Kansas Memory

KANSAS HISTORICAL SOCIETY

Richard Eugene Hickock inmate case file

Section 3, Pages 61 - 90

The Kansas State Penitentiary case file on Richard Hickock, inmate number 14746. Hickock and his accomplice, Perry Smith, were convicted of first degree murder for the brutal 1959 killings of Herb and Bonnie Clutter, their daughter, Nancy, and son, Kenyon, in Holcomb, Kansas. The murders inspired the non-fiction novel "In Cold Blood" by Truman Capote. Hickock was executed by hanging on April 14, 1965. Please note that some images have been removed in accordance with K.S.A. 45-221(a)(29) and have been labeled with pages indicating their removal. Additional redactions of personally identifiable information made in accordance with K. S. A. 2005 Supp. 45-221(a)(30).

Creator: Kansas State Penitentiary

Date: 1959 - 1965

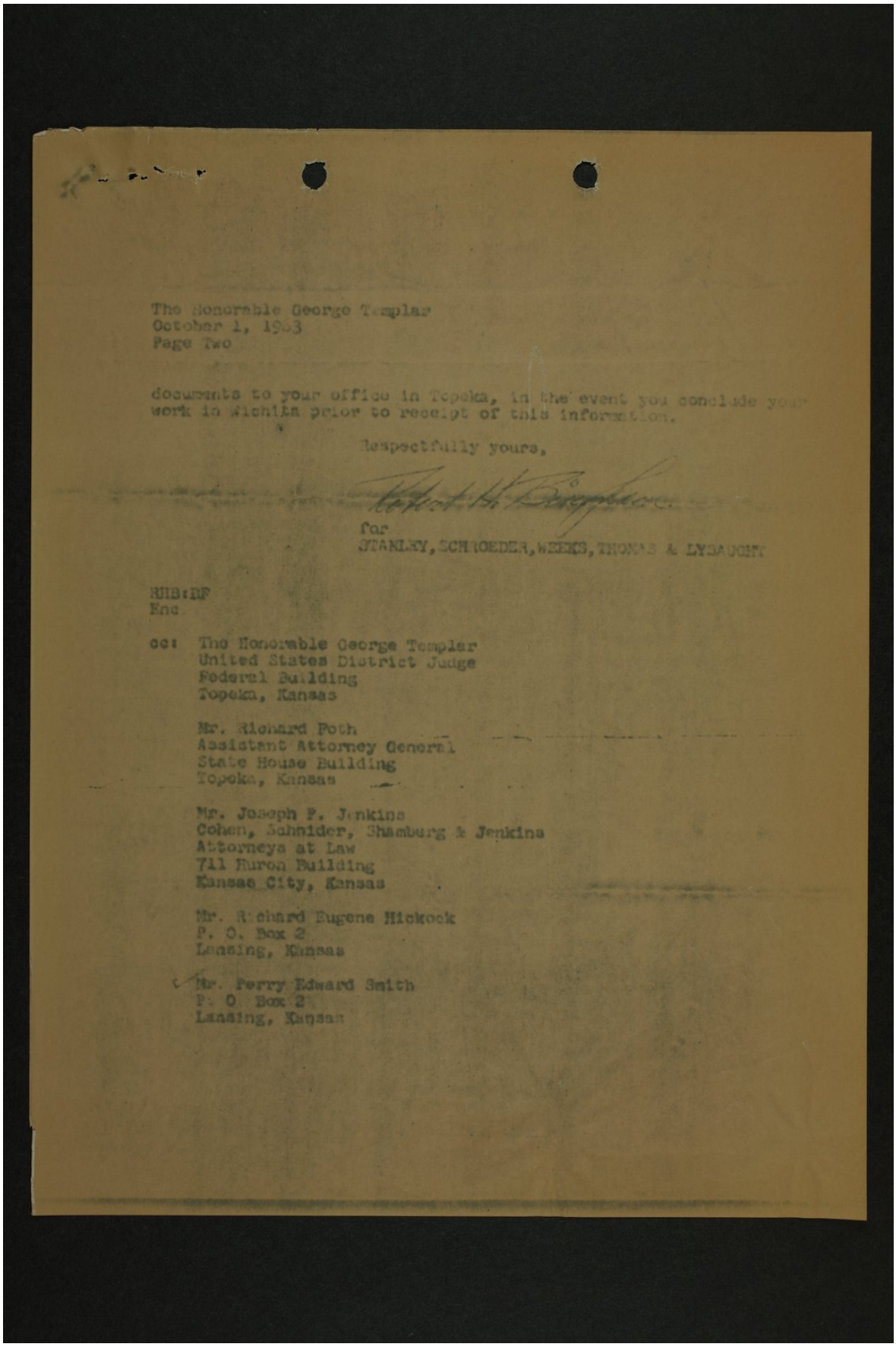
Callnumber: State Penitentiary, Inmate Files, Executed Prisoners, Box 2

KSHS Identifier: DaRT ID: 208963

Item Identifier: 208963

www.kansasmemory.org/item/208963

KANSAS HISTORICAL SOCIETY



The Honorable George Templar
October 1, 1963
Page Two

documents to your office in Topeka, in the event you conclude your work in Wichita prior to receipt of this information.

Respectfully yours,

for
STANLEY, SCHROEDER, WEEKS, THOMAS & LYBAUGHT

RUB:RF
Enc

cc: The Honorable George Templar
United States District Judge
Federal Building
Topeka, Kansas

Mr. Richard Foth
Assistant Attorney General
State House Building
Topeka, Kansas

Mr. Joseph P. Jenkins
Cohen, Schnider, Shamberg & Jenkins
Attorneys at Law
711 Huron Building
Kansas City, Kansas

Mr. Richard Eugene Hickock
P. O. Box 2
Lansing, Kansas

Mr. Perry Edward Smith
P. O. Box 2
Lansing, Kansas

October 4, 1963

The Honorable George Templar
United States District Judge
Federal Building
Wichita, Kansas

Dear Judge Templar:

RE: RICHARD EUGENE HICKOCK, KSP #14746
PERRY EDWARD SMITH, KSP #14747

I understand that defense attorney Robert H. Bingham has requested that Hickock and Smith be available at Topeka overnight prior to the hearing scheduled for October 9. I also understand that many witnesses will be called. I would like to vigorously protest any move to have these men confined in a city or county jail or to prolong their stay outside of the custodial facilities of the Kansas State Penitentiary at Lansing.

In the event the hearing should consume more than one day and it is not feasible to conduct the hearings at the Leavenworth Federal Court room, we would prefer to have them returned to Lansing each night.

At least one of these men has boasted that he will not die on the gallows and in view of the length of time that has expired since their sentencing, they could be becoming most desperate and I certainly would not wish to be responsible for any actions of violence that may be initiated by either of them, unless our employees were permitted to exercise full custodial restraints.

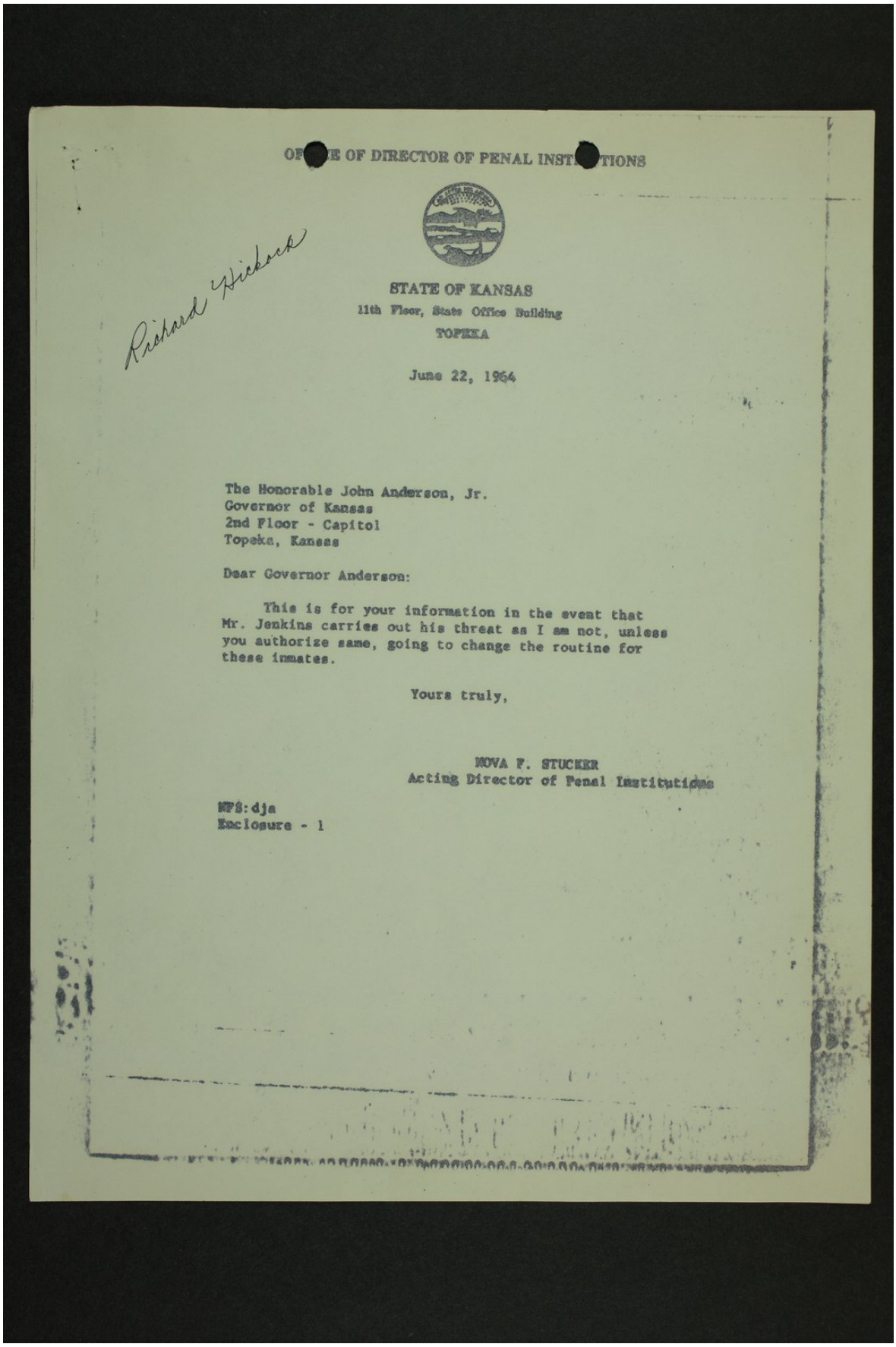
It is hoped the court will be understanding with your unusual position in regards to these particular prisoners.

