack of interpretation or narrative, therefore, withholding its place in the prison system’s history.²⁴⁸ This diminishes the collective memory museum visitors have of the bat for

²⁴⁴ Hein, *The Museum in Transition*, 5, 13, 15, and 110-111.

²⁴⁵ Janet Marstine, “Introduction,” in *New Museum Theory and Practice: An Introduction*, ed. Janet Marstine (Malden, MA: Blackwell Publishing, 2006), 15.

²⁴⁶ Hein, *The Museum in Transition*, 30.

²⁴⁷ Silke Arnold-de Simine, *Mediating Memory in the Museum: Trauma, Empathy, Nostalgia* (England: Palgrave Macmillan, 2013), 18.

²⁴⁸ Hein, *The Museum in Transition*, 13 and 55.

they do not see its historical importance nor the connections corporal punishment has with later forms of punishment in the prison system that were brought to issue in *Ruiz*. Moreover, visitors are also prevented from seeing how issues with inmate punishment still affect today's society. Recently the use of solitary confinement has come into question under the 8th Amendment due to its proven health effects on inmates of anxiety, depression, anger, cognitive disturbances, perceptual distortions, paranoia, and psychosis.²⁴⁹ Like corporal punishment, prison guard's use of force, and the violence of building tenders, solitary confinement is a dark aspect of the prison system that is not discussed in the museum. All these forms of punishment are involved in debates over what rights a prisoner has and when the prison system went too far in disciplining inmates. Moreover, the connection is not made that as definitions of punishment and understanding of criminology changes, the morality and legitimacy of methods of punishment are questioned. A method of punishment only remains legitimate if it was "not seen as violating sovereignty of the individual and their body."²⁵⁰ The Texas Prison Museum silences these debates and prisoners' fights for their rights by symbolically annihilating the injustices and human rights violations carried out by the state.

A consequence of the prison system's dominant voice is that prisoner rights is not discussed in the museum even though the subject is synchronous with inmate punishment and the prison system as a whole. Historically, prisoners had to resort to extremes in order for their protests against malfeasance to be heard, as is seen with cases of self-mutilation.²⁵¹ Today, inmates are able to actively protest their rights to six amendments

²⁴⁹ Sharon Shalev, "Solitary Confinement and Supermax Prisons: A Human Rights and Ethical Analysis," *Journal of Forensic Psychology Practice* 11 no. 2-3 (2011): 156.

²⁵⁰ Smith, *Punishment and Culture*, 19.

²⁵¹ Easton, *Prisoners' Rights: Principles and Practice*, 7.

of the United States' Constitution: the first, fourth, fifth, sixth, eighth, and fourteenth.²⁵² The debate over cruel and unusual punishment of the 8th Amendment persists and has expanded beyond that of what prisoners receive for infractions: overpopulation, excessive use of force by guards, and prison administration disregarding dangers facing an inmate by either guard or inmate are among the new contested issues.²⁵³ The floodgate for prisoner litigation occurred with the United States Supreme Court decision in *Cooper v. Pate* (1964), which extended protection of the Civil Rights Act of 1871 to inmates.²⁵⁴ The Civil Rights Act of 1871 originated as a means of protection for African-American citizens from the violence of the Ku Klux Klan during Reconstruction.²⁵⁵ It is in section 1983 of the Civil Rights Act that created the ability for citizens to pursue constitutional violations of public officials through the federal courts.²⁵⁶ Although section 1983 existed since the Civil Rights Act was enacted, it was a narrow interpretation of who constituted as a public official and narrow application of what constitutional rights are protected that prevented an active use of section 1983.²⁵⁷ It was with *Cooper v. Pate*, that the protections under Section 1983 were extended to inmates who could pursue litigation concerning violation of constitutional rights in federal courts.²⁵⁸ Over the next three decades, inmates challenged their conditions during the prisoners' rights movement, *Ruiz v. Estelle* being one of much litigation.²⁵⁹

²⁵² David Mitchell, "Prisoners' Constitutional Rights," *Criminal Justice Studies: A Critical Journal of Crime, Law, and Society* 16 no. 3 (2003): 250.

²⁵³ Mitchell, "Prisoners' Constitutional Rights," 256.

²⁵⁴ Erika S. Fairchild, "The Scope and Study of Prison Litigation Issues," *The Justice System Journal* 9 no. 3 (Winter 1984): 325.

²⁵⁵ Darrell L. Ross, *Civil Liability in Criminal Justice* (London: Routledge, 2015), 67.

²⁵⁶ Ross, 68.

²⁵⁷ Ross, 68.

²⁵⁸ Fairchild, "The Scope and Study," 325.

²⁵⁹ For more on the prisoners' rights movement see: Robert T. Chase, "We Are Not Slaves: Rethinking the Rise of Carceral States through the Lens of the Prisoners' Rights Movement," *Journal of American History*

At the expense of TDCJ's dominant stakeholdership, the Texas Prison Museum sacrificed the history of the bat, other forms inmate punishment, and a discourse over prisoner rights. Punishment "is never left to the experts" and faces continuous community examination as citizens debate over which prisoner rights are to be protected.²⁶⁰ The perceived expert on inmate discipline is TDCJ, yet the prison system did not start the discussion on if various punishment methods' were legitimate or effective. Instead, public outcry, legislative investigation, inmate lawsuits, and legislation forced the prison system to change its policies and even abolish corporal punishment in order to recognize inmates' rights.

Victims of injustice are treated differently by museums based on whether they morally 'deserved' the unjust treatment or not. For political prisoners or victims of state committed genocide it is clear to see who is suffering. However, inmates are not seen this way since they committed a crime, which designates them as immoral and undeserving of empathy. Despite this, inmates should not "be treated as less than human beings" for they are "not wholly stripped of constitutional protections," which makes them retain their citizenship, let alone their humanity.²⁶¹ Respecting an inmate's rights, even though they are perceived as undeserving, is a way to validate if a prison system provides "humane

102 no. 1 (June 2015): 73-86; James B. Jacobs, "The Prisoners' Rights Movement and Its Impacts, 1960-80," *Crime and Justice* 2 (1980): 429-70; Geoffrey P. Alpert, ed., *Legal Rights of Prisoners: An Analysis of Legal Aid* (Thousand Oaks: Sage Publications, Inc.: 1980); Ellen M. Barry, "Women Prisoners on the Cutting Edge: Development of the Activist Women's Prisoners' Rights Movement," *Social Justice* 27 no. 3 (81), Critical Resistance to the Prison-Industrial Complex (Fall 2000): 168-175; Susan N. Herman, "Slashing and Burning Prisoners' Rights: Congress and the Supreme Court in Dialogue," *Oregon Law Review* 77 no. 4 (Winter 1998): 1229-1303; Susan Easton, *Prisoners' Rights: Principles and Practice* (New York: Routledge, 2011).

²⁶⁰ Smith, *Punishment and Culture*, 174.

²⁶¹ Quote from *Spain v. Proconier*, 600 F.2d 189 (9th Cir. 1979) in Shaley, 161; Quote from *Wolff v. McDonnell*, 418 U.S. 539 (1974) in Shaley, 161.

and constructive regimes.”²⁶² The Texas Prison Museum has space to fit two panels next to the punishment display to provide interpretation of punishment and prisoner rights and it was an active choice to not do so. In this regards, the museum aligns with the prison system on its perspective of inmate punishment by viewing the abuses that occurred not important enough to discuss. Indeed, one of the early dedications of the Texas Prison Museum was to “the inmates who have suffered needlessly at the hand of the prison system during periods of *public neglect* [emphasis mine] of the system.”²⁶³ Although this statement alludes to the malfeasance inmates experience it blames the public for inmate suffering instead of holding the prison system responsible for the abuses it committed. By not engaging in the Texas prison system’s history of malfeasance and violation of human rights, the Texas Prison Museum reinforces the social forgetting of a dark part of the prison system that not even the institution wants to remember.²⁶⁴

The erasure of history does not even escape the Texas Prison Museum’s promoted exhibit on capital punishment.²⁶⁵ How a society remembers history shows the cultural transformation of the present.²⁶⁶ This transformation has not occurred at the Texas Prison Museum where the most controversial aspect of the Texas prison system is recalled with a superficial display. The historical narrative of capital punishment at the museum consists of brief descriptions and random facts where the contentious issues of the death penalty are marginalized from the exhibit.

²⁶² Easton, *Prisoners’ Rights: Principles and Practice*, 7.

²⁶³ “Agenda: Texas Prison Museum Planning Group Meeting on September 18, 1985,” (1985 Folder, TPMBM, TPM Archives), 8.

²⁶⁴ Urry, *Theorizing Museums*, 50.

²⁶⁵ Indeed, the Texas Prison Museum uses the electric chair to draw visitors when it advertises.

²⁶⁶ Urry, *Theorizing Museums*, 46.

CHAPTER IV

Silences in Texas's Execution History

The Texas Prison Museum does not discuss the complex history or multifaceted debates about capital punishment but instead has consciously structured a one-dimensional death penalty display to garner a specific pro-death penalty reaction. Today, there are several controversial issues about Texas's death penalty. Some of these topics deal with the possibility of innocent people being executed, the execution of juveniles or people with mental handicaps, racism, and the cost of executions versus the cost of life imprisonment. More recently, the effectiveness of the compound drug used in lethal injections has come into question with botched executions.²⁶⁷ The Texas Prison Museum not discussing these issues results in the absence of the social, judicial, and ethical limits and debates over legally taking human life in the museum. These contested matters need to be addressed in the Texas Prison Museum being that capital punishment is still controversial today and it inherently concerns inmate human rights.

The museum's death penalty voice is so implicit that the display is seen as simply informative and with no coherent message. Visitors are forced to rely on their own viewpoints on the death penalty in order to interpret the Texas Prison Museum's display.

Due to capital punishment being a major multidimensional issue, visitors already

²⁶⁷ One can simply look at the recent "botched executions" for evidence of the increased emphasis placed on an inmate suffering during their execution. Andrew Welsh-Huggins, "Botched Execution could renew 'cruel' challenges," *Associated Press State Wire: Texas*, May 1, 2014, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/14D88C017653E1F8?p=AWNB> on; Associated Press, "Details emerge on botched execution," *Houston Chronicle*, May 2, 2014, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/14D9103C205C6898?p=AWNB>; Associated Press, "Inmate's Last Gasp Drags out Two Hours," *Houston Chronicle*, July 24, 2014, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/14F46E3B6AC372E0?p=AWNB>; Associated Press, "Botched Execution Raises More Questions," *Houston Chronicle*, July 25, 2014, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/14F4BDDFF4535ED8?p=AWNB>.

developed opinions about it before attending the museum. Human identity is not clear-cut—and neither is visitor opinions—and is formed from one's cultural, social, political, and religious surroundings as well as memory and life experiences.²⁶⁸ It is the visitor's identity and pre-determined views of inmates' human rights and how that plays into the death penalty that ultimately affect their opinion of the museum's capital punishment display.²⁶⁹ A display, like any cultural artifact, is ultimately a text, like a novel or painting, and visitors' attitudes affects their opinion of the exhibit. Visitors, not only at the Texas Prison Museum but also any museum, will come across various self-aspects of their identity as they encounter a museum's displays and can—and should be—challenged by what they see. Alternatively, what visitors see in a museum can reinforce or justify their multiple and changing self-aspects and bolster their support for what is on display.²⁷⁰ As a result of visitors' ideologies not being challenged, public opinion of capital punishment will not be affected by a display like the Texas Prison Museum.²⁷¹ There are strong and multifaceted opinions of the life and death issues of capital punishment and not having an exhibit that touches upon these matters or its history prevents society from having a understanding of the death penalty.

Historically, Texas executions, both legal and illegal, have imposed unique degrees of violence that titillated the public. From the days of the Republic of Texas in 1836 to 1923, legal hangings in Texas, which were carried out by the county sheriffs,

²⁶⁸ Nigel Bond and John Faulk, "Tourism and identity-related motivations: why am I here (and not there)?," *International Journal of Tourism Research* 15 (2013): 432; Sheila Watson, "History Museums, Community Identities, and a Sense of Place: Rewriting Histories," in *Museum Revolutions: How museums change and are changed*, eds. Simon J. Knell, Suzanne MacLeod, and Sheila Watson (New York: Routledge, 2007), 160.

²⁶⁹ Erika Robb, "Violence and Recreation: Vacationing in the Realm of Dark Tourism." *Anthropology and Humanism* 34 no. 1 (2009): 52.

²⁷⁰ Bond and Falk, 433.

²⁷¹ Survey 760047 on September 28, 2014.

hanged 388 people.²⁷² These executions were to be conducted within the confines of the jails to avoid a public spectacle, which ultimately did not happen.²⁷³ Engaging in their own version of dark tourism, crowds in the thousands flocked to watch legal hangings for entertainment. Indeed, when introducing legislation for the state to take control of executions it was acknowledged that public hangings “frequently create[d] great disturbance in the county.”²⁷⁴ Simultaneously, illegal mob lynchings occurred throughout the state. Lynchings were especially used to reinforce the pre-Civil War racial and social hierarchy and were extremely violent.²⁷⁵ Performed lynchings learned from public hangings the rituals of taking “the declarations of guilt, the confessions, the taking of souvenirs and photographs [in order] to confer legitimacy on their extralegal violence.”²⁷⁶ The only distinction between the two “was often razor-thin” in that lynchings were

²⁷² “Executions in the U.S. 1608-2002: The ESPY File,” Death Penalty Information Center, accessed May 12, 2015, <http://www.deathpenaltyinfo.org/executions-us-1608-2002-esp-y-file>; The Codes of 1856, “The Code of Criminal Procedure,” Legislative Reference Library of Texas, accessed May 19, 2015, <http://www.lrl.state.tx.us/collections/oldcodes.cfm>.

²⁷³ “Code of Criminal Procedure” of the “Revised Civil and Criminal Statutes of Texas, 1879,” Texas State Law Library, last updated July 11, 2014, accessed May 13, 2015, <http://www.sll.texas.gov/assets/pdf/historical-codes/1879/1879crim3.pdf>, 99.

²⁷⁴ S.B. 63, 38th Texas Legislature 2nd Called Session (1923).

²⁷⁵ Arguably the most infamous and violent lynching in Texas is “The Waco Horror,” where seventeen-year-old Jesse Washington was lynched after being convicted of killing a white woman. He was taken from court by a mob, dragged by a chain through the town of Waco, and when he tried to loosen the chains his fingers were cut off. He was also stripped naked and stabbed almost thirty times. A bonfire was built and Washington was hanged over the fire and was lowered into it several times until he was lynched. Anne P. Rice, ed., *Witnessing Lynching: American Writers Respond* (Piscataway, NJ: Rutgers University Press, 2003), 145-148; Marquart, Ekland-Olsen, and Sorensen, *The Rope, the Chair, and the Needle*, 2. For more on the Jesse Washington lynching see, Patricia Bernstein, *The First Waco Horror: The Lynching of Jesse Washington and the Rise of the NAACP* (College Station: Texas A&M University Press, 2005). For more information on the racial and social contexts of lynchings see: Cynthia Skove Nevels, *Lynching to Belong: Claiming Whiteness through Racial Violence* (College Station: Texas A&M University Press, 2007); William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas 1836-1916* (Urbana: University of Illinois Press, 2004); Gary B. Borders, *A Hanging in Nacogdoches: Murder, Race, Politics, and Polemics in Texas’s Oldest Town 1870-1916* (Austin: University of Texas Press, 2006); James H. Madison, *A Lynching in the Heartland: Race and Memory in America* (New York: Palgrave Publishers Ltd., 2001); Carl H. Moneyhon, *Texas after the Civil War: The Struggle of Reconstruction* (College Station: Texas A&M University Press, 2004).