Sincerely yours,

ROBERT J. KAISER
Director of Penal Institutions

RJK:dja

Richard Eugene Hickock inmate case file



OFFICE OF DIRECTOR OF PENAL INSTITUTIONS

Richard Hickock

STATE OF KANSAS
11th Floor, State Office Building
TOPEKA

June 22, 1964

The Honorable John Anderson, Jr.
Governor of Kansas
2nd Floor - Capitol
Topeka, Kansas

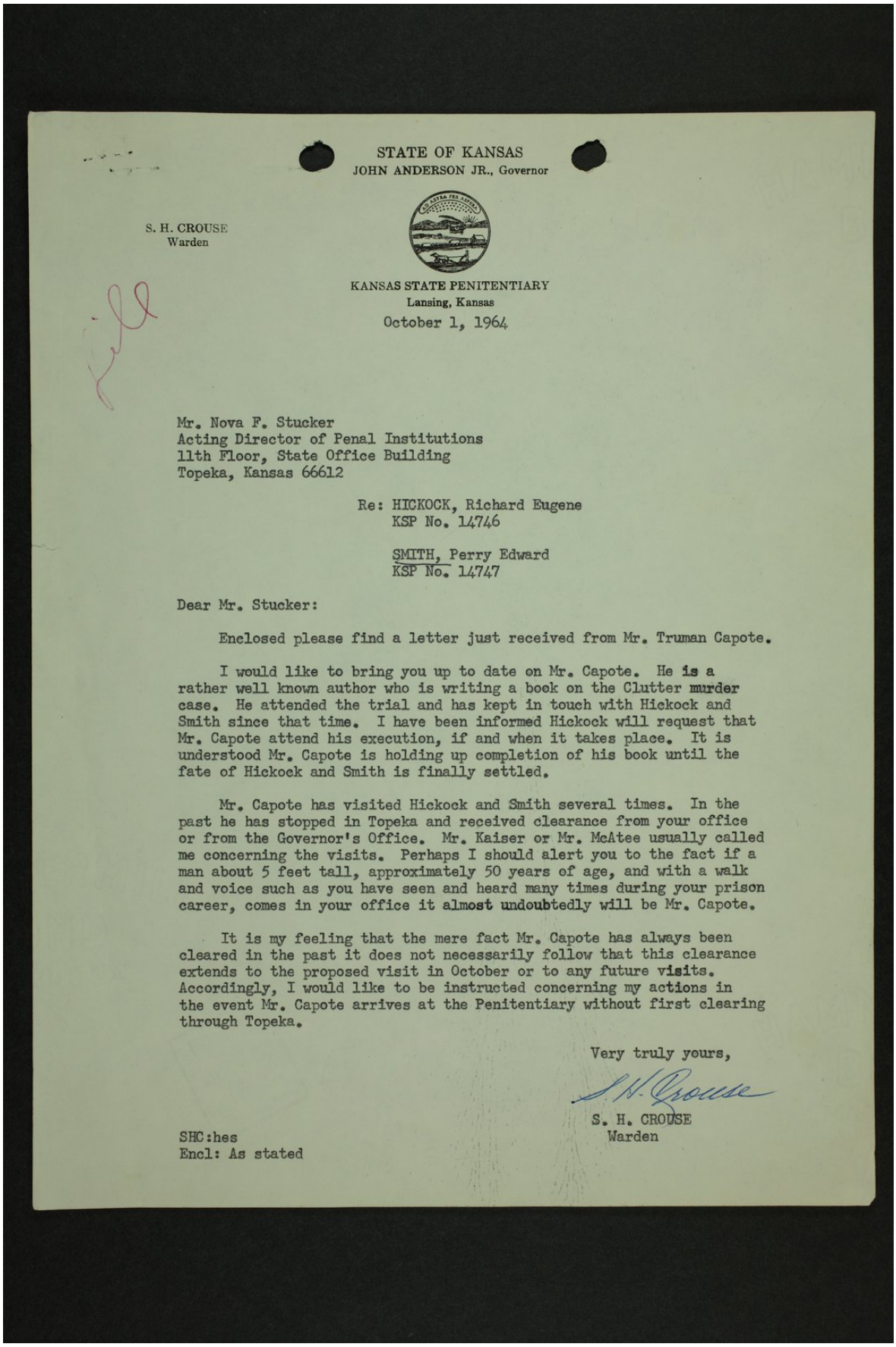
Dear Governor Anderson:

This is for your information in the event that Mr. Jenkins carries out his threat as I am not, unless you authorize same, going to change the routine for these inmates.

Yours truly,

NOVA F. STUCKER
Acting Director of Penal Institutions

NFS:dja
Enclosure - 1



STATE OF KANSAS
JOHN ANDERSON JR., Governor

S. H. CROUSE
Warden

KANSAS STATE PENITENTIARY
Lansing, Kansas

October 1, 1964

Mr. Nova F. Stucker
Acting Director of Penal Institutions
11th Floor, State Office Building
Topeka, Kansas 66612

Re: HICKOCK, Richard Eugene
KSP No. 14746

SMITH, Perry Edward
KSP No. 14747

Dear Mr. Stucker:

Enclosed please find a letter just received from Mr. Truman Capote.

I would like to bring you up to date on Mr. Capote. He is a rather well known author who is writing a book on the Clutter murder case. He attended the trial and has kept in touch with Hickock and Smith since that time. I have been informed Hickock will request that Mr. Capote attend his execution, if and when it takes place. It is understood Mr. Capote is holding up completion of his book until the fate of Hickock and Smith is finally settled.

Mr. Capote has visited Hickock and Smith several times. In the past he has stopped in Topeka and received clearance from your office or from the Governor's Office. Mr. Kaiser or Mr. McAtee usually called me concerning the visits. Perhaps I should alert you to the fact if a man about 5 feet tall, approximately 50 years of age, and with a walk and voice such as you have seen and heard many times during your prison career, comes in your office it almost undoubtedly will be Mr. Capote.

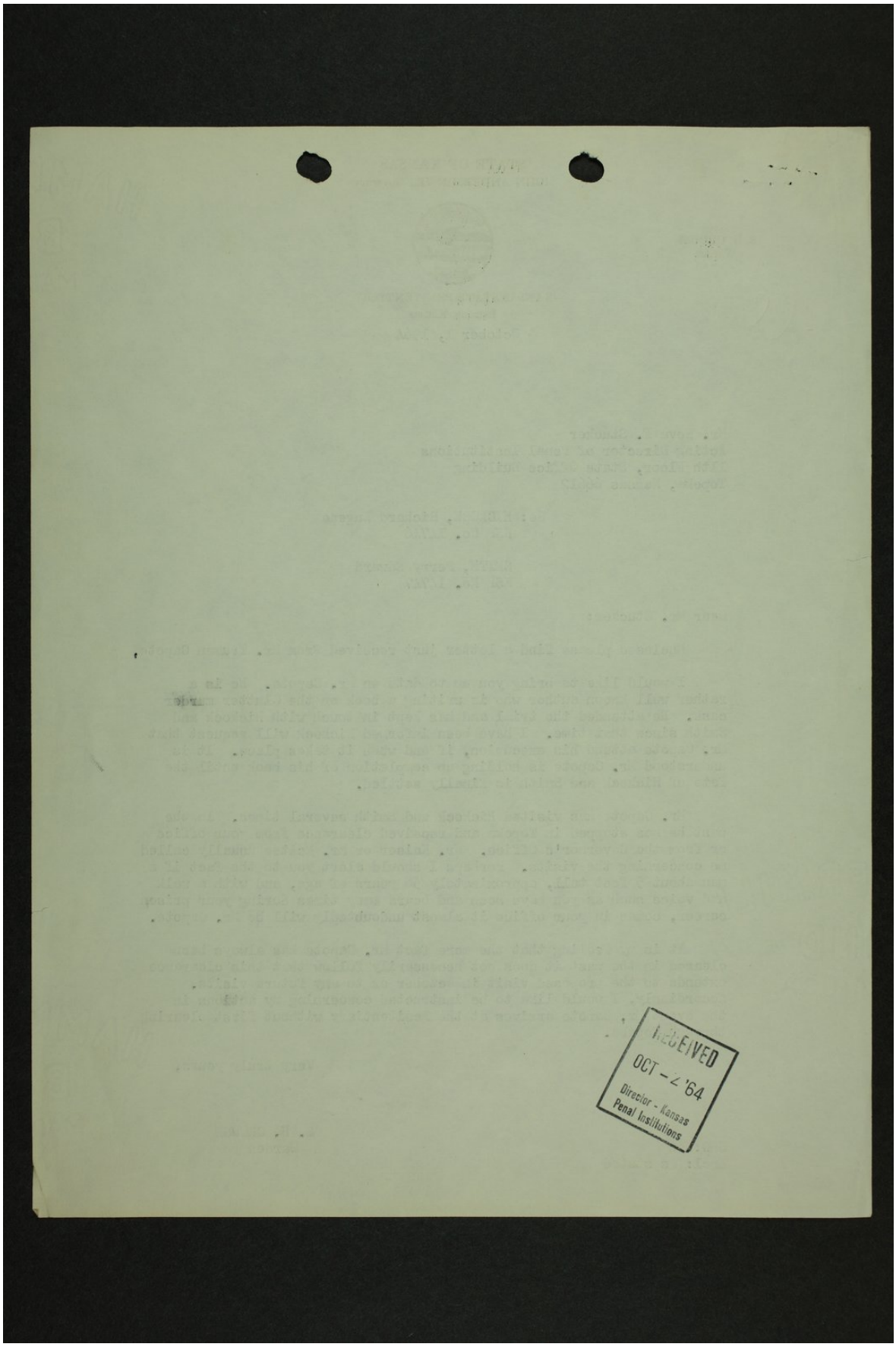
It is my feeling that the mere fact Mr. Capote has always been cleared in the past it does not necessarily follow that this clearance extends to the proposed visit in October or to any future visits. Accordingly, I would like to be instructed concerning my actions in the event Mr. Capote arrives at the Penitentiary without first clearing through Topeka.