²⁷⁶ Amy Louise Wood, *Lynching and Spectacle: Witnessing Violence in America, 1890-1940* (Chapel Hill: University of North Carolina Press, 2009) 24.

exceedingly more brutal than public hangings where lynch victims were tortured in various cruel ways before their death.²⁷⁷

In the 1920s, as this distinction narrowed, mob and racial violence increased after what became known as the Red Summer of 1919.²⁷⁸ Disgusted by the racial violence happening across Texas, Senator J. W. Thomas advocated for the state to take control of the public executions in order to discourage lynchings and for electrocution to become the new method of execution.²⁷⁹ Thus, Senator Thomas introduced S.B. 160 on January 22, 1923, which passed the Senate and was sent to Governor Pat Neff on March 12, 1923.²⁸⁰ In making executions a private affair, the Huntsville Unit located in Huntsville, Texas became the home of the new death row and electric chair. On February 8, 1924, the switch on Old Sparky was first pulled and five African-American men were executed that night. Even though the racial violence of lynchings did decrease after the state took over executions, racial discrimination persisted. Over the forty years Old Sparky was active, 361 men were executed: 229 of the men were African-American, 108 white, and 23 Hispanic.²⁸¹ Indeed, racial discrimination in the implementation of the death penalty

²⁷⁷ Marquart, Ekland-Olsen, and Sorensen, 2.

²⁷⁸ For information on the Red Summer of 1919 see, Cameron McWhirter, *Red Summer: The Summer of 1919 and the Awakening of Black America* (New York: Henry Holt and Company, 2011); William M. Tuttle, Jr., *Race Riot: Chicago in the Red Summer of 1919* (Urbana: University of Illinois Press, 1996); Robert Whitaker, *On the Laps of Gods: The Red Summer of 1919 and the Struggle for Justice that Remade a Nation* (New York: Crown Publishers, 2008)

²⁷⁹ Marquart, Ekland-Olsen, and Sorensen, 13.

²⁸⁰ Texas Senate, *Journal of the Senate of Texas*, 38th Legislature, Regular Session, 139 and 1145.

²⁸¹ Of the 361 men executed, 44.9 percent were African American, 21 percent white, 4.7 percent Hispanic, and .2 percent other. One of the crimes that came under scrutiny of racial discrimination was rape, especially in the South, where out of 455 men executed for rape in the United States between 1930 and 1972, only 12 happened outside of former Confederate states. In Texas, a total of 99 rapists were executed where 82 were African American, 14 white, and 3 Hispanic. From 1924 to 1972, the racial divide of rapists sentenced to death was as follows: 76.3 percent African American, 17.8 percent white, and 5.9 percent Hispanic. In rape sentencing, 50.2 percent of the time whites received term-sentences other than the death penalty and 17.8 percent death sentence whereas African-American's received a the death penalty at a 76.3 percent rate and other term-sentences at 30.9 percent. Moreover, no white man received the death penalty for raping an African-American female while 70.2 percent of African-American men who received the death penalty for raping a white woman at a rate of 70.2 percent.

was an in Texas as well as other states as well, and was brought to the forefront with *Furman v. Georgia* in 1972.²⁸² The Supreme Court ruled capital punishment as violating the 8th and 14th Amendments of the U.S. Constitution as cruel and unusual punishment and that jurors had too much leeway in their decision process preventing equal protection of the law. What is noteworthy is that the five justices who agreed capital punishment as unconstitutional did so for different reasons.²⁸³

Since 1964, executions had been under moratorium in Texas and with the 1972 *Furman v. Georgia* decision those on death row were commuted to life sentences. Texas legislatures then worked to change the state's death penalty statutes to the Supreme Court's requirements. The new statutes made capital punishment only possible in six circumstances: killing a police officer or fireman; murder while committing another crime; committing murder for payment; murder during an escape from prison or jail; if imprisoned, murdering a prison or jail employee; and serial killing.²⁸⁴ In addition, juries must question if the convicted person was deliberate in their actions, and once given the death sentence the person has three mandatory appeals.²⁸⁵ On December 7, 1982 Charlie Brooks, Jr. was the first person executed under these new statutes and with the new

Marquart, Ekland-Olsen, and Sorensen, *The Rope, the Chair, and the Needle*, 20 and 39-58.

"Racial Breakdown of Electrocuted Offenders 1923 – 1973," Death Row Information, Texas Department of Criminal Justice, accessed May 18, 2015, https://www.tdcj.state.tx.us/death_row/dr_racial_brkdn_electro_1923-1973.html.

²⁸² The distribution of Pre-Furman death row population was 56.3 percent African American, 34.1 percent white, 9.4 percent Hispanic, and .2 percent other. Marquart, Ekland-Olsen, and Sorensen, 21.

In *Furman v. Georgia*, petitioners William Henry Furman and Lucious Jackson, Jr. were from Georgia while Elmer Branch was from Texas. *Furman v. Georgia*, 408 U.S. 238 (1972).

²⁸³ Supreme Court Justices Marshall and Brennan viewed capital punishment unconstitutional under any circumstance. Justice Douglas believed that juries were allowed too much discretion in their decision on who received the death penalty. Justice Stewart agreed with Douglas on jury discretion and that the conviction was not consistent. Justice White saw capital punishment as so infrequent that it could not be used as an effective deterrent. Marquart, Ekland-Olsen, and Sorensen, 129.

²⁸⁴ Marquart, Ekland-Olsen, and Sorensen, 130-131.

²⁸⁵ Marquart, Ekland-Olsen, and Sorensen, 131.

method of lethal injection.²⁸⁶ TDCJ changed to lethal injection on the grounds that it was seen as a more humane method of execution than the electric chair. When lethal injection first started, three drugs were used: sodium thiopental to sedate the inmate, pancuronium bromide to stop the inmate's breathing, and potassium chloride to stop the heart.²⁸⁷

Modern debates over capital punishment emerged as the pharmaceutical companies who produced the drugs used in executions refused to supply them in protest of the death penalty. Texas used the three-drug concoction until July of 2012 when it had to switch to a single massive dose of pentobarbital due to other drug supplies expiring.²⁸⁸ However, in July of 2011, in protesting for human rights the Danish pharmaceutical company Lundbeck, which produced the drug, stopped supplying pentobarbital, originally intended to treat epilepsy, to state correctional institutions that practiced capital

²⁸⁶ Marquart, Ekland-Olsen, and Sorensen, 148.

²⁸⁷ Scott Vollum, et. al, eds. *The Death Penalty: Constitutional Issues, Commentaries and Case Briefs* (New York: Routledge, 2015), 297.

²⁸⁸ See footnote 63 for the debates over the humaneness of single-drug protocol. See footnote 145 for various recent debates over lethal injection. For the issues over the supply lethal injection drugs see: Mike Ward, "Texas' stock of drug for executions running low," *Austin American-Statesman*, February 15, 2012, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/13D0215F7524FEE8?p=AWNB>; Michael Graczyk, Associated Press, "Texas prison system has drugs for 23 executions," *Associated Press State Wire: Texas*, May 18, 2012, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/13EDBFFC6D553980?p=AWNB>; Brandon Scott, "TDCJ to run out of execution drug," *Huntsville Item*, August 2, 2013, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/147EED0451F21208?p=AWNB>; Allan Turner, "CAPITAL PUNISHMENT-Prison stocks stand-in execution drugs as supply dwindles," *Houston Chronicle*, October 9, 2013, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/14957D8E4C517CF8?p=AWNB>; Juergen Baetz, Associated Press, "Europe at origin of chronic US execution dilemma," *Associated Press State Wire: Texas*, February 18, 2014, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/14C0CFC44383A498?p=AWNB>; Michael Graczyk, Associated Press, "APNewsBreak: Texas finds new execution drug supply," *Associated Press State Wire: Texas*, May 20, 2014, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/14CA93661E48AB98?p=AWNB>.

Nomann Merchant, Associated Press, "Texas switches to 1-drug execution due to shortage," *Associated Press State Wire: Texas*, July 10, 2012, accessed June 1, 2015,

<http://infoweb.newsbank.com/resources/doc/nb/news/13FF37DD5CA78E58?p=AWNB>.

punishment to prevent the drug from being used in executions.²⁸⁹ Since then, there have been debates over whether TDCJ will be able to keep a continuous supply of execution drugs and if lethal injection truly is humane.

At the Texas Prison Museum, the death penalty display is hidden at the back of the museum and because of its layout visitors sometimes walk past Old Sparky without seeing it.²⁹⁰ The electric chair stands alone in an alcove that is designed to look like the original death chamber in the Huntsville Unit (See Figure 4.1 and Figure 4.2). Fake brick surrounds the electric chair, with a green door and window behind it to mimic where the executioner stood. A barrier stands in front of the chair, leaving it to stand-alone under a few spotlights. Across from it, a display case holds artifacts of executions, the first lethal injection tubes and the sponge and razor used in electrocutions, along with objects from capital punishment protests (See Figure 4.3). In addition, one panel presents a brief history of capital punishment in Texas; there is a panel with the day-of schedule for the execution of Willie Pondexter, and a panel on facts about Texas executions (See Figures 4.4 through 4.6).²⁹¹ There is also a board that is changed weekly detailing the inmates executed that week in the prison system's history (See Figure 4.7).

Human rights, like most of the "historical base line" of Texas's use of capital punishment provided above, are missing from the Texas Prison Museum's death penalty display.²⁹² Capital punishment is internationally considered a violation of a basic human right, the right to life, and is defined as such in different international documents. This

²⁸⁹ Karin Buhmann, "Damned If You Do, Damned If You Don't? The Lundbeck Case of Pentobarbital, the Guiding Principles on Business and Human Rights, and Competing Human Rights Responsibilities," *Journal of Law, Medicine & Ethics* 40 no. 2 (Summer 2012): 206.

²⁹⁰ In fact, Survey 760055 on November 28, 2014 walked past the electric chair and had to re-enter the museum to continue the survey.

²⁹¹ The panel on Willie Pondexter will be discussed later in this chapter.

²⁹² Iwona Irwin-Zarecka, *Frames of Remembrance: The Dynamics of Collective Memory* (New Brunswick: Transaction Publishers, 1994), 15-16.

right is outlined in Article 3 of the *Universal Declaration of Human Rights* created by the United Nations (U.N.) in 1948, which the United States ratified.²⁹³ The importance of right to life is also written in Article 6 of the U.N.'s *International Covenant on Civil and Political Rights* that was adopted in 1966.²⁹⁴ With this, the practice of death penalty became restricted for each country that ratified the *International Covenant*—the United States ratified it in 1992—and is enforced by the Human Rights Committee.²⁹⁵ Almost ironically, the United States continues to practice capital punishment even though the right to life is defined as an inalienable right in the country's founding document, the *Declaration of Independence* and recognizes its importance in the above-mentioned documents.²⁹⁶ Other nations have realized this inconsistency and have criticized the United States for being a serious human rights violator.²⁹⁷ Indeed, in 2001 the United States even lost its seat on the U.N.'s Human Rights Commission after the country voted against a U.N. resolution for a worldwide moratorium of the death penalty.²⁹⁸

For the reason that the Texas Prison Museum's death penalty display is superficial, visitor reactions to the display create an opportunity to better develop the

²⁹³ Anthony N. Bishop, "The Death Penalty in the United States: An International Human Rights Perspective," *South Texas Law Review* 43 no. 4 (Fall 2002): 1122.

²⁹⁴ Bishop, 1131.

²⁹⁵ Bishop, 1131-33.

²⁹⁶ Buhmann, 207; Matthew D. Mathias, "The Sacralization of the Individual: Human Rights and the Abolition of the Death Penalty," *American Journal of Sociology* 118 no. 5 (January 2013): 1247; Andrew Drilling, "Capital Punishment: The Global Trend toward Abolition and Its Implications for the United States," *Ohio Northern University Law Review* 40 no. 3 (2014): 847.

²⁹⁷ Clare Nullis, "North Korea, Cuba slam U.S. human rights record," *Associated Press Archive*, April 2, 2001, accessed September 7, 2015,

<http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0F8920F7317473B1?p=AWNB>.

²⁹⁸ Houston Chronicle News Services, "World briefs," *Houston Chronicle*, April 26, 2001, accessed September 7, 2001,

<http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ECC8A92029250BD?p=AWNB>; Maggie Farley, "U.S. loses its seat on U.N.'s human rights panel/Groups cite discord over American votes against key initiatives," *Houston Chronicle*, May 4, 2001, accessed September 7, 2001, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ECC8A956BCF3C8A?p=AWNB>; Bishop, 1223.

exhibit. When asked about their impression of the museum's display, many visitors immediately state their judicial, emotional, and social viewpoints on capital punishment and focused on that instead of the actual museum *display*.²⁹⁹ These opinions are meanings visitors associated with the exhibit that were not inspired by the museum itself but triggered by what is on display and were created as part of the visitors' life experiences and their self-identity.³⁰⁰ Indeed, no evidence exists showing that visitors equally respond to or submissively accept what is on display to them. The meaning visitors assign to displays is created through the "memories, expertise, viewpoint, assumptions, and connections" that they bring with them.³⁰¹ It is important to note that these meanings are made whether the individual is aware or not and becomes a part of their identity.³⁰² Since visitors willingly expressed their diverse viewpoints, this creates a way for the museum to know what aspects of the death penalty are important to them. Even though visitor responses can be broadly divided into emotional, legal/political, and thanatopsis or reflections on death, often the lines between these categories overlap.

The alcove in which Old Sparky resides is the stimulus for visitors to have emotional, and more specific, diverse thanatopsis reactions. The contemplations visitors had of death when seeing Old Sparky comprised of the death experienced by those executed, the effect of the inmate's execution of their family, and also reflection on the

²⁹⁹ It was to the survey questions, "What was your immediate reaction to seeing the electric chair," and "What do you think of the death penalty display," and "What do you think visitors are supposed to take away from the death penalty display?" that visitors responded in this way. Over a third of survey respondents explicitly and implicitly discussed their political opinions of the death penalty, and many of these visitors used their viewpoints to answer more than one of the above questions. See the Appendix for the list of all survey questions.

³⁰⁰ Jem Fraser, "Museums-Drama, Ritual, and Power," in *Museum Revolutions: How museums change and are changed*, eds. Simon J. Knell, Suzanne MacLeod, and Sheila Watson (New York: Routledge, 2007), 294.

³⁰¹ Urry, 54; Stephen E. Weil, *Making Museums Matter*, 212.

³⁰² Fraser, 299.

visitor's own future death experience. Anxiety about death can be the psychological prompt for visitors to experience thanatopsis. This anxiety includes a multi-layered fear of enduring pain with death through "the experience of dying, the loss of loved ones [and] anxiety for those who are left behind," making the anxiety both physical and emotional.³⁰³ Visitors mirrored this apprehension by thinking of their greatest fears when seeing the electric chair.³⁰⁴ All of their fears dealt with death in some fashion, whether it was being murdered, not being able to die, or "being fried in the electric chair." Some visitors did not want any contact with the electric chair and described the display as scary. Their reaction exhibits just one of several types of thanatopsis responses visitors had to the electric chair where they experienced a nervousness about their own personal death instead of the death of the inmate.

To counteract the uneasiness of confronting death when seeing the electric chair, museum visitors created a one-dimensional detached outlook by viewing death through the lens of medicine.³⁰⁵ Visitors created a sanitizing false sense of protection from death and were able to mentally distance themselves from the knowledge of executions.³⁰⁶ Visitors reacted to Old Sparky by "almost look[ing] at it like in a weird way of somebody going through a procedure, a medical procedure, almost cause its kind of its very medical with the gurney and the IV and everything."³⁰⁷ This reaction illuminates one of the various ways of mental separation people try to achieve from troubling subjects. The

³⁰³ Hugh Willmott, "Death. So What? Sociology, sequestration and emancipation," *The Sociological Review* 48 no. 4 (November 2000): 650.

³⁰⁴ Survey 760035 on November 28, 2014; Raymond L. M. Lee, "Modernity, Death, and the Self: Disenchantment of Death and Symbols of Bereavement," *Illness, Crisis & Loss* 10 no. 2 (April 2002): 92.

³⁰⁵ Lee, 92.

³⁰⁶ Lee, 92.

³⁰⁷ Survey 760047 on November 28, 2014.

above visitor is not wrong in viewing lethal injection as a medical process for it is one.³⁰⁸

But by focusing in on that one fact, visitors can disguise an execution as something else like anesthesia for an operation, taking away its connection to death.

Categorizing lethal injection as “weird,” like the above visitor, is another strategy to abate the current process of capital punishment. “Weird” inherently marks something as unnatural, bizarre, or odd. When connected to the death penalty, “weird” means that death by execution is unusual, therefore does not commonly happen, providing assurance to visitors that they will most likely never experience it. By looking at an execution as “It’ll never happen to me,” visitors distance themselves from having a connection to the electric chair and can also serve as an explanation for an absence of reaction to seeing the electric chair.³⁰⁹ In being considered unusual, the death penalty display can make visitors feel a sense of reassurance; as long as they remain law-abiding citizens, they will not get executed.³¹⁰ Indeed, survey respondents reflected on hypothetical life choices after seeing Old Sparky: “if I go [to prison], which I hope I don’t, I’m not going as long as I don’t commit a stupid crime, I’m not going to get my veins pumped. Like if I stole something

³⁰⁸ It is because lethal injection is a medical process that medical staff participating in an execution or in a capital case as expert witness has become controversial. See: William J. Curran and Ward Casscells, “The Ethics of Medical Participation in Capital Punishment by Intravenous Drug Injection,” *The New England Journal of Medicine* 302 no. 4 (1980): 226-230; R.D. Truog, I. G. Cohen, and M.A. Rockoff, “Physicians, medical ethics, and execution by lethal injection,” *JAMA* 311 no. 23 (June 18, 2014): 2375-2376; Paul Litton, “Physician Participation in Executions, the Morality of Capital Punishment, and the Practical Implications of Their Relationship,” *Journal of Law, Medicine & Ethics* 41 no. 1 (Spring 2013): 333-352; Abraham L. Halpern and Alfred M. Freedman, “Participation by physicians in legal executions in the USA: An update,” *Current Opinion in Psychiatry* 15 no. 6 (November 2002) 605-609; “The Medical Ethics of the Death Penalty,” Day to Day [NPR] (USA), February 21, 2006, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/15751A6F0BD7C8B8?p=AWNB>; “AMA Opposes Physician Involvement in Executions,” *U.S. Newswire (USA)*, February 17, 2006, accessed September 7, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/1102888C86357270?p=AWNB>.

³⁰⁹ Mellor and Shilling, 425.

³¹⁰ Mellor and Shilling, 426.

I'm going to go gonna do my time, I'm gonna learn, go back and hopefully make a better choice with my life.”³¹¹

The euphemism of labeling executions as unusual or odd is also a way visitors responded when they were not sure *how* to react when seeing Old Sparky for they do not personally have ontological security. When facing death of others, individuals often feel insecure and try to “shun the dying.”³¹² Using humor or placing death in a less grim perspective is a way people counteract its uncertainties.³¹³ Visitors did this by mocking the situation when seeing the electric chair: “I want to take a picture with...like I want to make fun of it. Take a selfie and take...you know, say something funny. So I don't know what that means. Because I thought it was so weird. Made me feel weird. Just seeing it in real life.”³¹⁴ Even when recounting their reaction, this visitor was still uneasy about their reaction to the electric chair and did not comprehend the way they reacted. In this instance, calling Old Sparky weird, could infer unfamiliarity between the visitor and the electric chair. Old Sparky has not been the method of electrocution in Texas since 1964 and therefore many of the museum's visitors are not as familiar with its dynamics as they are with the use of hypodermic needles in lethal injection. This also desensitizes the electric chair as it is no longer used and therefore is not familiar to today's society. It is this distance in time that buttresses the Texas Prison Museum's director James Willett in the ethics of displaying the electric chair.³¹⁵

³¹¹ Survey 760036 on November 28, 2014.

³¹² Mellor and Shilling, 417.

³¹³ Lynne Ann DeSpelder and Albert Lee Strickland, *The Last Dance: Encountering Death and Dying* (Palo Alto, California: Mayfield Publishing Company: 1983), 20-21.

³¹⁴ Survey 760057 on November 29, 2014.

³¹⁵ James Willett interview.

By exhibiting Old Sparky, the Texas Prison Museum blurs the line between a site associated with death and a location of death.³¹⁶ The Texas Prison Museum is a site associated with death on the account of the display of Old Sparky and capital punishment and since death is mentioned throughout the museum. This association is further reinforced due to the museum being about the Texas prison system, which is known for its death penalty enthusiasm. Huntsville, Texas is the “ground zero for capital punishment” and the “nation’s busiest execution chamber.”³¹⁷ Texas’s noted support for capital punishment is attributed with the state’s “history of frontier justice, a law-and-order culture and conservative politics.”³¹⁸ However, as a result of the original electric chair being on a display, Old Sparky is a physical location of death within a museum associated with death. The fact that Old Sparky was the actual article where executions happened provoked poignant reactions as well:

³¹⁶ Stone, “A Dark Tourism Spectrum,” 151-3.

³¹⁷ Ned Walpin, “Why is Texas #1 in Executions?,” *Frontline Online, PBS*, n.d. accessed February 3, 2015, <http://www.pbs.org/wgbh/pages/frontline/shows/execution/readings/texas.html>; Fernandez and Schwartz, “Confronted on Execution,” accessed February 3, 2015.

³¹⁸ Furthermore, when the prison museum first opened in 1989, it was understood that the electric chair would be of “great public interest” and serve as a “center piece for the museum,” Pierce interview.

Associated Press, “Support for death penalty still strong in Texas,” *NBC News*, updated January 4, 2008, accessed February 3, 2015, http://www.nbcnews.com/id/22508248/ns/us_news-crime_and_courts/t/support-death-penalty-still-strong-texas/.

Reasons for Texas’s high number of executions are also linked to the dynamics of its judicial system. It is narrowed to three specific judicial procedures unique to Texas: the election of appellate judges, the use of court-appointed lawyers indigent defendants, and that “until the early 1990s, Texas did not permit jurors to adequately consider mitigating evidence in the sentencing phase of a trial.” Walpin, “Why is Texas #1,” accessed February 3, 2015.

For other articles dealing with Texas and the death penalty see: Brain Hughes, “Gov. Rick Perry defends death penalty in Texas,” *Washington Examiner*, May 4, 2014, accessed February 3, 2015, <http://www.washingtonexaminer.com/gov.-rick-perry-defends-death-penalty-in-texas/article/2548027>; Tim Cole, “The Death Penalty Has a Face: A DA’s Personal Story,” *Texas Monthly*, March 18, 2013, accessed February 3, 2015, <http://www.texasmonthly.com/story/death-penalty-has-face-da%E2%80%99s-personal-story>; “Support for death penalty stable in US as Texas approaches 500th execution,” *Euro News*, November 6, 2013, accessed February 3, 2015, <http://www.euronews.com/2013/06/11/texas-approaching-500th-execution-support-for-death-penalty-stable-in-us/>; David R. Dow, “Why Texas is so Good at the Death Penalty,” *POLITICO Magazine*, May 15, 2014, accessed February 3, 2015, http://www.politico.com/magazine/story/2014/05/texas-death-penalty-106736_full.html?print.

My first reaction was like oh my gosh there were people that were sitting in that chair and *it was always used* [emphasis mine]. It's not like a gurney where you change the sheets. This is a chair that they sat in and people were killed eventually so I mean it was very thought provoking looking at realizing that people were killed in now they were sentenced to die I mean it wasn't like being murdered but I thought that was pretty ominous seeing that electric chair.³¹⁹

Furthermore, the genuineness of the electric chair helps the prison museum

Furthermore, the genuineness of the electric chair helps the Texas Prison Museum reinforce its own historical authority and legitimacy. Visitors are more captivated by three-dimensional objects because they are physical evidence that something happened.³²⁰ That is exactly what the electric chair is to the above visitor: visible and physical evidence that electrocutions happened in *that chair* five feet from them and that electrocutions are vastly different from lethal injection. The major difference that visitor saw between lethal injection and electrocution was that the object inmates physically touched did not change. The sheets on the gurney used in lethal injections are cleaned and changed after each execution, while on the opposite end it is unknown if the electric chair was cleaned or wiped down after each execution.³²¹ The electric chair is permanently “polluted” from the inmate’s death in that the electric chair was not physically or metaphorically *cleaned* of the death that happened in it.³²² Further, the above visitor emphasizes the authenticity of the electric chair by stating that they would not have found Old Sparky as “haunting” if the chair had been a replica.³²³

³¹⁹ Survey 760047 on November 28, 2014.

³²⁰ Stephen E. Weil, 206.

³²¹ James Willet, e-mail to author, May 6, 2015; Sandra Rogers, e-mail to author, May 4, 2015.

³²² Here the word “pollution” is used the Greek mythology sense. In Greek society “pollution” referred to an invisible stain left on a person who in popular examples commits murder or some other social or moral taboo. However, here it is being extended to the electric chair *itself* being a “polluted” object because of the deaths that occurred there and are associated with it. Arthur W.H. Adkins, *Merit and Responsibility: A Study in Greek Values* (London: Oxford University Press, 1960), 88.

³²³ Old Sparky is an example of the scholarly debate over the word “authenticity” and the conflicting ideologies of its definition for visitors used a variety of means to reinforce its genuineness. With Old Sparky the modernist, constructive, and post-modern definitions of “authenticity” are blurred. The

Varying from previously discussed reactions, some visitors empathized with the family members of those executed, which shows a personal ontological strength for they were able to attempt to relate to those connected to executions. Social relationships are part of personal identity and since death damages personal relationships, identities face a crisis with the death of a friend or loved one.³²⁴ In trying to understand the experiences of family members, a few visitors voiced their thought process for the families' rationalization of witnessing an execution: "Yeah, how did people sit and watch those? Ugh especially family members. Oh my gosh, I don't know how you could do that. I guess you'd have to be there for them [the inmate]. I guess that's what it is. You just have to be there for them."³²⁵ These visitors placed themselves in the families' position, looking beyond their own thanatopsis reflections, and focused on providing the emotional comfort for the inmate being executed. An attempt to understand the effect of executions on social relations is seen with museum visitors empathizing with the families:

from the standpoint of the person in the chair or getting the lethal injection and thinking to about the families watching um both the families of the person being executed and the ones the crime was done against... I just really try to connect and when I saw that chair it was instantaneous. You know really um startling but heart rendering.³²⁶

objectivity of Old Sparky makes it authentic in the modernist definition, the social beliefs of both pro- and anti- death penalty viewpoints create its authenticity for constructionists, and the visitors who had no reaction to Old Sparky reinforced the ideology of postmodernists. Reisinger and Steiner, 66, 69, and 72. For more information on the scholarly debate over the use of the word "authenticity" see: Siân Jones, "Negotiating Authentic Objects and Authentic Selves: Beyond the Deconstruction of Authenticity," *Journal of Material Culture* 15 no. 2 (2010): 181-203; Deepak Chhabra, Robert Healy, and Erin Sills, "Staged Authenticity and Heritage Tourism" *Annals of Tourism Research* 30 no. 3 (2003): 702-719; Ning Wang, "Rethinking Authenticity in Tourism Experience," *Annals of Tourism Research* 26 no. 2 (1999): 340-370; Edward M. Bruner, "Abraham Lincoln as Authentic Reproduction: A Critique of Postmodernism" *American Anthropologist* 96 no. 2 (1994): 397-415; Gianna M. Moscardo and Philip L. Pearce, "Historic Theme Parks: An Australian Experience in Authenticity," *Annals of Tourism Research* 13 no. 3 (1986): 467-479.

Survey 760062 on November 29, 2014.

³²⁴ Lee, 97.

³²⁵ Survey 760043 on November 28, 2014.

³²⁶ Survey 760052 on November 28, 2014.

Visitors looked to the long-lasting consequences of an execution instead of narrowing in on its immediate affects, allowing them to develop empathy towards the family members of the executed and the victims. The emotional connection visitors had with family members alludes to a belief that only moral citizens deserve empathy.³²⁷ Although visitors felt empathy with family members, there was little of the emotion shown towards the inmates who were executed. Even when visitors considered execution as a bad death, it was considered so by reason of the execution process, not with consideration to the inmate's experience.

Contrary to those who emotionally connected with the electric chair, a handful of visitors did not have an impassioned reaction resulting from the societal desensitization or disconnect with Old Sparky. "[Old Sparky] wasn't as terrifying as I thought it would be. I thought it look[ed] just like an ordinary chair. It didn't look as if it was a terrifying piece of equipment."³²⁸ Today, Western society encounters death through a variety of means including television, newspapers, mass media, movies, and video games, and often the deaths are brutal or graphically depicted.³²⁹ With this recurring exposure to violent deaths, the powerful nature of them becomes an involuntary basis for comparison when seeing the electric chair. Visitors did not react to seeing the electric chair for the reason that it "is seen enough in movies and television shows and its not really shocking, no pun

³²⁷ Arnold-de Simine, 45.

³²⁸ Survey 760064 on November 29, 2014.