Very truly yours,

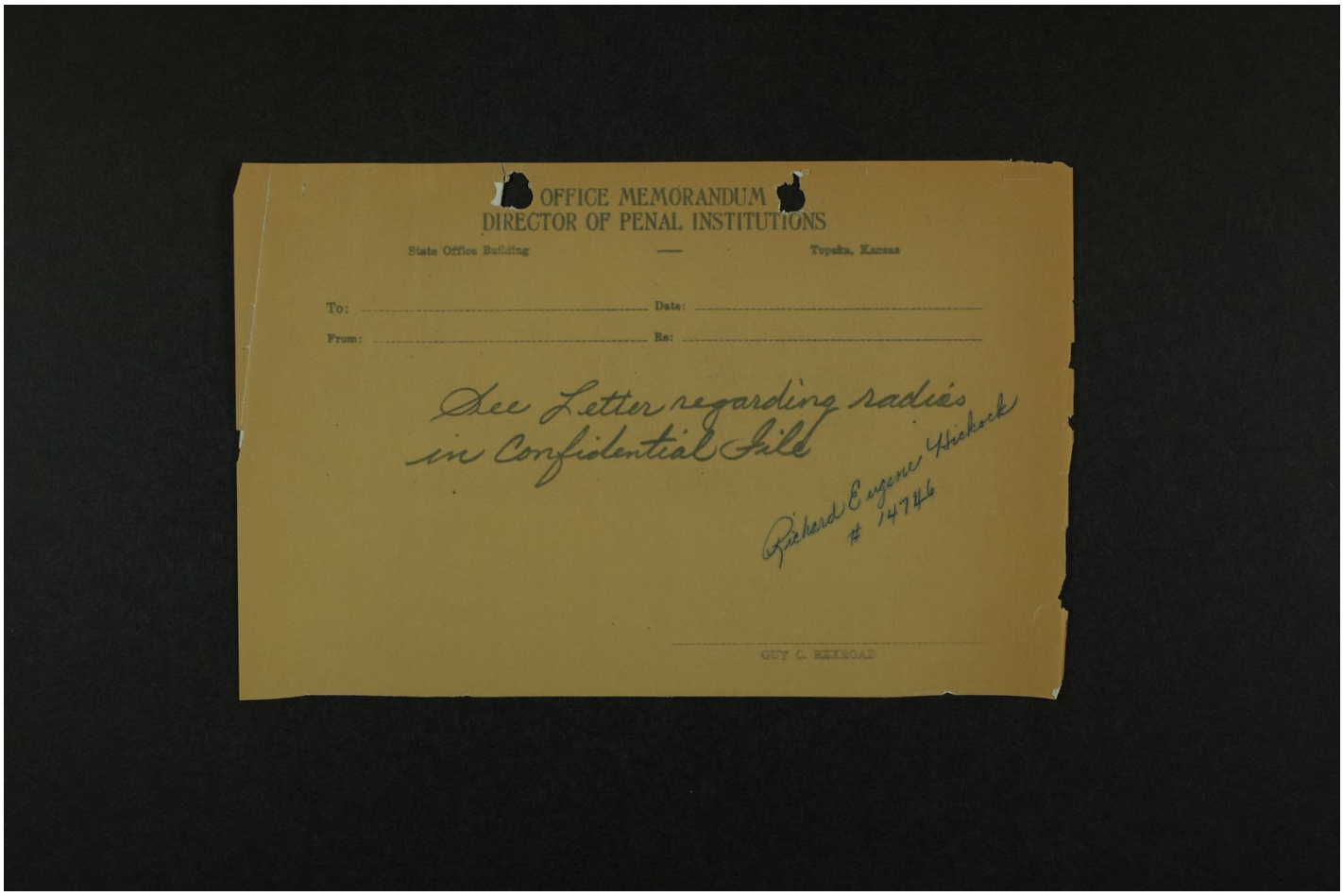
S. H. Crouse

S. H. CROUSE
Warden

SHC:hes
Encl: As stated


RECEIVED
OCT – 7 '64
Director - Kansas
Penal Institutions

Richard Eugene Hickock inmate case file



OFFICE MEMORANDUM
DIRECTOR OF PENAL INSTITUTIONS

State Office Building — Topeka, Kansas

To: Date:

From: Re:

See Letter regarding radios in Confidential File

Richard Eugene Hickock
14746

GUY C. REINOAL

OFFICE OF DIRECTOR OF PENAL INSTITUTIONS

File

STATE OF KANSAS
11th Floor, State Office Building
TOPEKA

January 14, 1963

Perry Smith

Mr. Clifford R. Hope, Jr.
Attorney at Law
Garden City, Kansas

Dear Mr. Hope:

I have your letter of January 7, 1963, concerning a request that Mr. Truman Capote be permitted to witness the hanging of Richard Hickock and Perry Smith.

While such a request may be considered premature in the absence of an execution date for this pair, I can tell you quite frankly that I would not recommend to the Warden such permission.

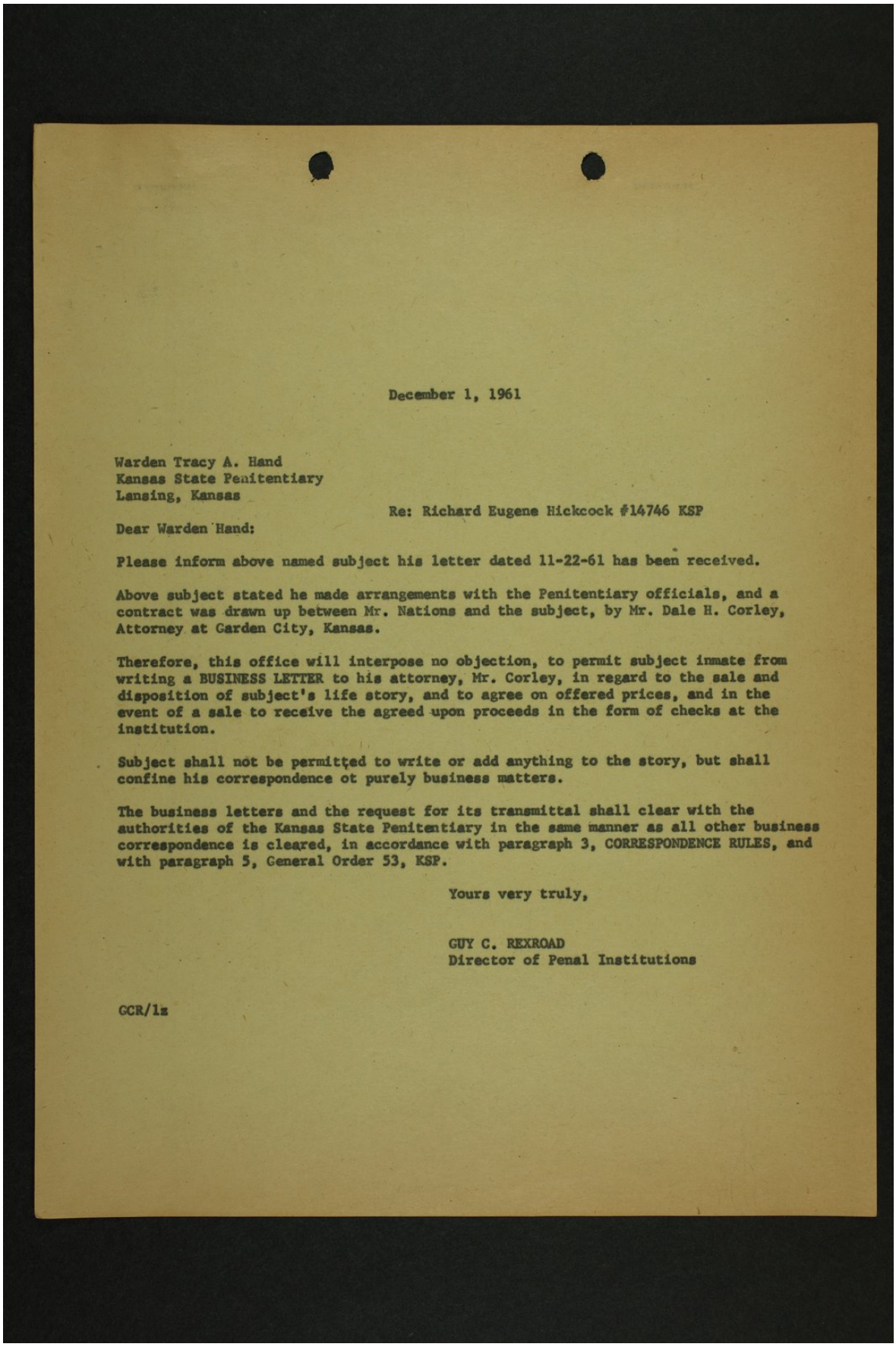
Numerous people have made a similar request, and we can anticipate many more in the event an execution date becomes imminent. It is anticipated the number of witnesses will be limited to a very small number. In addition to the policy that prevails barring interviews between inmates and journalists considerable conflict has already developed in this area, part of it due perhaps to certain privileges extended to your client. We would not desire to accentuate that conflict.

It is sincerely hoped that you will be understanding of the problems involved in such an event. They are many, and of a very difficult variety, I can assure.

Very truly yours,

ROBERT J. KAISER
Director of Penal Institutions

RJK:dja



December 1, 1961

Warden Tracy A. Hand
Kansas State Penitentiary
Lansing, Kansas

Re: Richard Eugene Hickcock #14746 KSP

Dear Warden Hand:

Please inform above named subject his letter dated 11-22-61 has been received.

Above subject stated he made arrangements with the Penitentiary officials, and a contract was drawn up between Mr. Nations and the subject, by Mr. Dale H. Corley, Attorney at Garden City, Kansas.

Therefore, this office will interpose no objection, to permit subject inmate from writing a BUSINESS LETTER to his attorney, Mr. Corley, in regard to the sale and disposition of subject's life story, and to agree on offered prices, and in the event of a sale to receive the agreed upon proceeds in the form of checks at the institution.

Subject shall not be permitted to write or add anything to the story, but shall confine his correspondence ot purely business matters.

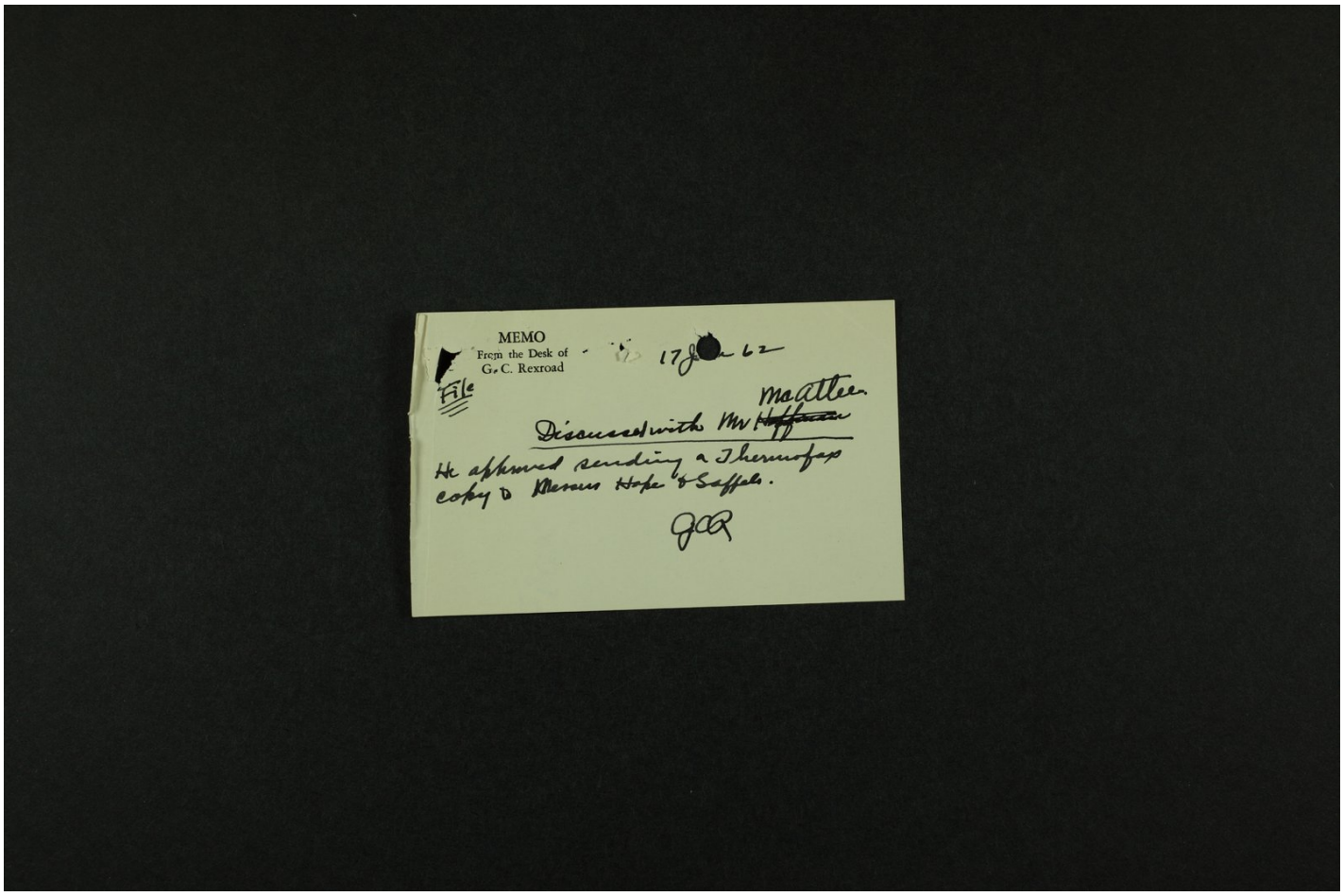
The business letters and the request for its transmittal shall clear with the authorities of the Kansas State Penitentiary in the same manner as all other business correspondence is cleared, in accordance with paragraph 3, CORRESPONDENCE RULES, and with paragraph 5, General Order 53, KSP.

Yours very truly,

GUY C. REXROAD
Director of Penal Institutions

GCR/lz

Richard Eugene Hickock inmate case file



MEMO
From the Desk of
G. C. Rexroad

17 Jan 62

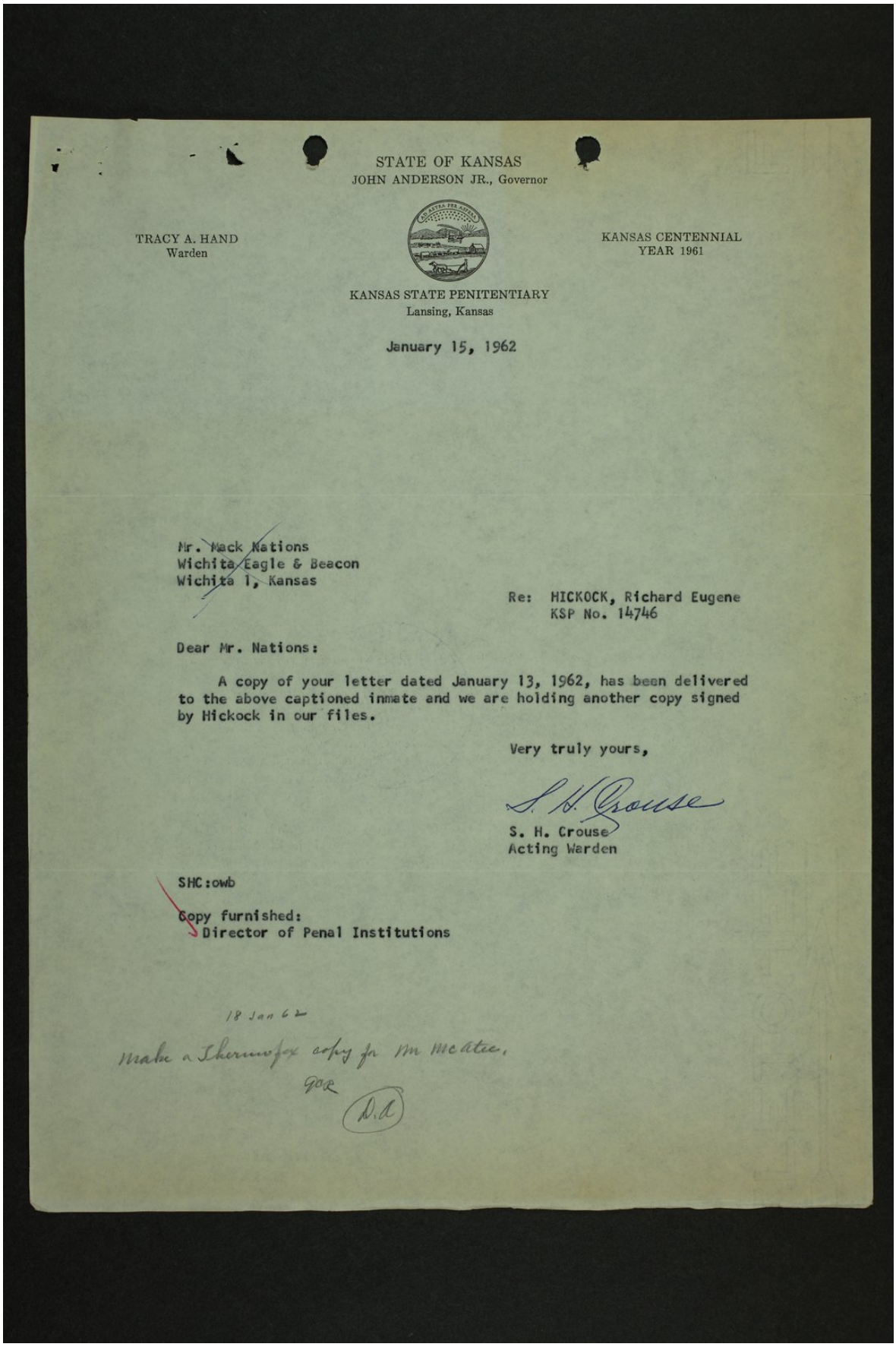
File

Ma attee.

Discussed with Mr ~~Hoffman~~

He approved sending a Thermofax copy to Messrs Hope & Saffels.

GCR



STATE OF KANSAS
JOHN ANDERSON JR., Governor

TRACY A. HAND
Warden

KANSAS CENTENNIAL
YEAR 1961

KANSAS STATE PENITENTIARY
Lansing, Kansas

January 15, 1962

Mr. Mack Nations
Wichita Eagle & Beacon
Wichita 1, Kansas

Re: HICKOCK, Richard Eugene
KSP No. 14746

Dear Mr. Nations:

A copy of your letter dated January 13, 1962, has been delivered to the above captioned inmate and we are holding another copy signed by Hickock in our files.

Very truly yours,

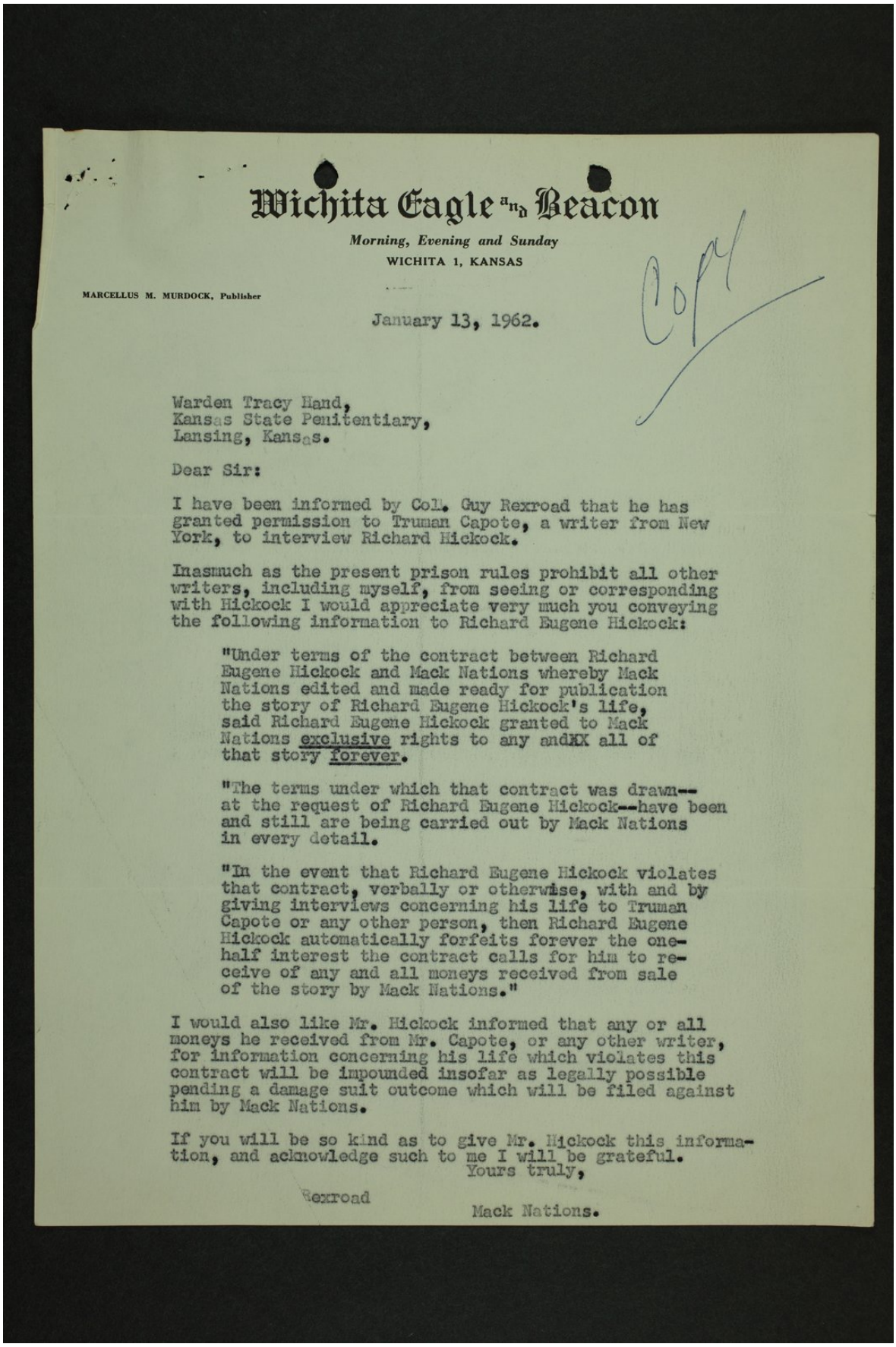
S. H. Crouse

S. H. Crouse
Acting Warden

SHC:owb

Copy furnished:
Director of Penal Institutions

18 Jan 62
Make a Thermofax copy for Mr McAtee.
GOR
D.D.



Wichita Eagle and Beacon

Morning, Evening and Sunday
WICHITA 1, KANSAS

MARCELLUS M. MURDOCK, Publisher

January 13, 1962.