³²⁹ For information on the desensitization of violence and death see: Erica Scharrer, "Media Exposure and Sensitivity to Violence in News Reports: Evidence of Desensitization," *Journalism and Mass Communication Quarterly* 85 no. 2 (Summer 2008), 291-310; Sylvie Mrug, Anjana Madan, Edwin Cook, and Rex Wright, "Emotional and Physiological Desensitization to Real-Life and Movie Violence," *Journal of Youth and Adolescence* 44 no. 5 (May 2015), 1092-1108; Stacy L. Smith and Edward Donnerstein, "Harmful effects of exposure to media violence: Learning of aggression, emotional desensitization, and fear," in *Human Aggression: Theories, Research, and Implication for Social Policy*, ed. Russell Geen and Edward Donnerstein (San Deigo: Academic Press, 1998), 167-202; Jeanne Funk Brockmyer, "Media Violence, desensitization, and psychological engagement," in *The Oxford Handbook of Media Psychology*, ed. Karen E. Dill (New York: Oxford University Press, 2013), 212-222.

intended.”³³⁰ Unlike visitors who joked about the electric chair as a way to emotionally distance themselves, this visitor made light of the electric chair for they view the electric chair as inconsequential. They were not deriding the electric chair to try to create an emotional distance but because they did not consider it a crucial object. A few even used movies like *The Green Mile* to reinforce Old Sparky’s “authenticity”: “the electric chair both made me think of whats that movie called, The Green Mile. I instantly thought of that and I was like cool they actually did that.”³³¹

There are various forms of desensitization of the electric chair due to it no longer being a method of execution. Capital punishment has been sanitized as a result of executions no longer being the public spectacle they were in the 1800s and are instead restricted to a limited number of the press and family members of both the victim and the inmate.³³² For example, it did not unnerve museum patrons that children saw the electric chair. This acknowledges that Old Sparky is not seen as a threat to a child’s innocence even though Western societies try to hide children from the reality of death to protect their virtue.³³³ Moreover, it reinforces the amount of disconnect that exists in society with the electric chair if it is morally unquestioned for children to see or learn about it.³³⁴ Visitors regarded the electric chair as educational, rather than as too brutal for children to see.³³⁵ However, the detachment with Old Sparky is not completely absent for one visitor objected to displaying the electric chair believing it was an “instrument of death” and

³³⁰ Survey 760045 on November 28, 2014.

³³¹ Survey 760053 on November 28, 2014.

³³² Costanzo and White, 5.

³³³ Mellor and Shilling, 421-422.

³³⁴ Interestingly the first time the author saw someone voice opposition to children seeing the electric chair happened during a question and answer session at a conference. The previous chapter was presented at the East Texas Historical Association’s Annual Fall Meeting in 2014. Audience members had several questions about the Texas Prison Museum and after finding out that school children of various ages see the electric chair, one audience member displayed verbal disgust at the fact.

³³⁵ Survey 760061 on November 29, 2014.

should not be used as a tourist attraction.³³⁶ Discovering that people wanted to touch the electric chair or make fun of it equally disgusted this visitor. A surprising lack in visitor reactions was that religion was never mentioned as a reason for one's opinion of the death penalty. As previously mentioned, visitors often openly discussed their political viewpoints on capital punishment but a religious reasoning did not appear. The insignificance of religion among visitors correlates with a Gallup survey that found religion did not impact one's support for the death penalty.³³⁷ This lack of religious justification could be explained by the decreasing role religion plays in Western society and culture.³³⁸

In contrast to the emotional and thanatopsis responses, some visitors reacted to Old Sparky with a strong legal mentality that widely ignored human rights. In their discussions, visitors varied on the aspects of an inmates' innocence and disagreed over issues related to the guilt and innocence of an inmate. Museum patrons wondered about the number of innocent people put on death row whereas others did not think a possibility of innocent people getting executed exists. They believed this on the grounds that the legal process itself effectively erases the possibility of an innocent person being executed.³³⁹ Equally important, they supported the death penalty once a person had been convicted. One visitor argued that there are "all these opportunities for plea-bargains" and that "you have to be pretty dumb to wind up getting a death penalty."³⁴⁰ Given the context of the visitors' faith in the legal system, the meaning behind the use of the word "dumb" indicates a belief that a person did not fully use the legal system to their benefit

³³⁶ Survey 760059 on November 29, 2014.

³³⁷ "Support for Death Penalty Stable in US as Texas Approaches 500th Execution."

³³⁸ Mellor and Shilling, 424.

³³⁹ Survey 760056 on November 29, 2014 and Survey 760054 on November 28, 2014.

³⁴⁰ Survey 760054 on November 28, 2014.

if they received a death penalty. In addition, this opinion developed from the fact that a great number of death penalty convictions and sentences are overturned in appeals.³⁴¹

The visitors continued to argue that once someone is convicted “there’s no doubt” of their guilt. They further advanced their viewpoint on the execution of innocents with the evolution of DNA evidence by stating, “sure in the past we probably executed a few people that should not have been executed” but as “stuff progresses that’s gonna become fewer and fewer.”³⁴² The contradicting faith placed in the legal system by visitors is telling. While they view the possible execution of innocent people as a necessary step towards the progress of Texas’ justice system, at the same time they had stated that the legal system prevents the possibility of innocents being executed. The opinions expressed by visitors reflect Gallup polls taken in the 1990s where “77% support for the death penalty only drop[ped] to 74% when respondents were asked to assume that 1 out of every 100 people sentenced to death were actually innocent.”³⁴³ Indeed, 40 percent of death penalty supporters were firm in their opinion despite the chance of executing an innocent person.³⁴⁴ Certainly this sheds light on those who support the death penalty based on personal values not affected by the efficiency of capital punishment.³⁴⁵ This legal mindset is such a strong aspect of some visitors’ identities that the only thing that

³⁴¹ Mark Costanzo and Lawrence T. White, “An Overview of the Death Penalty and Capital Trials: History, Current Status, Legal Procedures, and Cost,” *Journal of Social Issues* 50 no. 2 (1994): 13.

³⁴² The rise of DNA exonerations in the late 1990s actually caused public waiver over the accuracy of the justice system and the risk of executing an innocent person. From 1970 to 2000, these exonerations resulted in eighty innocent people being released from death row. Since 1977, 13 people were found innocent and released from Texas’s death row. Carol S. Steiker and Jordan M. Steiker, “The Death Penalty and Mass Incarceration: Convergences and Divergences,” *American Journal of Criminal Law* 41 no. 2 (Spring 2014): 198; Drilling, 859; “Innocence Database,” Death Penalty Information Center, accessed September 7, 2015, http://www.deathpenaltyinfo.org/innocence?inno_name=&exonerated=&state_innocence=40&race=All&dna=All.

Survey 760054 on November 28, 2014.

³⁴³ Paul S. Leighton, “Televising Executions, Primetime “Live”?,” *The Justice Professional* 12 (1999): 192.

³⁴⁴ Longmire, 107.

³⁴⁵ Vollum, Longmire, and Buffington-Vollum, 540.

disturbs them is “the length of time it takes between conviction and execution” due to its cost.³⁴⁶

In overlooking the human rights debates of the death penalty, visitors showed a strong sense of retributive justice. For some visitors, the underlying issue with lethal injection was that inmates are not conscious during their execution since they are sedated first, whereas during an electrocution the inmate is aware through the entire process. A belief in the “an eye for an eye” rationalization from the Code of Hammurabi for capital punishment is evident when visitors considered lethal injection too humane “because [the inmate] didn’t treat their victims humanely.”³⁴⁷ This is a strictly retributive ideology towards penology where by punishing inmates creates a sense of balance and moral order in society for the crime committed.³⁴⁸ The extent of this punitive justice is seen when some visitors believed “they otta crank that electric chair back up, lethal injection is too easy a way.”³⁴⁹

While some visitors expressed a strong retributive sense of justice, others mirrored current debates over capital punishment in mediating over the humaneness of executions. With each execution process, new questions are raised as to whether they are humane to the inmate.³⁵⁰ Visitors reflected on the history of capital punishment in the United States in trying to understand how execution processes have changed: “I think that the country as a whole has tried to move from a violent and to somewhat of a humane [method] and there’s no humane way, truly humane way, to end life.”³⁵¹ During the

³⁴⁶ Survey 760054 on November 28, 2014.

³⁴⁷ Survey 760054 on November 28, 2014.

³⁴⁸ Todd R. Clear, *Harm in American Penology: Offenders, Victims, and Their Communities* (Albany: State University of New York Press, 1994), 9-10.

³⁴⁹ James Willett interview; Survey 760041 on November 28, 2014.

³⁵⁰ Costanzo and White, 5.

³⁵¹ Survey 760045 on November 28, 2014.

Twentieth Century, older and inhumane execution methods were replaced with what were considered more humane forms, diverging from the original methods practiced in the United States of hanging, to electrocution, lethal gas, and then lethal injections.³⁵² The varied definitions of what is considered to be humane echo the Supreme Court's opinion that the 8th Amendment outlawing the use of cruel and unusual punishment "evolves 'as public opinion becomes enlightened by a humane justice'," and as justice changes, the viewpoints on a humane justice change as well.³⁵³ More recently, the possibility of inmates experiencing pain during a lethal injection has become a subject in 8th Amendment debates. The importance put on our physical bodies—which includes pain—to define ourselves has increased in modernity and can serve as explanation for the enlarged debate over inmates suffering pain during an execution as inhumane and unconstitutional.³⁵⁴ This debate recently reached a zenith in the *Glossip v. Gross* (2015) United States Supreme Court case, where the Justices determined that not enough evidence exists to prove inmates suffer pain or harm during a lethal injection execution.

Contrary to this judgement, some visitors believed that lethal injection is inhumane by seeing it as "not a good way to go."³⁵⁵ The identification of lethal injection as a bad way to die refers to a society's definition of a "good death."³⁵⁶ Broadly, a good death refers to the "quality of dying" that lacks "pain, fear, anxiety, loss of control and loneliness" and any avoidable type of emotional, social, or mental distress for both the person and their family.³⁵⁷ Inmates may experience at least one, if not all, of these

³⁵² Costanzo and White, 4.

³⁵³ Vollum, Longmire, and Buffington-Vollum, 523.

³⁵⁴ Mellor and Shilling, 413.

³⁵⁵ Survey 760041 on November 28, 2014.

³⁵⁶ Mellor and Shilling, 423.

³⁵⁷ Simon Woods, "The 'Good Death', Palliative Care and End of Life Ethics," in *A Good Death?: Law and Ethics in Practice*, ed. Lynn Hagger and Simon Woods (Burlington, VT: Ashgate Publishing

emotions while being executed, particularly a lack of control. The inmate has no autonomy over their death for members of a jury determined their fate, which is the basis of how capital punishment violates human rights. The method of lethal injection also creates a contradiction in the postmodern definition of a good death. Medical advances within the past century gave humanity the ability to keep death at bay or prolong it, which created an “element of control” in how one dies.³⁵⁸ However, lethal injection negates the advancement of medicine for it quickens death instead of delaying it.

In reviewing the visitor reactions it is clear that a solid categorization of reactions to Old Sparky cannot be created for visitors have unique and diverse definitions of what the electric chair means and represents to them. As visitors walk through the Texas Prison Museum, they create personal and unique meanings to the museum’s panels, displays, and objects. These meanings were not inspired by the museum itself but triggered by what is on display and were created as part of the visitors’ life experiences and their self-identity.³⁵⁹ It is the *visitor* that creates meaning behind Old Sparky either through “memories, expertise, viewpoint, assumptions, and connections” that they bring and these meanings are made whether the individual is aware or not and becomes a part of their identity.³⁶⁰ This meaning-making is evident in the visitor responses to the electric chair where visitors experienced the “museum drama” of unknowingly challenging their

Company, 2013), 81 and 85; Geoffrey Walters, “Is there such a thing as a good death?,” *Palliative Medicine* 18 (2004): 404; Nico Carpentier and Leen Van Brussel, “On the contingency of death: a discourse-theoretical perspective on the construction of death,” *Critical Discourse Studies* 9 no. 2 (May 2012): 108.

³⁵⁸ Walters, 406.

³⁵⁹ Jem Fraser, “Museums-Drama, Ritual, and Power,” in *Museum Revolutions: How museums change and are changed*, eds. Simon J. Knell, Suzanne MacLeod, and Sheila Watson (New York: Routledge, 2007), 294.

³⁶⁰ Stephen E. Weil, *Making Museums Matter*, 212; Fraser, 299.

own ideologies and ontological securities.³⁶¹ Although the meaning-making process of Old Sparky is dependent on a visitor's stance on the death penalty, their opinions of the punishment cannot be easily summed up to a single reason or as simply being "for" or "against" it.³⁶²

Contrary to various visitor opinions and discussions on the death penalty, the Texas Prison Museum has an implicit and definite pro-death penalty voice that is active through its display of objects in the death penalty case. The decisions of what to display and not to display in the Texas Prison Museum indicate hidden viewpoints that are concealed in the museum's narratives.³⁶³ Of the 17 objects on display in the case, only three deal with the anti-death penalty movement, and are provided with no interpretation and little narrative (See Figure 4.3). The three objects of the movement are a burnt American flag from the Gary Graham execution, a protest sign over the Karla Faye Tucker execution, and a Texas Coalition to Abolish the Death Penalty protest sign. Even though all three of these objects are large and cover a significant portion of the display case, little or no context is provided. Moreover, the Texas Prison Museum wants to evoke a specific reaction to its visitors with the manner in which the objects are displayed.

The burnt American flag is the most provocative and prominent pro-death penalty message in the case. Since the Vietnam War, when anti-war protestors used flag burning as a form of protest, the act has come to mean defiance against American traditions and

³⁶¹ Fraser, 300.

³⁶² Indeed, comprehending the complexity of one's support or opposition to capital punishment is a current area of research in criminal justice. The public's awareness of the legal dynamics of capital punishment and its implementation factors into public opinion of the death penalty. Moreover, many studies have found that public support for capital punishment is directly determined by this knowledge base. Vollum, Longmire, and Buffington-Vollum, 525.

³⁶³ Marstine, 5.

values as well as challenging the political system.³⁶⁴ The Texas Prison Museum reinforces this ideology in the description of the artifact: “Death penalty protestors burned and threw *the American Flag* [emphasis mine] at law enforcement officers during the Gary Graham execution.” It is with the use of “the” and the capitalization “flag” that the Texas Prison Museum expresses its pro-death penalty voice. Making both of these grammar decisions was an active choice of the museum. By using “the American Flag” instead of “an American flag” the museum invokes the symbolic nature of the country’s flag in representing American values and beliefs. Capitalizing the word “flag” to emphasize the importance of the flag and what it signifies reinforces this. By displaying the flag with the accompanying label, the museum portrays death penalty protestors as not holding American values.

The marker for the Karla Faye Tucker protest sign is another area where the Texas Prison Museum voices its support for the death penalty. The museum gives a brief description of where the sign originated but two-thirds of the label discusses the crime committed by Karla Faye Tucker and her importance in the history of the death penalty. No context for the controversial nature of Tucker’s execution is provided.³⁶⁵ The two major details abolitionists focused on in protesting her death sentence was that while in

³⁶⁴ Goldstein, 12.

³⁶⁵ Karla Faye Tucker was executed for the death of two people with a pickax. To see the controversy over Karla Faye Tucker’s execution see: Christy Drennan, “The embodiment of evil? Opinions have changed over pickax murderer Karla Faye Tucker,” *Houston Chronicle*, March 28, 1986; David Theis, “Karla Faye Tucker-Death Throes- Maybe Tucker’s death will prompt our shame,” *Houston Chronicle*, January 18, 1998; Robyn Blumner, “Karla Faye Tucker-Death Throes-Even in death chamber sexism is alive and well,” *Houston Chronicle*, January 18, 1998; Gustav Niebuhr, “Tucker Case May Split Evangelical Christians,” *New York Times*, February 4, 1998; Kathy Walt, “Death penalty’s support plunges to a 30-year low-Karla Faye Tucker’s execution tied to Texans’ attitude change,” *Houston Chronicle*, March 15, 1998. For scholarly work see: Mary Welek Atwell, *Wretched Sisters: Examining Gender and Capital Punishment* (New York: Peter Lang Publishing, Inc., 2007); Joan W. Howarth, “Executing White Masculinities: Learning from Karla Faye Tucker,” *Oregon Law Review* 81 no. 1 (Spring 2002): 183-229; Mary Sigler, “Mercy, Clemency, and the Case of Karla Faye Tucker,” *Ohio State Journal of Criminal Law* 4 no. 2 (Spring 2007): 455-486; Barbara Cruikshank, “Feminism and Punishment,” *Signs* 24 no. 4 Institutions, Regulation, and Social Control (Summer 1999): 1113-1117.

prison, Tucker had a religious revival and she was to be the first woman executed in Texas since the Civil War. Instead of engaging in these debates over Tucker's execution that dealt with the role of religion and women being executed, the museum provides justification for her death. This is also another instance of how one-sided the display is and does not engage in an inmate perspective.³⁶⁶

A minority of the American public opposes the death penalty and is sometimes described as "un-American," which is implicitly displayed in the Texas Prison Museum. The term "un-American" is a distinction used by and among United States citizens to characterize those that have a philosophy that confronts the ideology of American exceptionalism.³⁶⁷ In regards to capital punishment, America is definitely unique. The United States is the only Western country that continues the practice, standing among countries like China, Iran, and Saudi Arabia.³⁶⁸ Even within the nation it is abolished in only 12 states.³⁶⁹ Even though support has decreased since its peak in 1994, there is still a major pro-death penalty sentiment in the United States, and many Americans are

³⁶⁶ Indeed, Karla Faye Tucker was vocal about her experience on death row. See: Christy Drennan, "On death row, pickax murderer finds a 'new life'," *Houston Chronicle*, March 28, 1986, accessed September 3, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED7AC1133DB17D5?p=AWNB>; "Supporters try to prevent woman's execution," *Austin American-Statesman*, June 15, 1992, accessed September 3, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0EAD901436730855?p=AWNB>;

Associated Press, "Woman's execution planned for pickax murders in Texas," *The Pantagraph*, June 20, 1992, accessed September 3, 2015; <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0F21D623524649C9?p=AWNB>; Carol Rust, "Convict's tale told in book," *Houston Chronicle*, July 17, 1992, accessed September 3, 2015, <http://infoweb.newsbank.com.ezproxy.shsu.edu/resources/doc/nb/news/0ED7B1E8AE9C9899?p=AWNB>.

³⁶⁷ Brian Steele, "Inventing Un-America," *Journal of American Studies* 47 no. 4 (November 2013): 887 and 893.

³⁶⁸ Indeed, only eighty-four countries in the world still employ the death penalty, while 111 countries have completely abolished it. Bishop, 1120. Nicolau, 282; Carol S. Steiker, "Capital Punishment and American Exceptionalism," *Oregon Law Review* 81 (2002): 97; David Garland, "Capital Punishment and American Culture," *Punishment & Society* 7 no. 4 (October 2005): 348.

³⁶⁹ Nicolau, 282.

passionate about their support.³⁷⁰ Indeed, museum visitors even expressed ardent approval for the death penalty: “There’s some people that need to be put to sleep...okay she did the crime, [Karla Faye Tucker] found God, now she gets to go meet him...Move people to the front of the line. More people to the front of the line.”³⁷¹ Support for capital punishment is so intense that those who oppose it are portrayed as “pro-criminal” and supportive of moral decay owing to the tough-on-crime ideology in the nation.³⁷² Moreover, the Supreme Court constitutionally justified the legal taking of life in *Gregg v. Georgia* (1976) and more recently with *Glossip v. Gross* (2015). Therefore, since capital punishment abolitionists question a method that is used in the United States and vindicated by the Supreme Court—making it an American act—citizens against the death penalty can become branded as un-American.³⁷³ The Texas Prison Museum indirectly supports this and the death penalty with their descriptions of the anti-death penalty artifacts.

The Texas Prison Museum’s pro-death penalty voice explains the absence of an inmate voice and engagement in the human rights debates over capital punishment in its death penalty display. Reflecting society, the museum alienates inmates for their crimes and through the “penal harm” experienced in prison are seen as no longer having human rights.³⁷⁴ Once committed of a crime the only characteristic to be considered about the

³⁷⁰ Support for capital punishment was at its highest in 1994 with 80 percent and in 2013 was at 63 percent. “Support for death penalty stable in US as Texas approaches 500th execution,” Steiker, 110.

³⁷¹ Survey 760050, November 28, 2014.

³⁷² This ideology is especially strong in Texas and is reflected in Texas sentencing. In the 1970s when this tough-on-crime belief gained momentum, 143.7 per 100,000 Texans were sent to prison while the national rate was 86.9. In the beginning of the 1970s, eight years and five months was the average maximum sentence and by the end of the 1970s it was ten years and seven months. Crouch and Marquart, 120. Steiker, 113-114; Tony G. Poveda, “American Exceptionalism and the Death Penalty,” *Social Justice* 27 no. 2 (2000): 259; Garland, 359.

³⁷³ Steele, 895.

³⁷⁴ Clear, 4.

offender is that they are a wrongdoer and other aspects about their life “disappears into insignificance” as they are permanently marginalized in society.³⁷⁵ The Texas Prison Museum is removing the personal experiences of the death row inmates who are the only ones directly experiencing capital punishment, effectively erasing the human element and human rights controversies of the death penalty. Frew and White contend that heritage sites associated with death need to be precise in their interpretation in order to not belittle the victims or lionize the perpetrator(s).³⁷⁶ For dark tourism sites like locations of murders or mass deaths this assertion makes sense. However, when the argument is placed within prison tourism, which inherently involves inmates, the understanding becomes more opaque. It is with Old Sparky that the line between victim and perpetrator becomes gray making prisoners simultaneously victim and wrongdoer.³⁷⁷ Only the inmates are able to tell their stories and by not including their perspective, the Texas Prison Museum reaffirms the social otherness of inmates.³⁷⁸ The one-sided pro-death penalty presentation and the administrative voice of the Texas Prison Museum reinforce this marginalization within the museum through its object labeling and panels. Moreover, an inmate point of view or discussion of human rights is not possible when a dominant Texas penal system viewpoint equals no protection of life.³⁷⁹

Separate from the death penalty display, the photography exhibit, “Last Statement,” by photographer Barbara Sloan is an effective incorporation of inmate voice

³⁷⁵ Clear, 34; Alexander, 4 and 13.

³⁷⁶ Frew and White, 3.

³⁷⁷ Garton-Smith, 11.

³⁷⁸ Wilson, “Presenting Pentridge,” 125-126.

³⁷⁹ The Texas Prison Museum is not the only prison tourism site facing this dilemma. The Pentridge Prison complex in Australia also faced issues with its historical interpretation as it developed into a commercial and residential area. A historical narrative was needed to maintain a tourist attraction and the chronicle presented became dominated by former prison administration and employees. Like at the Texas Prison Museum, this dominance at Pentridge also marginalizes the stakeholdership of former inmates and the possibility to include their perspectives. Wilson, “Representing Pentridge,” 122.

in the Texas Prison Museum. Sloan photographed family members of those executed or their victims and the exhibit contains these photographs along with the details of the crime the inmate was executed for, the inmate's last statement, and a quote from a family member of either the inmate or the victim of the crime. The photographs are displayed on easels, back-to-back, and visitors can circumnavigate both sides. With the use of the inmate's last statement, visitors are able to discern the offender's feelings towards their crime and the death they are about to face. In addition to giving some voice to the inmates, the families are given a voice in the museum. By allowing visitors to emotionally connect with the families pictured, placing themselves in the families' exclusive ordeal, being able to understand an aspect of the death penalty by connecting it to their own experiences, comprehend another person's pain and empathize with them, visitor compassion is created.³⁸⁰ What is important is that this exhibit can break down the belief that only the morally right deserve empathy by giving voice to inmates and their families. Visitors are able to view the death penalty through the lens of the death row inmates' understanding of their own situation, providing a new analysis on "how people experience, relate to and narrativize the past."³⁸¹

However, the disorganization of the exhibit can prevent visitors from engaging in the photographs or even walk away with incorrect information. Often, visitors first see the photography exhibit when walking through the museum and it is around the corner from the death penalty display. Although the exhibit has a simple layout there is no guide for how visitors are to view the photographs and read the information below the

³⁸⁰ Beth Lord, "From the Document to the Monument: Museums and the philosophy of history," in *Museum Revolutions: How museums change and are changed*, eds. Simon J. Knell, Suzanne MacLeod, and Sheila Watson (New York: Routledge, 2007), 358; Arnold-de Simine, 1.

³⁸¹ Arnold-de Simine, 19.

photographs. The result is that visitors are often confused on who the subject of the photograph is and how they relate to the material below the picture.³⁸² Indeed, visitors were especially perplexed over a photograph of a young boy and who he was supposed to be when he was actually the nephew of an executed inmate.³⁸³ The exhibit shows that executions and even violent crimes affect a wide variety of people, yet this message can be lost in the effort to comprehend the layout of the exhibit. The “Last Statement” exhibit is where the Texas Prison Museum is mediating its original purpose of showing the realities of prison life and moving into new trends in museology. Of those visitors that did mention the “Last Statement” exhibit, several highlighted the exhibit as standing out to them the most in that it revealed whether or not the inmate had remorse for what happened.³⁸⁴ However, those that mentioned it were few and far between probably owing to the poor design of the exhibit.³⁸⁵

Despite the “Last Statement” exhibit, the Texas Prison Museum has a one-sided administrative point of view, which is demonstrated in how the Texas Prison Museum presents the deaths of inmates and prison personnel. For prison personnel who died on duty, the Texas Prison Museum displays their photographs (see Figure 4.8) with a marker giving brief information on their deaths. Furthermore, the Texas Prison Museum memorializes the personnel with overseeing the Fallen Officer Memorial Plaza (see Figure 4.9) where every year the Texas prison system holds a ceremony for those who died and not always at the hands of inmates. The Texas Prison Museum’s presentation of the deaths of prison employees has a marked degree of somberness and respect for their

³⁸² Visitor surveys on November 28, 2014.

³⁸³ Survey 760047 on November 28, 2014.

³⁸⁴ Visitor surveys on November 28 and 29, 2014.

³⁸⁵ Indeed, of 48 visitors who participated in the survey conduct by the author only eleven museum visitors mentioned the exhibit.

deaths. However, the museum does not present an equal amount for inmate deaths. The panel detailing the day-of schedule of Willie Pondexter's execution is an example of this (See Figure 4.5). The layout and use of photographs on the panel present an incorrect impression of how Pondexter's remains were handled after his execution. Pondexter was cremated and not buried at the Captain Joe Byrd Prison Cemetery, which the panel does state. However, for a visitor who is quickly looking at the panel, the correlating photographs of a burial at the cemetery and a Photoshopped tombstone with Pondexter's name make it seem like he was indeed buried there. When Pondexter's wife visited the museum she understood the panel as saying her husband was buried at the prison cemetery and was greatly upset by this. Further, it is noteworthy that the panel was not designed by museum staff but instead filmmaker James Fraioli.³⁸⁶ Fraioli wanted to show inmates being buried at the prison cemetery and since he could not find evidence of an executed person being buried there—even though executed inmates are—he showed Pondexter as being buried there.³⁸⁷ Due to every detail of Pondexter's last day and death is accessible to the public with this panel, his death is treated differently than any of the prison personnel's. The difference in respect given to inmates and prison personnel is shown in the amount of detail provided over their deaths. Moreover, harm is created in showing incorrect information about Pondexter's death and it demonstrates that the museum aligns with the prison system by not fixing the error in the panel. The issue with the Pondexter panel prompts the question of if inmates and guards are represented equally within the museum. As previously mentioned, inmates are seen as "others" and

³⁸⁶ Fraioli filmed an episode titled, "Inside Death Row" for National Geographic Explorer and Pondexter, along with several other inmates appeared in the documentary episode. James O. Fraioli," Internet Movie Database, accessed May 24, 2015, <http://www.imdb.com/name/nm1523164/>.

³⁸⁷ James Willett, electronic note to author, April 22, 2015.

not a part of society, which is implicitly felt in the museum. If uniformity of inmate and guard perspective existed in the museum as it claims on its website, the display for prison guards who died on duty would have similar displays and presentations as the inmates who were executed.³⁸⁸ For instance, on Pondexter's panel, his execution in progress is photographed along with his body being transferred to a hearse and there are no photographs in the Fallen Officer display that are similar. Indeed, the museum does not go into a great amount of detail of the prison personnel's deaths, especially for personnel who died in extremely violent ways.³⁸⁹

The inequality in presenting inmate death is also seen when the Texas Prison Museum trivialized executions when it once sold a kitsch gift shop item of questionable taste that commercialized capital punishment. Weldon Svoboda, director of the Texas Prison Museum from 2001 to 2003, authorized the sale of writing pens in the shape of syringes with a bright green gel inside the pen in the museum's gift shop (see Figure 4.10). Differing from the general definition of kitsch as an item that provokes feelings of sentimentalism, the pens were more to provide humor than nostalgia.³⁹⁰ Similar to souvenirs sold at Ground Zero at the World Trade Center, the lethal injection pens were an example of the "commodification of death" and transformed capital punishment into a

³⁸⁸ On the museum's "About the Museum" page, the museum claims, "it features numerous exhibits detailing the history of the Texas prison system, both from the point of view of the inmates as well as the men and women who worked within the prison walls." "About the Museum," Texas Prison Museum, accessed September 8, 2015, <http://txprisonmuseum.org/about.html>.

³⁸⁹ For instance, prison guard Minnie Houston died when an inmate stabbed her to death fifteen times and the museum does not detail this in the description under her photo.

³⁹⁰ Bert Olivier, "Kitsch and Contemporary Culture," *South African Journal of Art History* 18 (2003): 106; Sam Binkley, "Kitsch as a Repetitive System: A Problem for the Theory of Taste Hierarchy," *Journal of Material Culture* 5 no. 2 (2000): 145; Marita Sturken, *Tourists of History: Memory, Kitsch, and Consumerism from Oklahoma City to Ground Zero* (Durham: Duke University Press, 2007), 22-23.

delight.³⁹¹ A museum's gift shop has the potential to create additional meaning making for visitors.³⁹² However, the purchasing and selling of such pens counteracts this and prevents the understanding of the difficult arguments and dynamics of the death penalty by wanting the pens to be seen as "funny."³⁹³ If a visitor had an engaging experience in the museum, a kitsch item like the lethal injection pens could devalue a confrontation they had with their personal viewpoints on capital punishment by making the guest push aside their emotions in order to appreciate the pen.³⁹⁴ People respond to kitsch items differently and the pens were controversial as museum patrons found them either enjoyable or detestable.³⁹⁵ Strife over the pens even extended to the museum's Board of Trustees where some of the board members were involved in the state executions.³⁹⁶ Indeed, Janice Willett, treasurer of the board at the time, argued against the pens for they contradicted the museum's mission to be educational and argued that the museum should be one of "quality and integrity."³⁹⁷ Eventually, the Texas Prison Museum removed the pens as a result of receiving a letter from the chair of the Texas Board of Corrections. The chair asked the museum to stop selling them because of complaints the Board had received from family members of those executed and other citizens who had visited the museum.³⁹⁸

The issue with selling kitsch items, like the lethal injection pens, at dark tourism sites is that it trivializes the site or museum as a whole and can cross a line of what is

³⁹¹ Tracey J. Potts, "'Dark tourism' and the 'kitschification of 9/11,'" *Tourist Studies* 12 no. 3 (2012): 233-234.