Copy

Warden Tracy Hand,
Kansas State Penitentiary,
Lansing, Kansas.

Dear Sir:

I have been informed by Col. Guy Rexroad that he has granted permission to Truman Capote, a writer from New York, to interview Richard Hickock.

Inasmuch as the present prison rules prohibit all other writers, including myself, from seeing or corresponding with Hickock I would appreciate very much you conveying the following information to Richard Eugene Hickock:

"Under terms of the contract between Richard Eugene Hickock and Mack Nations whereby Mack Nations edited and made ready for publication the story of Richard Eugene Hickock's life, said Richard Eugene Hickock granted to Mack Nations exclusive rights to any andXX all of that story forever.

"The terms under which that contract was drawn--at the request of Richard Eugene Hickock--have been and still are being carried out by Mack Nations in every detail.

"In the event that Richard Eugene Hickock violates that contract, verbally or otherwise, with and by giving interviews concerning his life to Truman Capote or any other person, then Richard Eugene Hickock automatically forfeits forever the one-half interest the contract calls for him to receive of any and all moneys received from sale of the story by Mack Nations."

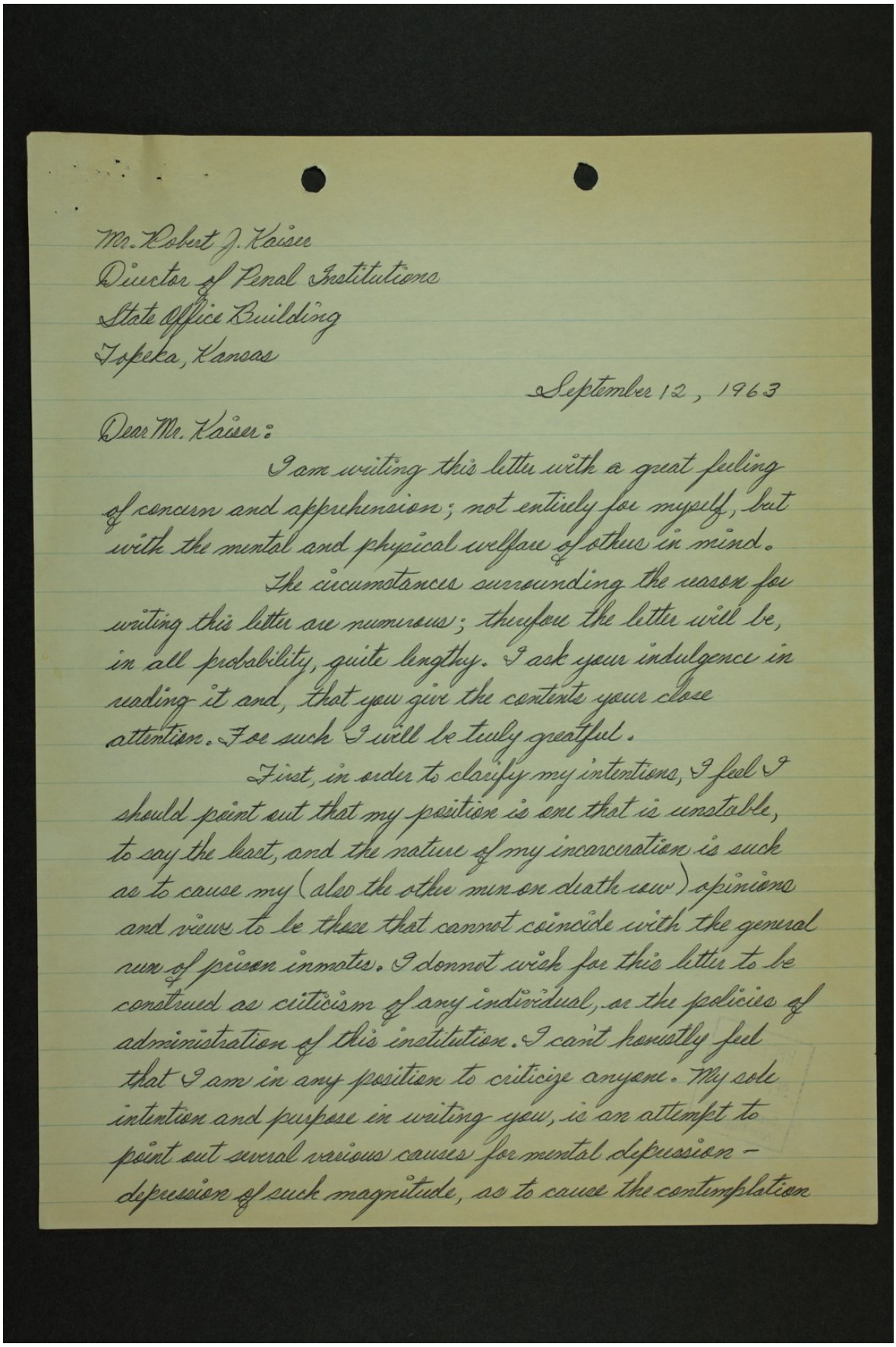
I would also like Mr. Hickock informed that any or all moneys he received from Mr. Capote, or any other writer, for information concerning his life which violates this contract will be impounded insofar as legally possible pending a damage suit outcome which will be filed against him by Mack Nations.

If you will be so kind as to give Mr. Hickock this information, and acknowledge such to me I will be grateful.

Yours truly,

Rexroad

Mack Nations.



Mr. Robert J. Kaiser
Director of Penal Institutions
State Office Building
Topeka, Kansas

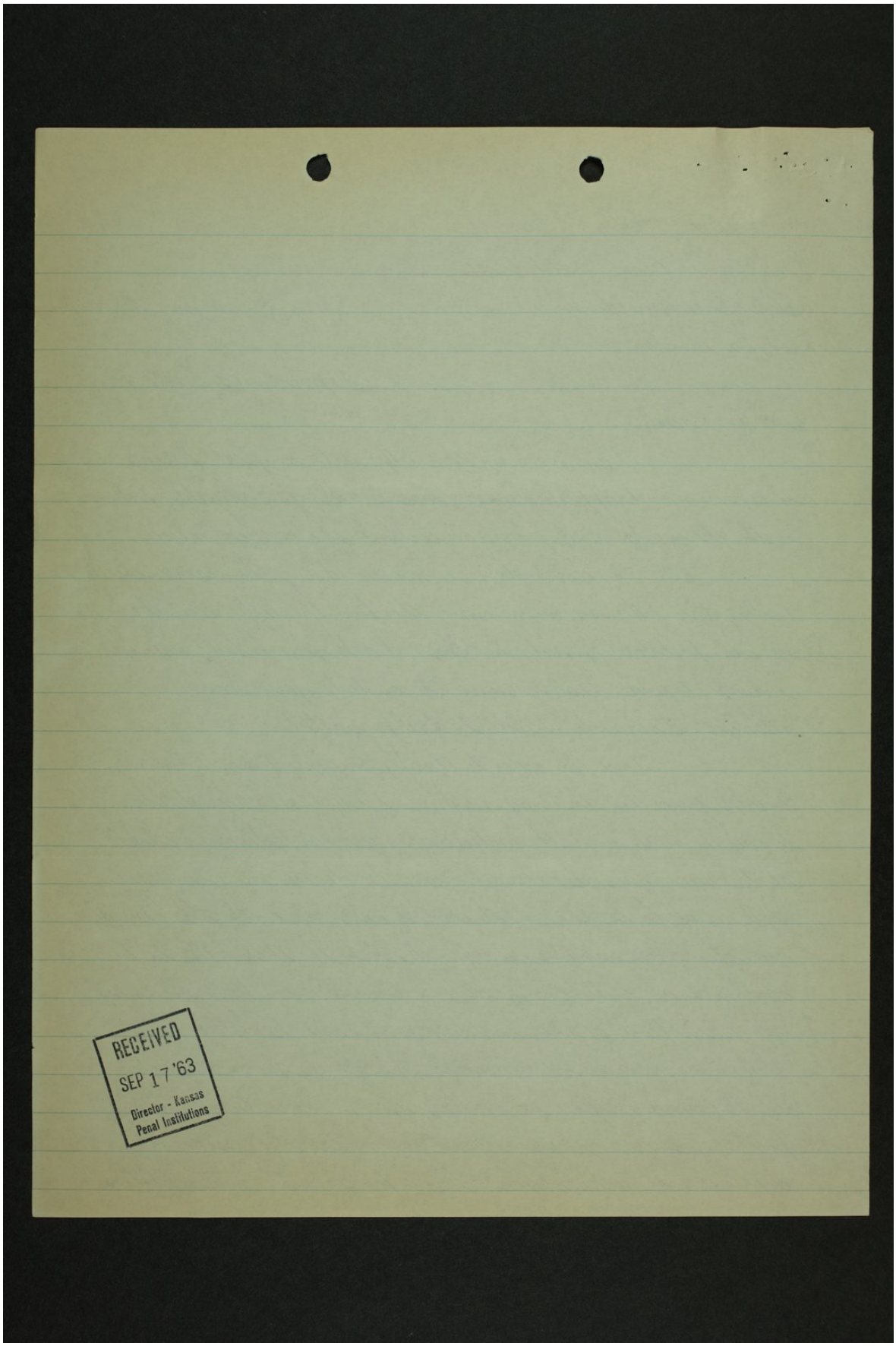
September 12, 1963

Dear Mr. Kaiser:

I am writing this letter with a great feeling of concern and apprehension; not entirely for myself, but with the mental and physical welfare of others in mind.

The circumstances surrounding the reason for writing this letter are numerous; therefore the letter will be, in all probability, quite lengthy. I ask your indulgence in reading it and, that you give the contents your close attention. For such I will be truly greatful.