³⁹² Jane Brown, "Dark Tourism Shops: Selling 'Dark' and 'Difficult' Products," *International Journal of Culture, Tourism, and Hospitality Research* 7 no. 3 (2013): 272.

³⁹³ Potts, 234.

³⁹⁴ Bert, 107-108.

³⁹⁵ Bert, 106; Janice Willett, interview.

³⁹⁶ Bull interview.

³⁹⁷ Janice Willett interview.

³⁹⁸ Janice Willett interview; Bull interview.

considered decent.³⁹⁹ At the Texas Prison Museum, the kitsch lethal injection pen belittled the executed inmate and victim's life, the wider debates around capital punishment, and the mission of the museum. Furthermore, the selling of the pens made an antic of what could be considered the most serious aspect of the museum, capital punishment.⁴⁰⁰ At other dark tourism sites, like Auschwitz, the International Slavery Museum, and the Imperial War Museum North, merchandise that address the most delicate topics are only sold as books in their gift shops.⁴⁰¹ Doing this allows their gift shops to reflect the museums' mission of being a place of knowledge instead of being a place of obvious commercialism that contradicts a museum's duty.⁴⁰² Unfortunately, with the Texas Prison Museum, this example is one where consumerism outweighed the importance of the museum's values to be a place of "education, quality, and integrity."⁴⁰³

In conclusion, the Texas Prison Museum's death penalty display is harmful due to the lack of major subjects such as human rights and current debates over lethal injection from the display. The omission of these topics cause misinformation and could not have been accidentally overlooked by museum staff.⁴⁰⁴ It is noteworthy that several of the missing topics were brought up by visitors who participated in a survey conducted in November of 2014. All of these topics are crucial debates or aspects of the history of executions in Texas and need to be presented in the museum. Debates over the purpose of a museum revolve around knowledge, entertainment, or memorialization. Of these, the

³⁹⁹ Potts, 236; Brown, 273.

⁴⁰⁰ Brown, 277.

⁴⁰¹ Brown, 278.

⁴⁰² Brown, 278.

⁴⁰³ "About the Museum," Texas Prison Museum, accessed September 6, 2015, <http://txprisonmuseum.org/about.html>.

⁴⁰⁴ Other topics missing from the display are women being executed, the Supreme Court decisions concerning capital punishment, including being deemed unconstitutional, the reinstatement of executions in Texas, the history of lethal injection, juveniles being executed, the wording of the 8th Amendment and how it applies to capital punishment, and the debate over the cost of executions versus life in prison.

Texas Prison Museum focuses on the passing of knowledge to its visitors, but the knowledge is one that is authoritative and of stagnant information.⁴⁰⁵ The lack of panels covering provoking topics about the death penalty falls in line with a belief that museums should validate visitor ideologies.⁴⁰⁶ This is the underlying explanation as to why some visitors did not find issue with the display for it affirmed their opinion of capital punishment.⁴⁰⁷

The stagnant presentation of information and confirmation of visitor beliefs counteracts a recent trend in museology where museums are to be sites of change and reflect on current events and issues.⁴⁰⁸ Museums can and should be areas of public discourse where controversial ideas and topics can be openly discussed and create learning experiences where visitors can have emotional reactions that allow them to empathize and personally relate with what is on display.⁴⁰⁹ If the Texas Prison Museum truly wants to educate its visitors, it needs to present the darker side of an already somber discussion, especially since its visitors are already doing so. With narratives that address the various aspects of capital punishment, visitors can engage with the different focal points of its history and not only realize different viewpoints but also develop informed opinions on legally taking human life. By engaging in this form of museology, the Texas Prison Museum can demonstrate to its visitors the intricacy of capital punishment and how it connects with issues such as, human rights, and possibly spark “active political

⁴⁰⁵ Indeed, the Texas Prison Museum’s exhibits and panels have not been regularly updated or rotated since the museum opened at its current location in 2002. Eilean Hooper-Greenhill, *Museums and Education: Purpose, Pedagogy, Performance* (New York: Routledge, 2007), 1.

⁴⁰⁶ Weil, 206.

⁴⁰⁷ Weil, 207.

⁴⁰⁸ Emmanuel N. Arinze, “The Role of the Museum in Society” (public lecture, National Museum, Georgetown, Guyana, May 17, 1999).

⁴⁰⁹ Weil, 208; Arnold-de Simine, 8; Andermann and Arnold-de Simine, 7.

engagement.”⁴¹⁰ Furthermore, the Texas Prison Museum may better achieve its mission by participating in a pedagogy that employs an arrangement of auditory, visual, and kinesthetic learning techniques in order for visitors to process history so that they can better understand themselves and the world around them.⁴¹¹

In having a multi-layered display, visitors can better comprehend the complexity of the death penalty and its various human rights issues. Including human rights in the Texas Prison Museum’s display is not only important for its fundamental link with the death penalty but also for the fact that the United States’ use of capital punishment contradicts its stance of being “the world’s leader in support of human rights.”⁴¹² This inevitably defines the boundaries of society itself and creates a negotiation of the cultural value of human rights.⁴¹³ Being located in the epicenter of the prison system that executes the most prisoners, the Texas Prison Museum is an ideal stage for its visitors to engage in a discussion on the human rights issues of the death penalty and the effects of the nation’s pro-death penalty opinion both domestically and internationally.⁴¹⁴

Harm is created in having a superficial presentation for it prevents visitors from fully understanding the diverse issues and complicated history of capital punishment, its connection to human rights, and how and why these are still relevant in today’s debates over the death penalty. Moreover, since anxiety towards death is not universal, the presentation of something dealing with death, like capital punishment, should not be

⁴¹⁰ Zerubavel, 240; Arnold-de Simine, 13.

⁴¹¹ Fraser, 299; Bond and Falk, 430.

⁴¹² Drilling, 865; Bishop, 1118.

⁴¹³ Homi K. Bhabha, *The Location of Culture* (New York: Routledge, 1994), 2.

⁴¹⁴ One already existing consequence of the United States’s pro-death penalty viewpoints is that it has made it difficult for the country to engage in successful diplomacy. Foreign countries have also refused to extradite criminals to the United States if they were to be given the death penalty. With the example of Lundbeck, the United States’s economy could also become affected as anti-death penalty nations or corporations refuse to trade with the United States. Bishop, 1222-1224.

superficial.⁴¹⁵ It is with reactions to Old Sparky that visitors experienced the “museum drama” where they confronted their personal ideologies, values, and ontological securities.⁴¹⁶ By way of engaging in a model where the elements of identity, transaction, ritual, and power are broken down, the Texas Prison Museum would allow its visitors to reflect on their own beliefs and identity and how they affect others and their society.⁴¹⁷ Unfortunately, the stagnant information may remain for the current president of the museum’s Board of Trustees does not want to create a public forum of the death penalty display.⁴¹⁸ As a consequence, the administrative voice of the Texas prison system will remain dominant in the Texas Prison Museum.

⁴¹⁵ Willmott, 657.

⁴¹⁶ Fraser, 300.

⁴¹⁷ Fraser, 297; Bond and Falk, 430

⁴¹⁸ Martin interview.

CHAPTER V

Conclusion

The Texas Prison Museum has given great power to the Texas Department of Criminal Justice in how its history is represented in the museum. As a consequence of the Texas Prison Museum's strong relationship with TDCJ, the museum has become detached from certain realities of the prison system's history and does not scrutinize the prison system's history.⁴¹⁹ The narratives that are being remembered in the museum are from a TDCJ administrative history. The Texas Prison Museum acts as a "cohesive force" for the collective memory of the prison system's employees, and solidifies a particular history of the Texas prison system.⁴²⁰ This is evident in the museum's panel titled "Prison Gangs" (See Figure 5.1). When discussing the rise of inmate gangs in TDCJ the panel criticizes *Lamar v. Coffield* (1977), *Guajardo v. Estelle* (1983), and *Ruiz v. Estelle* for creating the environment for gangs to take hold. Each one of these cases resulted in inmates obtaining more rights and the panel's wording implies the viewpoint that inmates receiving more rights simply cause chaos. The panel fails to mention the back regions of sexual and physical violence caused by building tenders, which were deemed unconstitutional in *Ruiz*. Moreover, the panel's claim that desegregating inmates in *Lamar* caused an influx of race-based gang violence has been proven false in scholarly work.⁴²¹ This error highlights the stagnant presentation of information in the Texas Prison Museum and brings the accuracy of the museum's panels into question.

⁴¹⁹ Marstine, 26; Steven C. Dubin, *Displays of Power: Memory and Amnesia in the American Museum* (New York: New York University Press, 1999), 3.

⁴²⁰ Andermann and Arnold-de Simine, 9; Garton-Smith, 11.

⁴²¹ See: Chad R. Trulson and James W. Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009).

The familiarity the museum has with the prison system through personnel contributes to the nuanced ways TDCJ has a presence in the museum and generates repercussions. The personal experiences employees and board members had with the prison system become intertwined with TDCJ's history, making it their personal history.⁴²² While this connection and involvement allows the museum to successfully present the front regions of modern day prison life, the history of the prison system gets overshadowed. Furthermore, the Texas Prison Museum not only represents TDCJ's history but also perceptions of how the prison system is run and how its major participants, personnel and inmates, act.⁴²³ The museum's familiarity is harmful on the grounds that it creates misconceptions and silences in the prison system's history. Moreover, fallacies about prison officers and inmates are formed from not engaging with the back regions of the prison system's history. The Texas Prison Museum provides a public history of TDCJ and in creating misinformation about it the museum changes the public meaning of the prison system.⁴²⁴

Another repercussion of this familiarity is that the Texas Prison Museum reinforces the social othering of inmates. Inmates are discriminated against due to stereotypes, stigmas, and loss of certain civil rights, like the right to vote.⁴²⁵ The Texas Prison Museum represents inmates from a detached point of view, despite the fact that

⁴²² David Glassberg, *Sense of History: The Place of the Past in American Life* (Amherst: University of Massachusetts Press, 2001), 6.

⁴²³ Glassbert, 10.

⁴²⁴ Glassberg, 18.

⁴²⁵ Inmate disfranchisement varies by state throughout the United States. Eleven states permanently take away an inmate's right to vote, while 37 states restore the right based on their incarceration term, parole, or probation. Texas restores the right to vote after an inmate served their incarceration, parole, and probation terms. Only two states, Main and Vermont, did not disfranchise inmates. "State Felon Voting Laws," ProCon.org, accessed October 13, 2015, last updated July 15, 2014, <http://felonvoting.procon.org/view.resource.php?resourceID=000286>. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010), 2 and 4.

they are the largest social group involved in the prison system. Furthermore, the museum presents prisoner rights negatively, which buttresses the ideology that prisoners do not deserve the protection of basic human rights. An example of this adverse presentation is in the museum's panel titled "Ruiz v. Estelle" that covers the *Ruiz* court case (See Figure 5.2). For a thirty-year lawsuit that created "strife and scrutiny," as the panel states, its representation is considerably minimal in the museum.⁴²⁶ The second sentence of the panel disempowers the charges inmates brought against the prison system with stating that David Ruiz "alleged" and "claimed" TDCJ violated his 8th and 14th Amendment rights. This wordage implies that the prison system was innocent against these charges, which the court determined it was not. The language the Texas Prison Museum evokes when it discusses *Ruiz* rebuts the rights inmates gained from the case and the malfeasance of the prison system that caused the lawsuit. Moreover, the Texas Prison Museum is linguistically denying a court's verdict as a protest. When looking at prison museums, there is a seemingly transparent distinction between victim and perpetrator. Yet, with the knowledge of the abuses inmates experienced at the hands of the Texas prison system, this distinction becomes opaque. This blurred identity inmates have of criminal and sufferer is not discussed at the Texas Prison Museum. The "Ruiz v. Estelle" panel's language is detrimental for it portrays inmates as undeserving of an expansion or protection of their rights. It also portrays the misconduct inmates experienced as nonexistent.

Additionally, the Texas Prison Museum symbolically annihilates the experiences of inmates and issues with the Texas prison system by focusing on famous prisoners. The

⁴²⁶ Ruiz v. Estelle is only mentioned in the orientation video, the "Ruiz v. Estelle" panel, and the "Prison Gang" panel. In each instance the court case is presented in a negative light. "Ruiz v. Estelle" panel, Texas Prison Museum, Huntsville, Texas.

Texas Prison Museum is not unique from other prison museums in representing prisoners unequally. A romanticized past of Bonnie Parker and Clyde Barrow is presented, while at the same time, the language in panels and display of inmate shanks determines that contemporary inmates are to be feared.⁴²⁷ The romanticized history of Bonnie and Clyde is also reinforced in the Texas Prison Museum's gift shop where visitors can buy several different types of memorabilia.⁴²⁸ What this focus on the "celebrity prisoner" does is marginalize the experiences of the "typical" inmate, making it harder for visitors to connect with them.⁴²⁹ The museum also uses celebrity prisoners to hide issues of the prison system, as is the case with its panel titled, "Going Home-Recidivism and Rehabilitation." Most of the panel discusses the logistics and dynamics of inmate release but it does not discuss recidivism as the title of the panel asserts. When discussing rehabilitation, the panel focuses on the former inmate Don Woolery who is "a shining example of successful rehabilitation in the Texas prison system."⁴³⁰ The panel does not provide any other narrative about rehabilitation such as the effects of institutionalization or the instances where rehabilitation is not successful and results in recidivism. Through marginalizing the typical inmate's perspective or experience, the Texas Prison Museum effectively "others" their ordeal, making it seem like the exception when it is actually the norm.

Despite these issues, the Texas Prison Museum has the potential to become what is called a "post-museum."⁴³¹ This type of museum has developed out of the new

⁴²⁷ Garton-Smith, 11.

⁴²⁸ There are several Bonnie and Clyde books, two scrapbooks, a T-shirt, and a replica wanted poster for sale in the museum's gift shop.

⁴²⁹ Wilson, "Dark tourism and the celebrity prisoner," 11.

⁴³⁰ "Going Home-Recidivism and Rehabilitation," panel, Texas Prison Museum, Huntsville, Texas.

⁴³¹ Marstine, 19.

museum theory and is one that actively tries to engage its visitors and stakeholders in discourse over difficult and controversial issues, rectify social disparity, and promote social cohesion.⁴³² In this theory, museums are also expected to be transparent in their display decisions and to not have a dominant viewpoint.⁴³³ With its capital punishment display, the Texas Prison Museum has the potential to move into this museology trend and to test the Marshall hypothesis. Named after Supreme Court Justice Thurgood Marshall, who oversaw *Furman v. Georgia*, it argues that support for the death penalty will decrease as the public becomes more knowledgeable of its dynamics, issues, and alternatives.⁴³⁴ Several studies have found this to be correct where support for capital punishment decreased when respondents learned about disproportionate sentencing along racial and economic status, innocent people receiving a death sentence, and the ability to give a sentence of life without parole.⁴³⁵ Museums have the capacity to “transform modes of thought, perception, and behavior,” and with the Texas Prison Museum has the ability to do this with more thorough exhibits.⁴³⁶ With a detailed history of the prison system, visitors could see how social similarities and differences of the prison system compare to

⁴³² Marstine, 19.

⁴³³ Marstine, 5.

⁴³⁴ Vollum, Longmire, and Buffington-Vollum, 523 and 525.

⁴³⁵ For information on these studies see: Austin Sarat and Neil Vidmar, “Public opinion, the death penalty, and the Eighth Amendment: Testing the Marshall hypothesis,” *Wisconsin Law Review* 1 (1976): 171-197; Neil Vidmar and Tony Dittenhoffer, “Informed public opinion and death penalty attitudes,” *Canadian Journal of Criminology* 23 no. 1 (January 1981): 43-56; Robert M. Bohm, Louise J. Clark, Adrian F. Aveni, “Knowledge and death penalty opinion: a test of the Marshall hypothesis,” *Journal of Research in Crime & Delinquency* 28 (August 1991): 360-387; William J. Bowers, Margaret Vandiver, and Patricia H. Dugan, “A new look at public opinion on capital punishment: what citizens and legislators prefer,” *American Journal of Criminal Law* 22 (Fall 1994): 77-150; Maria Sandys and Edmund F. McGarrell, “Attitudes toward capital punishment among Indiana legislators: Diminished support in light of alternative sentencing options,” *Justice Quarterly* 11 no. 4 (1994): 651-677; Dennis R. Longmire, “Americans’ attitudes about the ultimate weapon: Capital punishment,” in *Americans view crime and justice: A national public survey*, eds. Timothy J. Flanagan and Dennis R. Longmire (Thousand Oaks: CA: Sage Publications), 93-108.

Vollum, Longmire, and Buffington-Vollum, 523.

⁴³⁶ Tony Bennett, “Exhibition, Difference, and the Logic of Culture,” in *Museum Frictions: Public Cultures/Global Transformations*, eds. Ivan Karp et al. (Durham, Duke University Press, 2006), 57.

wider society. Even though there are physical barriers surrounding prisons, social changes outside the prison walls eventually pass through them over time.⁴³⁷ If the prison system is placed within its historical context, visitors can engage in a discussion of whether the penitentiary was behind, in line, or even ahead of society. This ultimately would help visitors see how the prison system stands within today's society as well. The Texas Prison Museum would benefit from becoming a post-museum and engaging in a critical analysis of the Texas prison system. In being transparent in its presentation of TDCJ's history, the Texas Prison Museum would be more inclusive in its historical representation. The prison system itself also would gain from this for it would build trust between the public and TDCJ if a transparent history is presented.

As a post-museum the Texas Prison Museum could promote understanding in different forms of social exclusion through the viewpoint of prison inmates who face exclusion both inside and outside prison.⁴³⁸ However, the Texas Prison Museum is so removed from past controversies of the Texas prison system that it makes it difficult for visitors to grasp historical issues and see the parallels between them and current problems in the prison system.⁴³⁹ It is in this disconnectedness that the Texas Prison Museum misses the opportunity to create debate over current issues of the prison system.⁴⁴⁰ Representing inmates, in their own words and point of views, is crucial for the Texas Prison Museum to be able to allow its visitors to understand and empathize with an inmate's unique situation.⁴⁴¹ Only inmates are able to tell their personal stories and

⁴³⁷ Chad R. Trulson and James W. Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009), 14.

⁴³⁸ Garton-Smith, 12.

⁴³⁹ Garton-Smith, 12.

⁴⁴⁰ Garton-Smith, 12.

⁴⁴¹ Tracy Jean Rosenberg, "History Museums and Social Cohesion: Building Identity, Bridging Communities, and Addressing Difficult Issues," *Peabody Journal of Education* 86 no. 2 (2011): 116.

histories and by not including their perspective, the Texas Prison Museum reaffirms the social exclusion of inmates.⁴⁴² Incorporating an inmate voice is important for it allows for analysis on “how people experience, relate to and narrativize the past” through the lens of an inmate’s understanding of their own situation.⁴⁴³ If a visitor is able to make a connection to an inmate’s experience, it creates social cohesion and allows the visitor to become concerned about what happens to inmates.⁴⁴⁴ As a result of learning about prison life from an inmate’s point of view, visitors can engage in discussions of the principles of not only the Texas prison system, but the criminal justice system in general. Moreover, by encouraging museum visitors to participate in a wider discussion and providing conduits for visitors to empathize and identify with people connected to the prison system, the museum develops into a way for visitors to become active museum stakeholders, creating a platform for memory, place, and community to merge.⁴⁴⁵

Although the Texas Prison Museum is a prime location to become a post-museum, this will not happen unless the museum addresses the controversial histories of the Texas prison system. The three main reasons this change may not occur are: the power TDCJ possesses over the Texas Prison Museum; financial limitations of the museum; and a lack of professionally trained museum personnel. The Texas Prison Museum is neither a privately nor a state-funded museum; it is a non-profit corporation. Due to this fact, the museum does not have presentation restrictions from a financial provider. This, theoretically, allows the museum to be able to respond to its stakeholders without conflict. However, being that the Texas Prison Museum is a non-profit, it solely

⁴⁴² Wilson, “Presenting Pentridge,” 125-126; Dubin, 4.

⁴⁴³ Arnold-de Simine, 19.

⁴⁴⁴ Rosenberg, 119.

⁴⁴⁵ Andermann and Arnold-de Simine, “Introduction,” 7 and 3.

depends on admissions, gift shop sales, and donations to keep the doors open. This limits the expenditures the museum can afford in order to remain operational. Expenditures such as updating panels and exhibits have to be sacrificed. The Texas prison system holds influence over the Texas Prison Museum, beyond being a major stakeholder, in the fact that it owns the museum's major artifacts. This ownership could turn into a risk for the Texas Prison Museum if the prison system became dissatisfied with its representation. Indeed, the Texas Board of Corrections has used the objects as coercion in the past.⁴⁴⁶ The final barrier to change in the museum is that currently none of the museum's employees or board members is educated in museum studies. Employees are not trained with the skills needed to create exhibits, such as knowledge of the considerations that have to be taken to develop the text for a panel, experience in archival preservation of artifacts and documents, and awareness of current trends in museology. By hiring museum professionals instead of former TDCJ employees, the museum could take the necessary steps towards providing a more critical presentation of the prison system. However, the financial limitations of the museum restrict the feasibility of this step becoming a reality.

Other prison museums, like the Eastern State Penitentiary in Philadelphia, are an example of how the Texas Prison Museum could move towards becoming a post-museum. Since 2013, the Eastern State Penitentiary has hosted a speaker series called "The Searchlight Series," that lasts throughout the year. During the series, various criminologists, educators, museum personnel, and former inmates host public discussions

⁴⁴⁶ Janice Willett interview.

broadly centered on criminal justice.⁴⁴⁷ The strength of the series is that it actively engages with emotive and diverse aspects of criminal justice, which creates an inclusive public forum. For instance, the series for 2015 covered the impact of incarceration on families, challenges in presenting contemporary human rights issues in museums, victims of domestic violence and victims' rights, and the exoneration of inmates from death row.⁴⁴⁸

A means for the Texas Prison museum to address the silences in its historical interpretation is to host a similar public speaker series. Museum personnel, specifically the director or curator, could create presentations over what is not on display in the museum. This would allow the museum to engage with the Texas prison system's historical issues such as racial discrimination in capital punishment, segregation of inmates, inmate punishment, treatment of female inmates or sexual violence among prisoners. Moreover, the Texas Prison Museum could invite prison guards and former inmates to speak, allowing an incorporation of their perspectives. With nearby Sam Houston State University, the museum could also invite criminal justice or history professors to speak as well. While a speaker series would not provide a solution to the silences in the Texas Prison Museum's permanent displays, it is a way of addressing them while working with the museum's limitations. By making the knowledge of the

⁴⁴⁷ "The Searchlight Series 2015," Eastern State Penitentiary, accessed October 13, 2015, <http://www.w.easternstate.org/searchlight-series>.

⁴⁴⁸ Even more, Eastern State Penitentiary is a member of the International Coalition of Sites of Conscience. The International Coalition of Sites of Conscience advocates for historic sites to become public forums in order to connect "past to present and memory to action" against current human rights and justice issues. "Members," International Coalition of Sites of Conscience, accessed October 13, 2015, <http://www.sitesofconscience.org/members/>; "About Us," International Coalition of Sites of Conscience, accessed October 13, 2015, <http://www.sitesofconscience.org/about-us/>. "The Searchlight Series 2015," Eastern State Penitentiary, accessed October 13, 2015, <http://www.w.easternstate.org/searchlight-series>.

prison system's silenced histories available, the Texas Prison Museum could make progress towards becoming a post-museum.

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Janice Willett, Former Treasurer of the Texas Prison Museum Board of Trustees

Kenneth Johnson, Member of the Texas Prison Museum Planning Group

Mark Bull, Former Vice-President and President of the Texas Prison Museum Board of Trustees

Mary McClain, Former Curator/Director of the Texas Prison Museum

Robert Pierce, Member of the Texas Prison Museum Planning Group, former Director of Texas Prison Archives, former President of the Texas Prison Museum Board of Trustees

Sandra Rogers, Current Curator of Collections of the Texas Prison Museum

Stephen Shotwell, Former Secretary of the Texas Prison Museum Board of Trustees, former Assistant Director of the Texas Prison Museum

Tommy Martin, Current President of the Texas Prison Museum Board of Trustees

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APPENDIX A

In November of 2014, a survey was conducted at the Texas Prison Museum of the museum's visitors. Over 30 oral surveys were completed in a semi-structured manner from a list of pre-chosen questions within the foyer of the museum after visitors toured the museum. Respondents were chosen simply on their willingness to participate in the survey and were not determined by age, gender, or ethnic background. Often more than one person participated in the survey resulting in multiple people within one interview number. The respondents of these groups were differentiated in the transcriptions by their sex and then changed to a general label such as 'person 1.' It was done in this method to make it easier for the transcriber to keep track of the respondents' answers in these groups and these labels were only given in the surveys involving several people. All surveys were recorded and transcribed and filtered through for pertinent content. In addition, transcriptions of the surveys were given to the Texas Prison Museum as part of the agreement in being able to conduct them on-site. The data collected was used to determine the museum's success in achieving its mission statement and also visitor's viewpoints of the museum's presentation of the death penalty.

Survey Introduction:

Hello, my name is Elizabeth and I'm a student at Sam Houston State University. I'm conducting research on what visitors take away from museums as part of the research for my Masters Thesis. Your opinion on your visit to the Prison Museum will be important in helping me understand what visitors gain from seeing museums.

After visiting the museum, what were your impressions of prisons and TDCJ?
 -For any response, ask them why they feel that way.

Are you or anyone close to you connected to the Texas Department of Criminal Justice?

-If yes, how so?

-For all responses ask, "What do you think of the way inmates are represented in the museum?" and, "What do you think of the way TDCJ or its personnel is represented in the museum?"

What was your motivation for visiting the museum?

What do you think the goal of the museum is?

What did you take away from visiting the museum?

What parts of the museum stood out to you the most and why?

What was your immediate reaction to seeing the electric chair?

What do you think of the death penalty display?

What do you think visitors are supposed to take away from the display?

Overall, how would you rate the Texas Prison Museum? Why?

Format of oral survey conducted at Texas Prison Museum November 28-29, 2014

APPENDIX B

Figure 3.1: The Holliday Unit is visible in the distance from the prison museum's parking lot. Photograph by author.



Figure 3.2: The outside architecture of the Texas Prison Museum mimics the design of the Walls Unit with its red brick and picket. Photograph by author.



Figure 3.3: Entrance of the prison museum. Architectural design based on prison architecture is seen throughout the museum. Photograph by author.



Figure 3.4: Orientation viewing area as seen from the front entrance of the museum. Photograph by author.



Figure 3.5: Sitting area to view the orientation video. Photograph by author

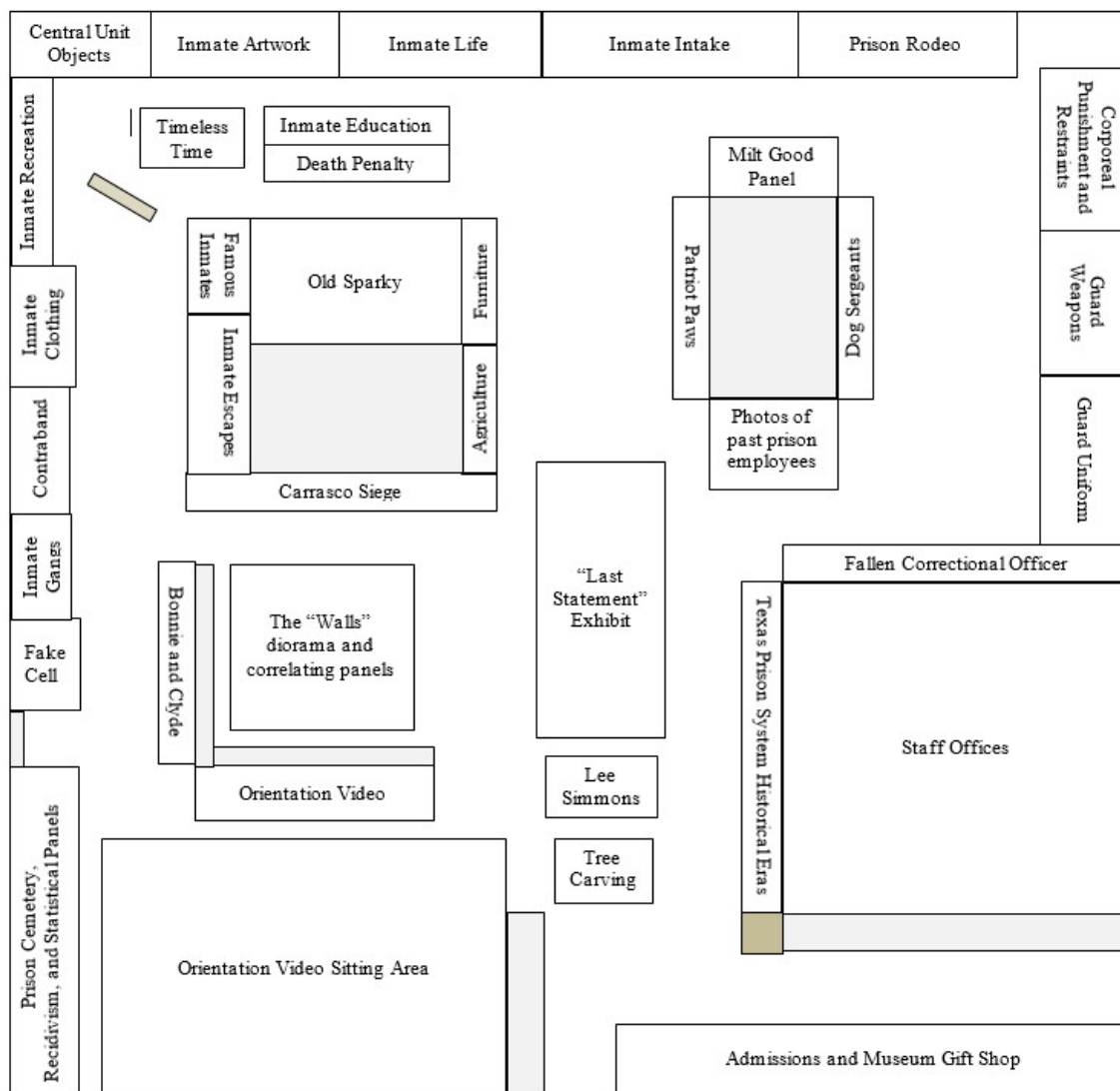


Figure 3.6: Layout of the Texas Prison Museum. Note: Layout is not to scale.