First, in order to clarify my intentions, I feel I should point out that my position is one that is unstable, to say the least, and the nature of my incarceration is such as to cause my (also the other men on death row) opinions and views to be those that cannot coincide with the general run of prison inmates. I do not wish for this letter to be construed as criticism of any individual, or the policies of administration of this institution. I can't honestly feel that I am in any position to criticize anyone. My sole intention and purpose in writing you, is an attempt to point out several various causes for mental depression - depression of such magnitude, as to cause the contemplation


RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions

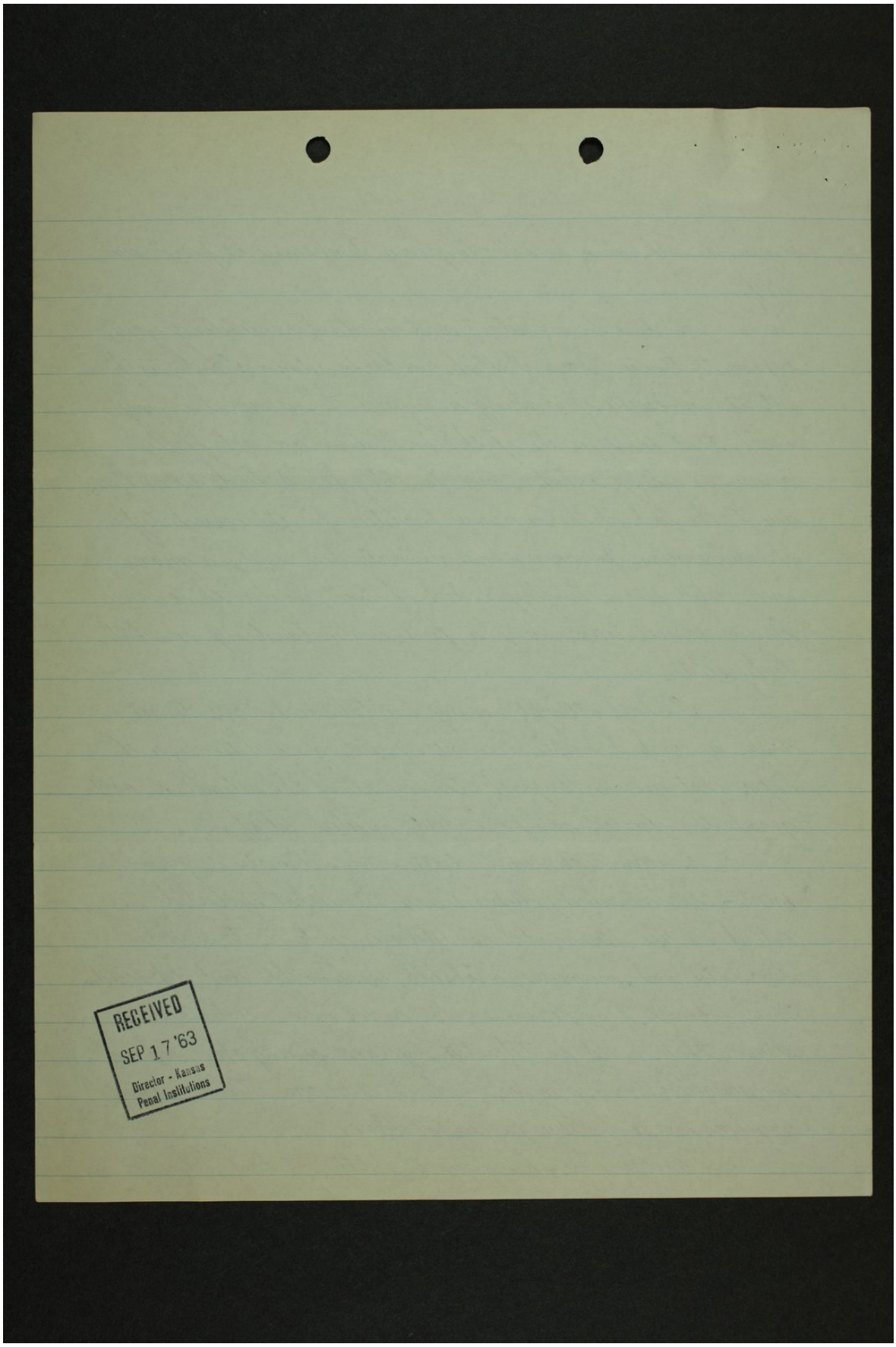
of possible self harm in order to gain a temporary or permanent relief.

I have been hesitant and reluctant in writing you, hoping that some form of relief would be administered, without the necessity of making a request. However, it is my belief, that the officials of this institution are not fully aware, or realize what a man is being forced to daily suffer, due to the lack of the necessary facilities for the correct type of incarceration for men condemned to die. Only a man incarcerated over a lengthy period of time, under these same circumstances, can realize a full understanding of what truly exists.

I shall attempt, in my limited vocabulary, to set down a comprehensible account of existing conditions, with hopes that you will grasp the impact of the situation, and grant the desired relief - indeed, <u>needed</u> relief!

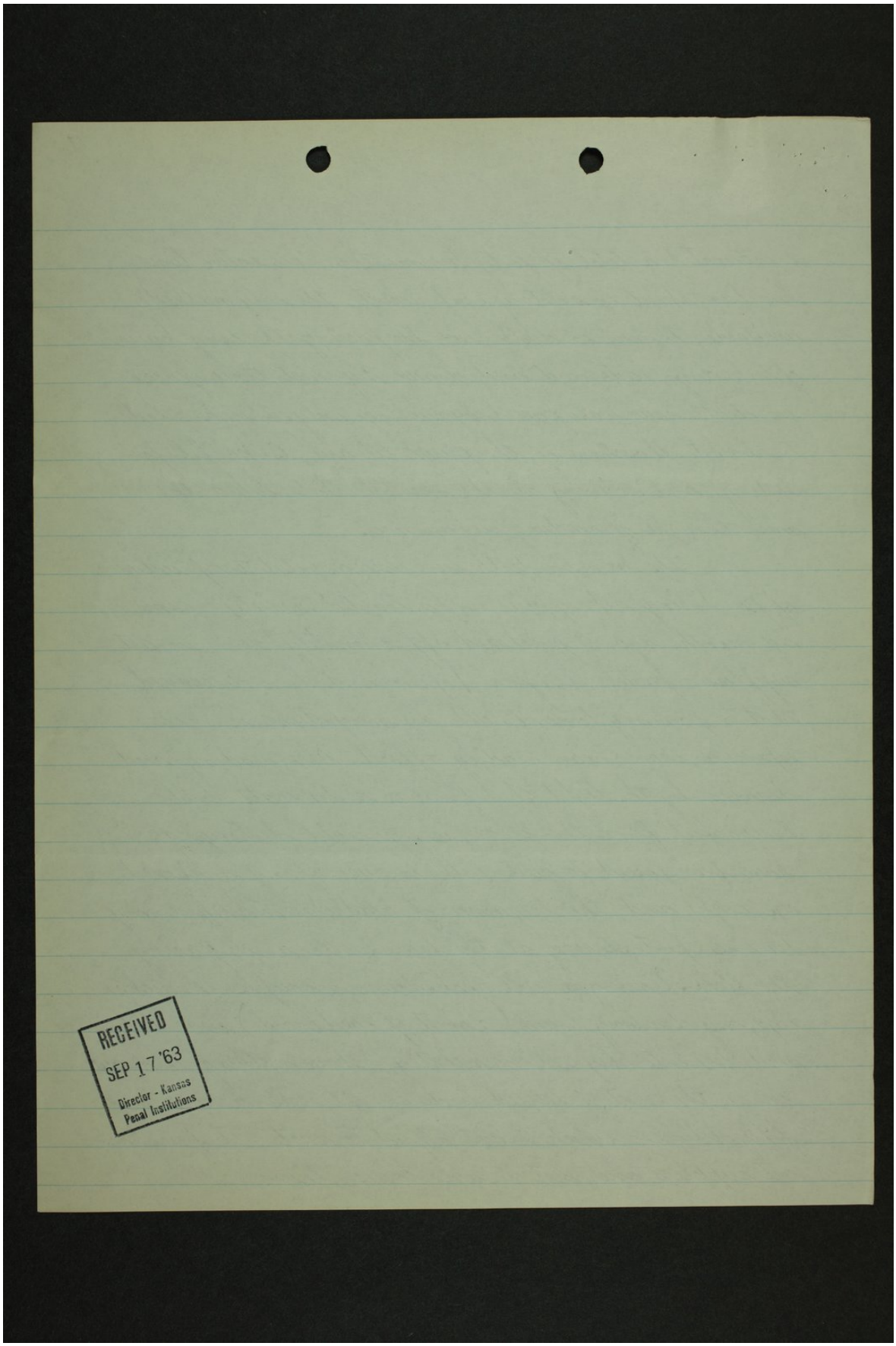
a man sentenced to death - the ultimate in punishment - has an entirely different and, somewhat distorted outlook on life. His mental condition is such as to render him intolerant, nervous, irritable, irrational and depressed. Thus, adverse, transpiring events, cause nervous stress and strain, that would be tolerated by those of any other type of incarceration. Even a man on death row can stand most anything over a limited period of time.

At the time of writing this letter, I have been


RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions

incarcerated a total of forty two months. This entire time has been spent in solitary confinement. The only methods available, to men on death row, for passing the long hours of each day, is to read and draw. My first three years on death row was passed by reading only. This has led to almost exhaustion of the prison library (Books fit for reading), and arriving at the mental state where the mere thought of reading sickens me.