Figure 3.7: The case on the left is the inmate punishment case with the display of weapons used by guards on the right. Photograph by author.



Figure 3.8: The prison museum's display case on inmate punishment. Photograph by author.



Figure 3.9: The whipping post at Melbourne Gaol. The photograph shows the special issues of the object and to the right of the post the edge of the sign for the men's bathroom can be seen. Photograph courtesy of Martin Green, Learning and Interpretations Manager, The National Trust of Australia.

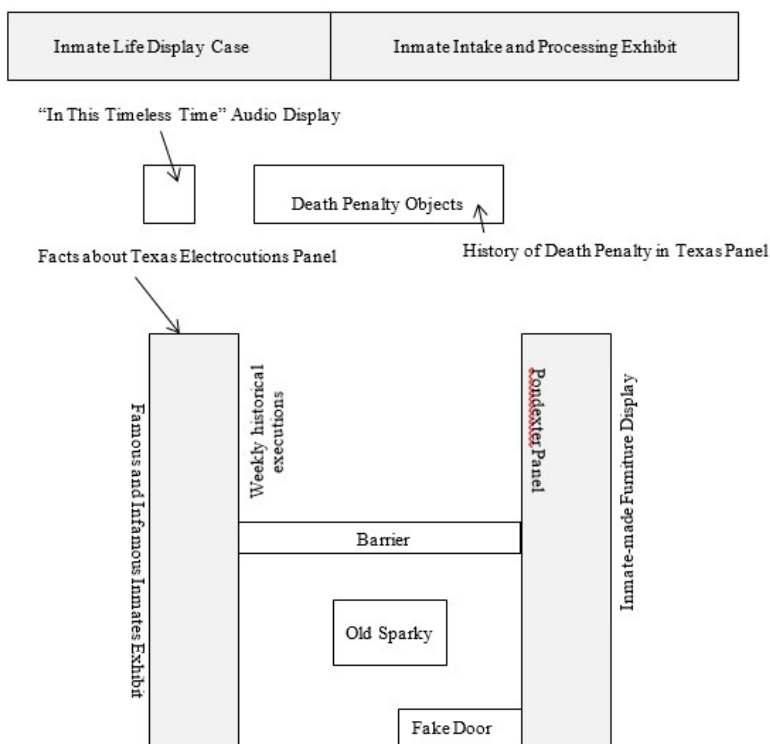


Figure 4.1: Layout of the Texas Prison Museum's Death Penalty Display



Figure 4.2: Old Sparky's exhibit area. Photograph by author.



Figure 4.3: The Texas Prison Museum's display on the death penalty in Texas. Note, the only anti-death penalty objects are in the left portion of the case. Photograph taken by author.

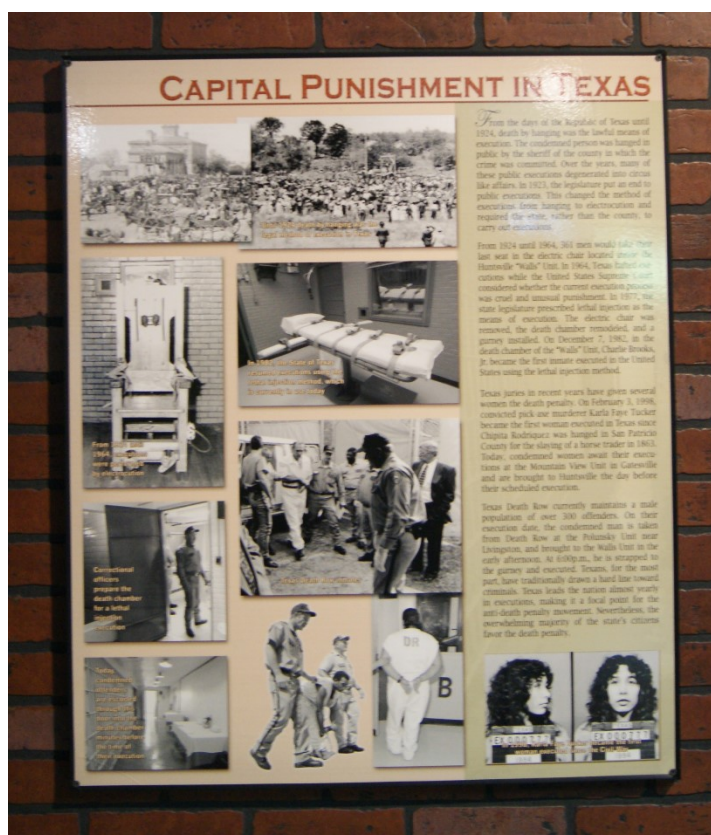


Figure 4.4: Panel giving a brief overview of the death penalty in Texas.
Photograph by author.

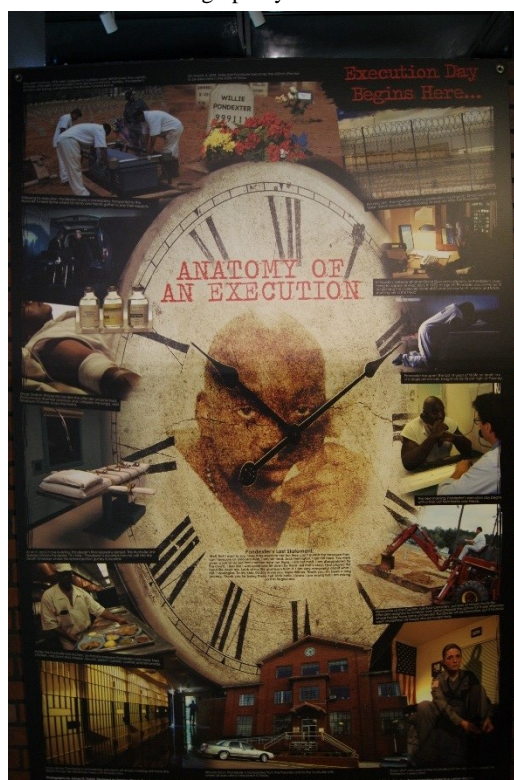


Figure 4.5: Panel detailing the Willie Pondexter's day of execution. Note at the top there is a false tombstone with his name on it. Photograph by author.



Figure 4.6: Panel that lists random facts about executions, people who were executed, and those involved. Photograph by author.

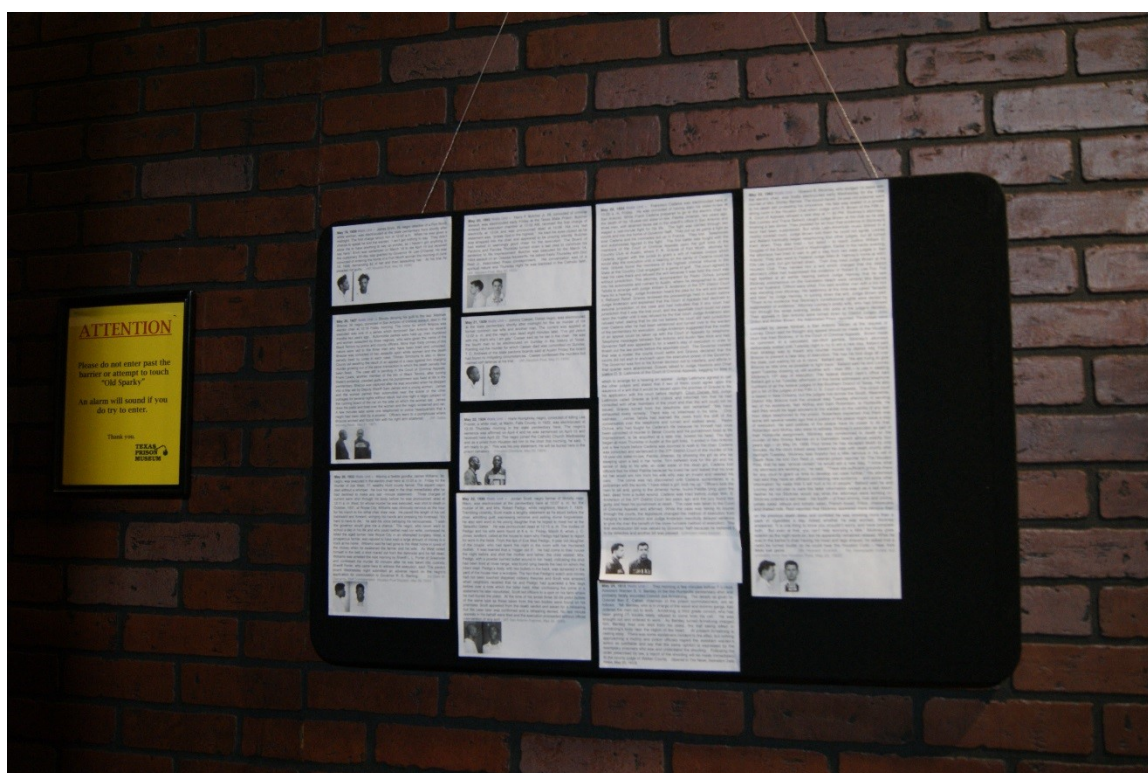


Figure 4.7: Weekly board that features newspaper accounts of an inmate's execution for that week when electrocutions were the method of execution.



Figure 4.8: The fallen officer display case contains pictures of officers that were killed and a brief account of how they died. However, these accounts do not go into the same amount of detail as the Pondexter's panel. The items at the bottom of the case are years of service awards and the plaque in the center lists all the guards that have died. Photograph by the author.



Figure 4.9: The Fallen Officer Memorial Plaza is adjacent to the Texas Prison Museum. The bricks around the plaza are available for engraving and the Texas Department of Criminal Justice hosts a memorial service here when an officer has been killed. Photograph by the author.



Figure 4.10: Photograph of the “lethal injection pen” that was sold by the museum. Photograph by author.

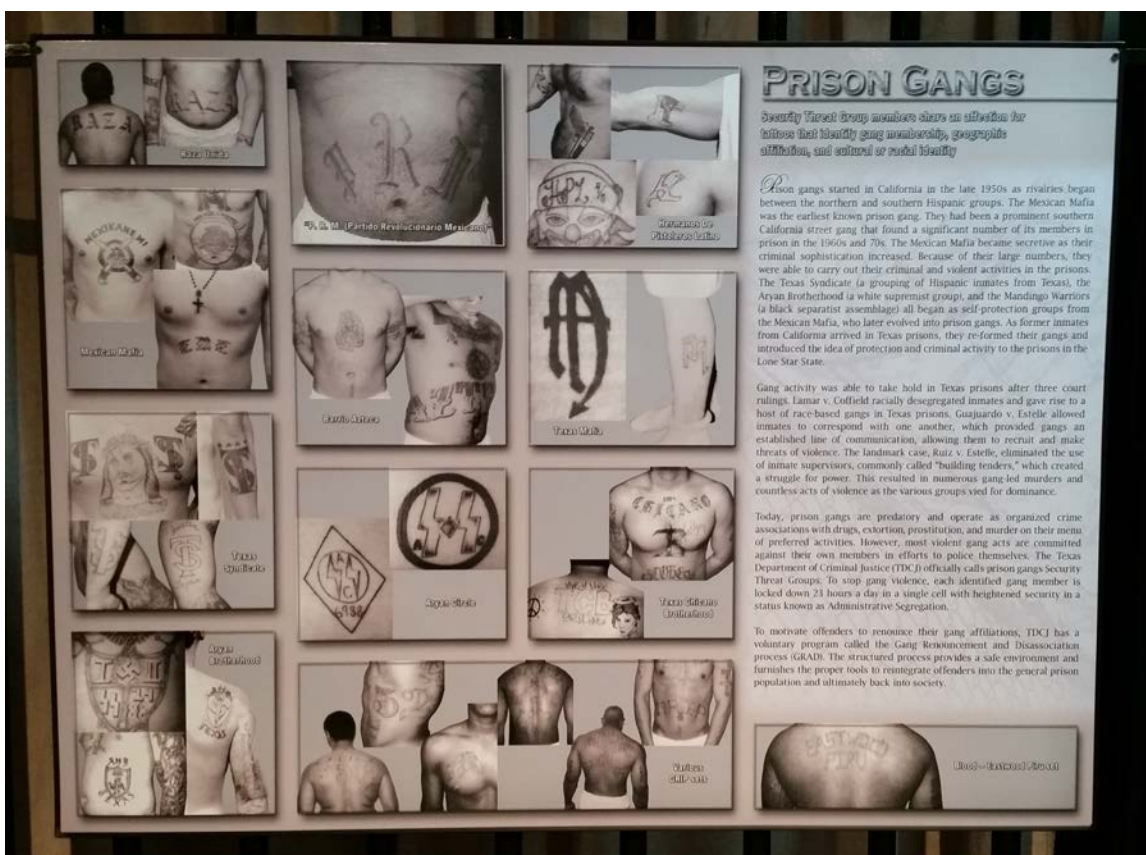


Figure 5.1: The photographs are tattoos demarking the active prison gangs in the Texas prison system. The panel does provide historical context for the rise of prison gangs nationwide. However, when it focuses on Texas, it diverts the cause of prison gangs to three court cases that gave inmates more civil liberties. Photograph by author.

VITA

Elizabeth Marie Neucere

EDUCATION

Master of Arts student in History at Sam Houston State University, August 2013 – present. Thesis title:

Bachelor of Arts (December 2011) in History, Sam Houston State University, Huntsville, Texas.

ACADEMIC EMPLOYMENT

Graduate Teaching Assistant, Department of History, Sam Houston State University, August 2013-May 2015. Responsibilities include: assisting professors with the preparation and presentation of undergraduate courses, grading, and tutoring.

PUBLICATIONS

Neucere, E.M. (In review). “Executions on Display: Visitor Reactions to Texas’s Electric Chair.” In *The Palgrave Handbook of Prison Tourism*.

PRESENTATIONS AT PROFESSIONAL MEETINGS

Neucere, E.M. “Prisons in Walker County.” East Texas Historical Association Fall 2014 Meeting, Nacogdoches, Texas, October 3, 2014.

Neucere, E.M. “Old Sparky’s Keeper: A History of the Texas Prison Museum.” East Texas Historical Association Spring 2015 Meeting, The Woodlands, Texas, February 27, 2015.

MEMBERSHIPS

National Council on Public History

Texas Association of Museums

Phi Alpha Theta History Honor Society

-Fall 2014-Spring 2015: President, Sam Houston State University chapter

-Fall 2013-Spring 2014: Secretary, Sam Houston State University chapter

Alpha Chi National College Honor Scholarship Society

Golden Key International Honor Society