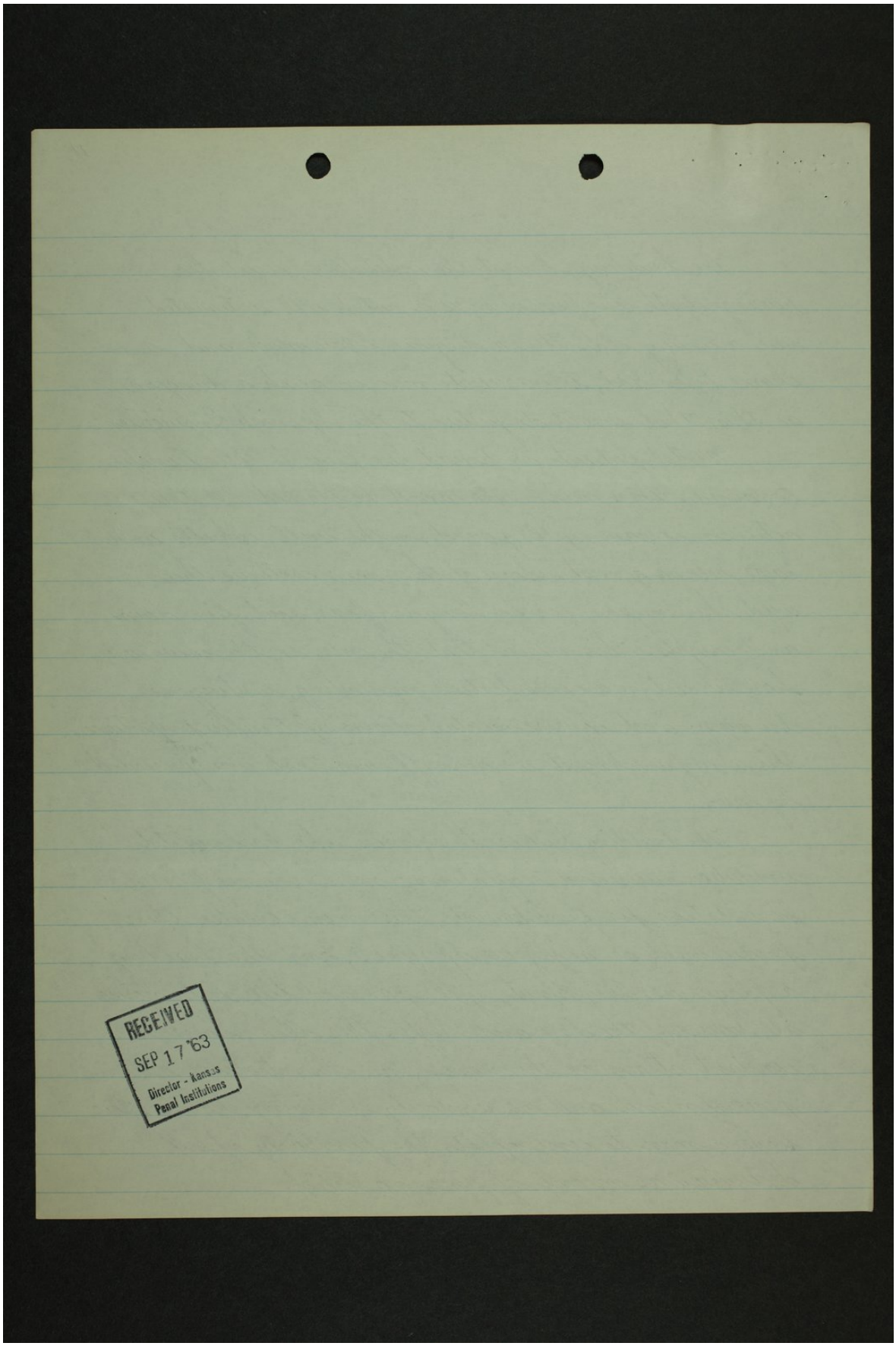
The men on death row were granted the privilege of purchasing art supplies - of a limited variety - some six months ago. I purchased approximately $50.00 in art supplies - pastels, crayons, paper - and have discovered that to pass my time at such an occupation is more expensive than I can readily afford. Also, reading and drawing by the light shed from a sixty watt bulb, twelve feet from the floor, is eye sight destroying. I have been forced to quit both because of my weakened eye sight and, the frequency of headaches. Therefore, my time is spent staring at the four walls and pacing the floor. During a cell shakedown, a couple of weeks ago, my drawing board (a sheet of cardboard) was taken and tore into strips. Consequently, I have nothing to draw on in the event I desired to do so. It was a waste of fifty dollars - which I can't afford to waste - to purchase art supplies and, not be able to use them.


RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions

The building, here at the institution, used for housing death row prisoners, is a catch all, antiquated relic a century old. It is a disgrace before man and, a shame before God, to incarcerate men in such a dungeon as this, that would do justice to the "Spanish Inquisition".

Mental patients are housed here prior to their transfer to Larned. These men - who cannot be blamed for their actions - scream, yell, pound on the wall, whistle and raise hell in general. Some of these men continue their wild shinanigans for as long as four and five days and nights. This means that the men on the row can have no rest, no concentration on reading, writing or drawing, and causes mental strain of terrific proportions. This is a punishment we are suffering that was not prescribed by law.

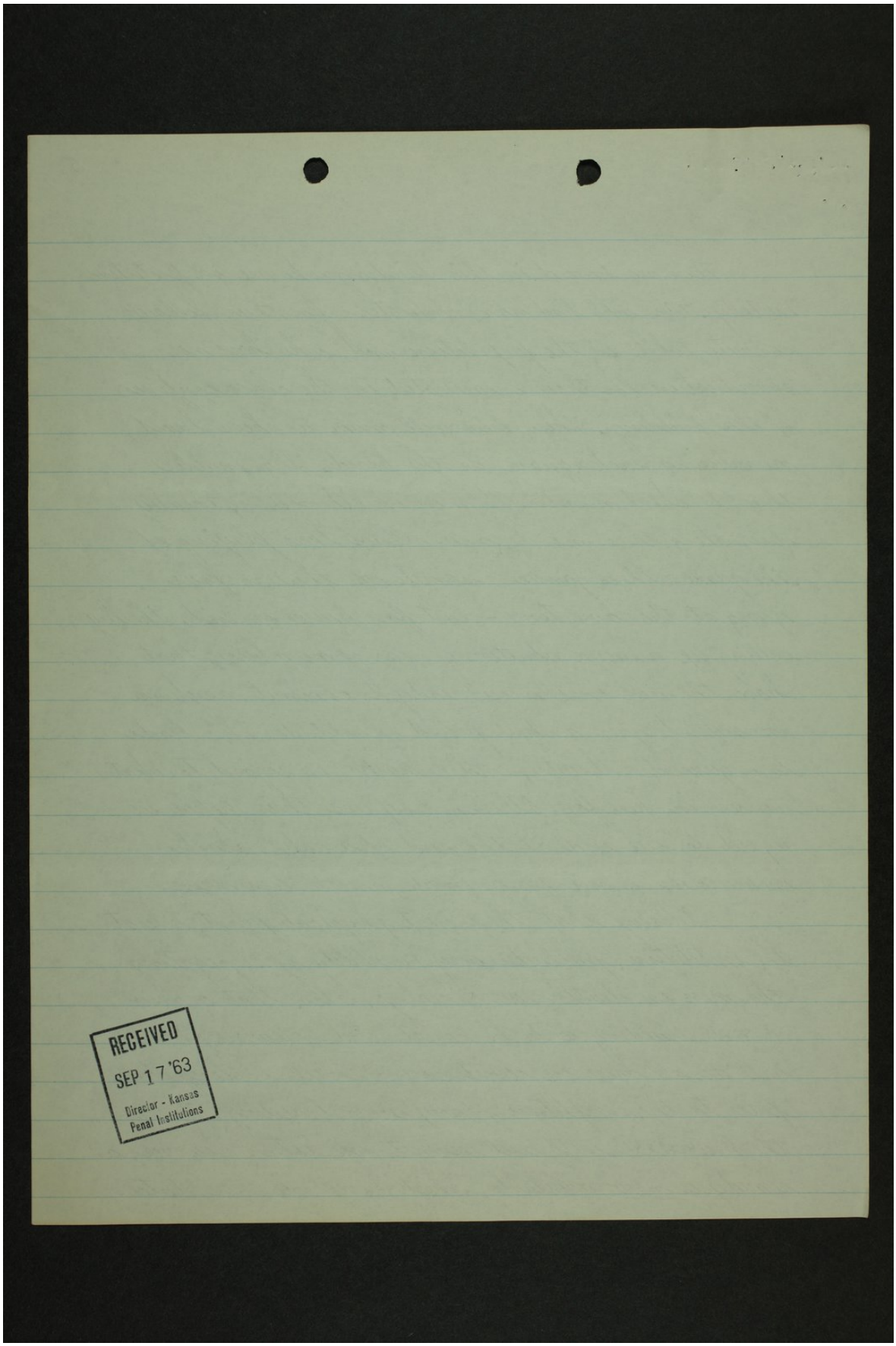
The building houses those men who have violated institutions rules and regulations; men who are placed in isolation for punishment. These men consider their predicament as a joyous experience, and the building a playhouse. They shout, yell, joke and tell dirty stories all hours of the day and night. This also means a constant strain on the nerves, no concentration, no peace of mind and no regularity in living habits. This leads a man to contemplate the possibility of self destruction as means of gaining a relief.

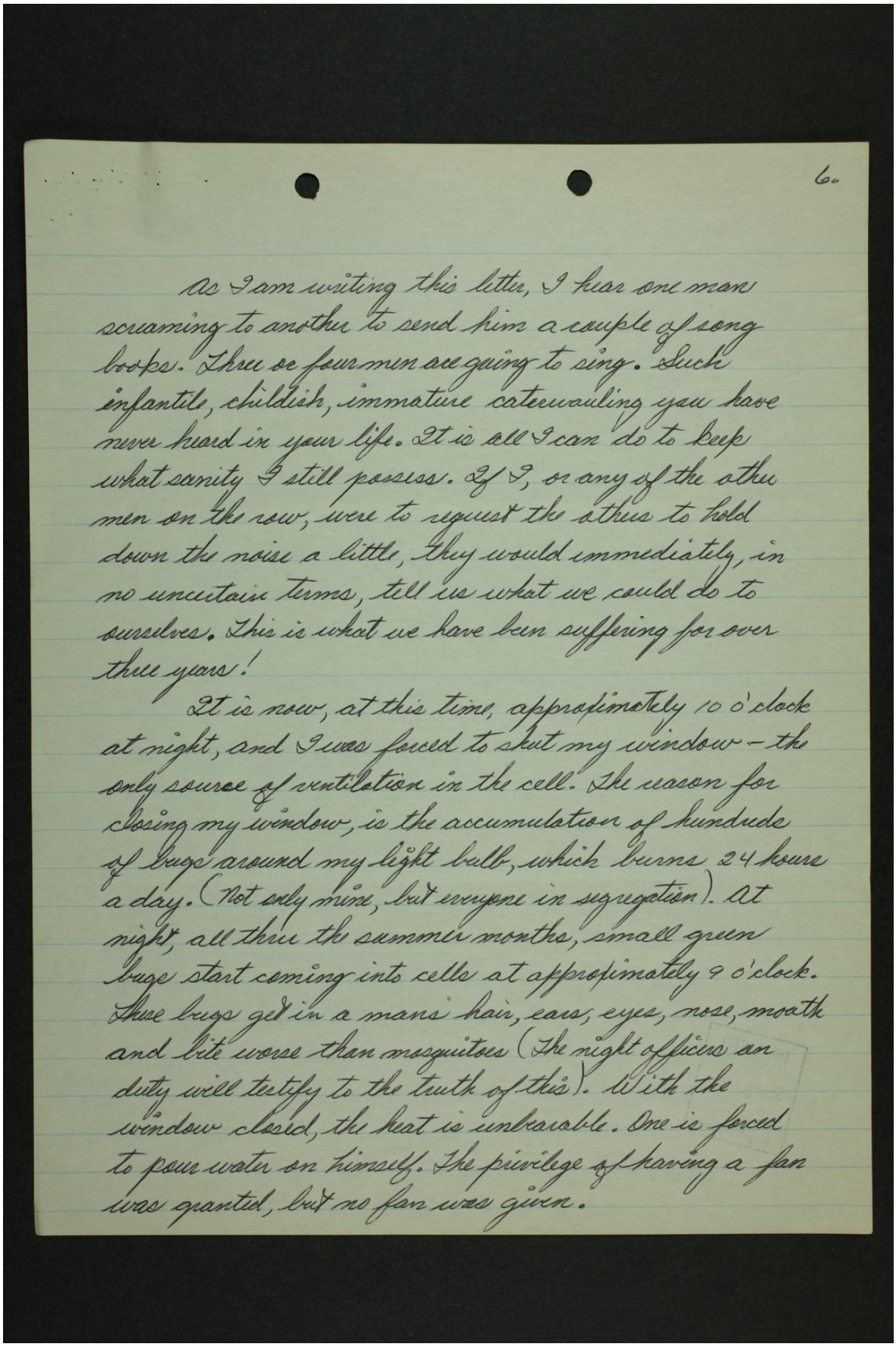

RECEIVED
SEP 17 '63
Director - Kans...s
Penal Institutions

Men are housed in this building who are on protective custody. Men who had no consideration for their fellow convicts while in the population and, who have no consideration for those incarcerated in the close confines of this building. These men will make a "chess board," numbering each square on the board. This enables them to shout numbers to men in other cells, thereby designating their moves, and allows their playing of the game. These games - sometimes three or four going at the same time - last for hours on end. Thereby setting up a nerve shattering roar of numbers, that have the men on the row ready to commit mayhem in order to gain a short period of solitude. This leads to arguments, threats, and remarks in regard to what we are in here for. Other men express their hopes in regard to our end at the end of a rope. Such incarceration is not for animals, much less men.

I realize that the present physical plant, here at the institution, precludes any possibility of segregating the men on death row. I realize, also, that a new S. & I. building is to be constructed. However, I - as well as all men on death row - will be long dead prior to the completion of any new building. So the new S. & I. will aid us not one iota. However, a remedy is now available, which I will discuss later.

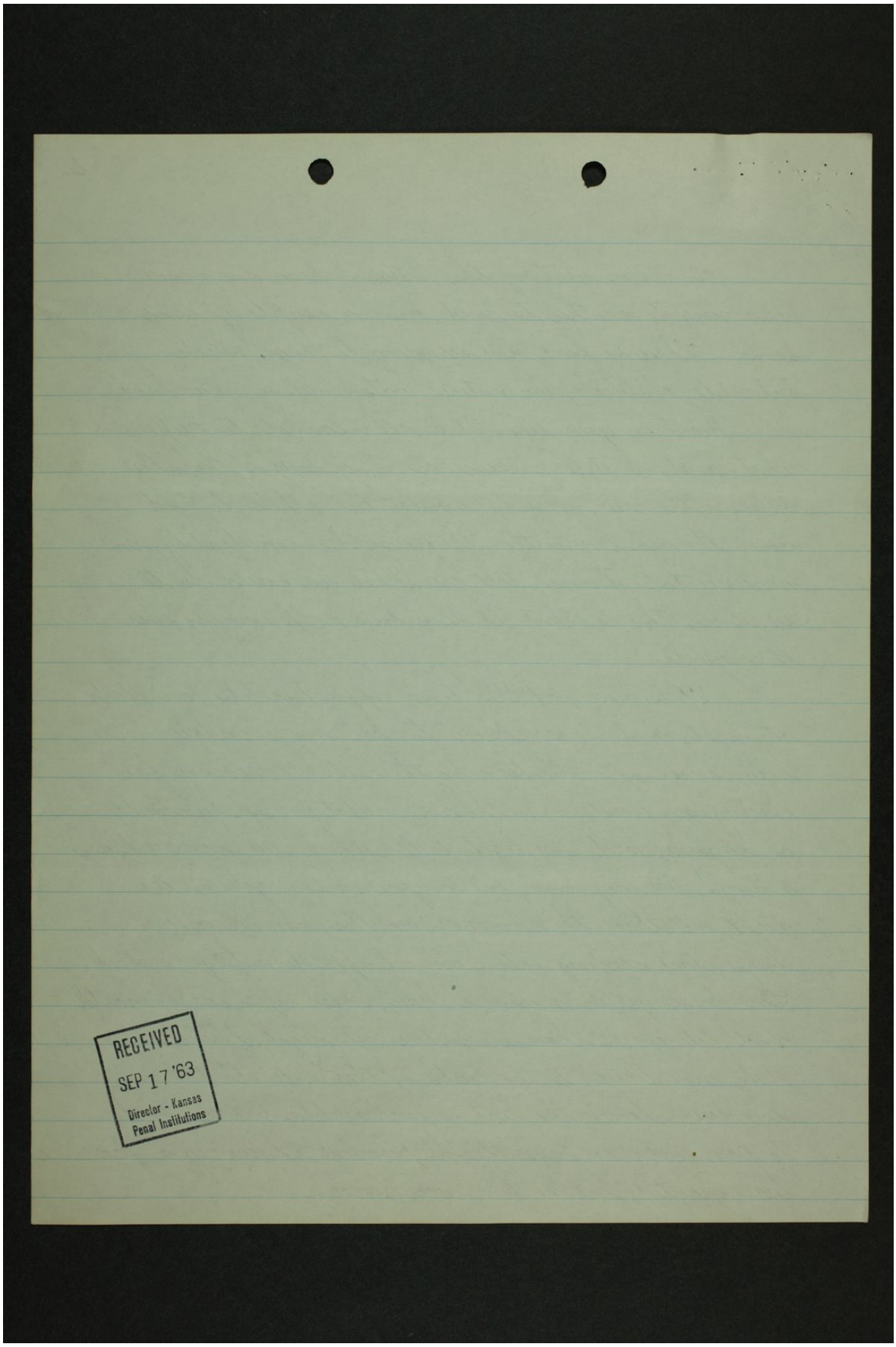
Richard Eugene Hickock inmate case file

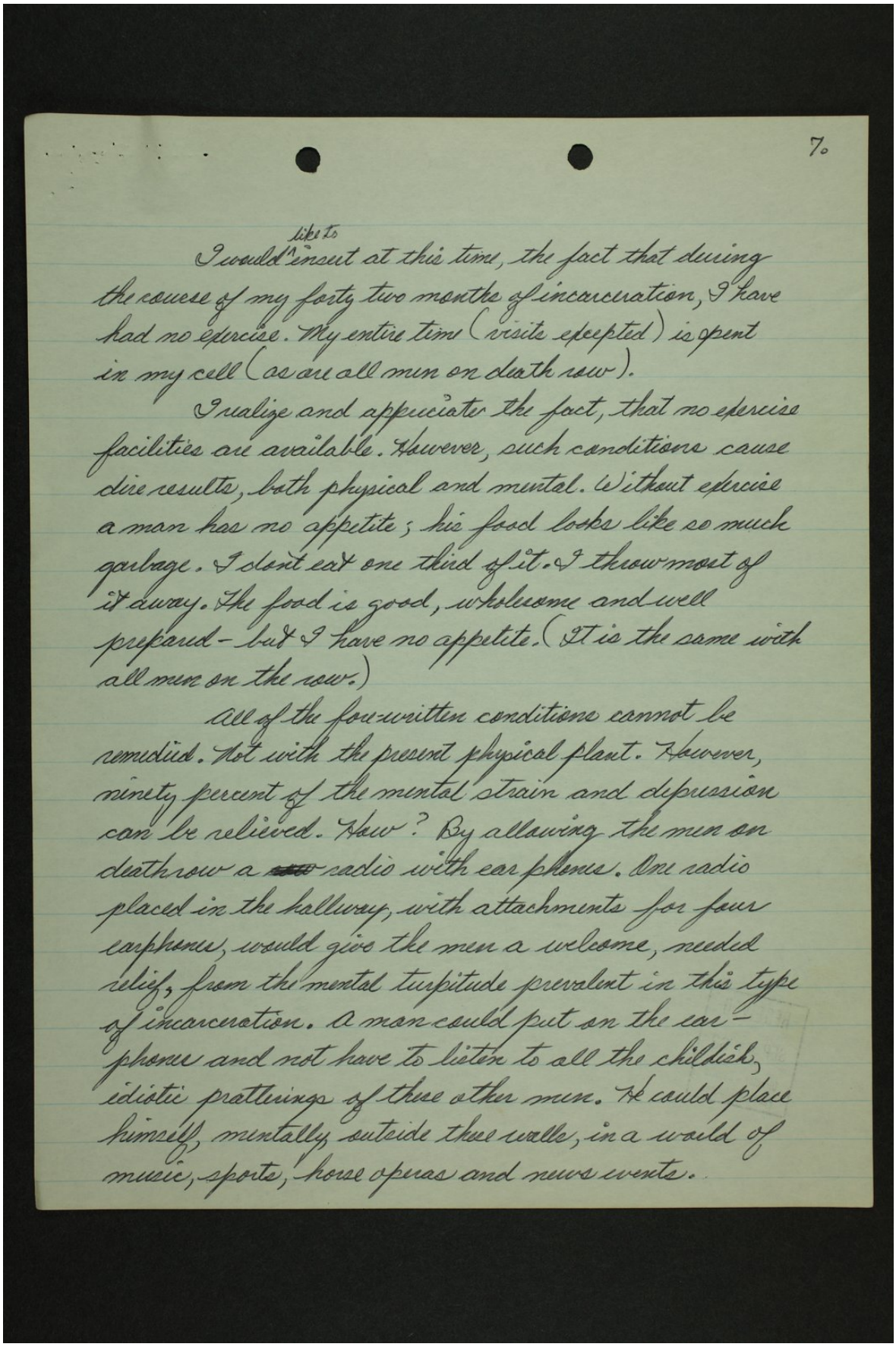




As I am writing this letter, I hear one man screaming to another to send him a couple of song books. Three or four men are going to sing. Such infantile, childish, immature caterwauling you have never heard in your life. It is all I can do to keep what sanity I still possess. If I, or any of the other men on the row, were to request the others to hold down the noise a little, they would immediately, in no uncertain terms, tell us what we could do to ourselves. This is what we have been suffering for over three years!

It is now, at this time, approximately 10 o'clock at night, and I was forced to shut my window - the only source of ventilation in the cell. The reason for closing my window, is the accumulation of hundreds of bugs around my light bulb, which burns 24 hours a day. (Not only mine, but everyone in segregation). At night, all thru the summer months, small green bugs start coming into cells at approximately 9 o'clock. These bugs get in a mans hair, ears, eyes, nose, mouth and bite worse than mosquitoes (The night officers on duty will testify to the truth of this). With the window closed, the heat is unbearable. One is forced to pour water on himself. The privilege of having a fan was granted, but no fan was given.

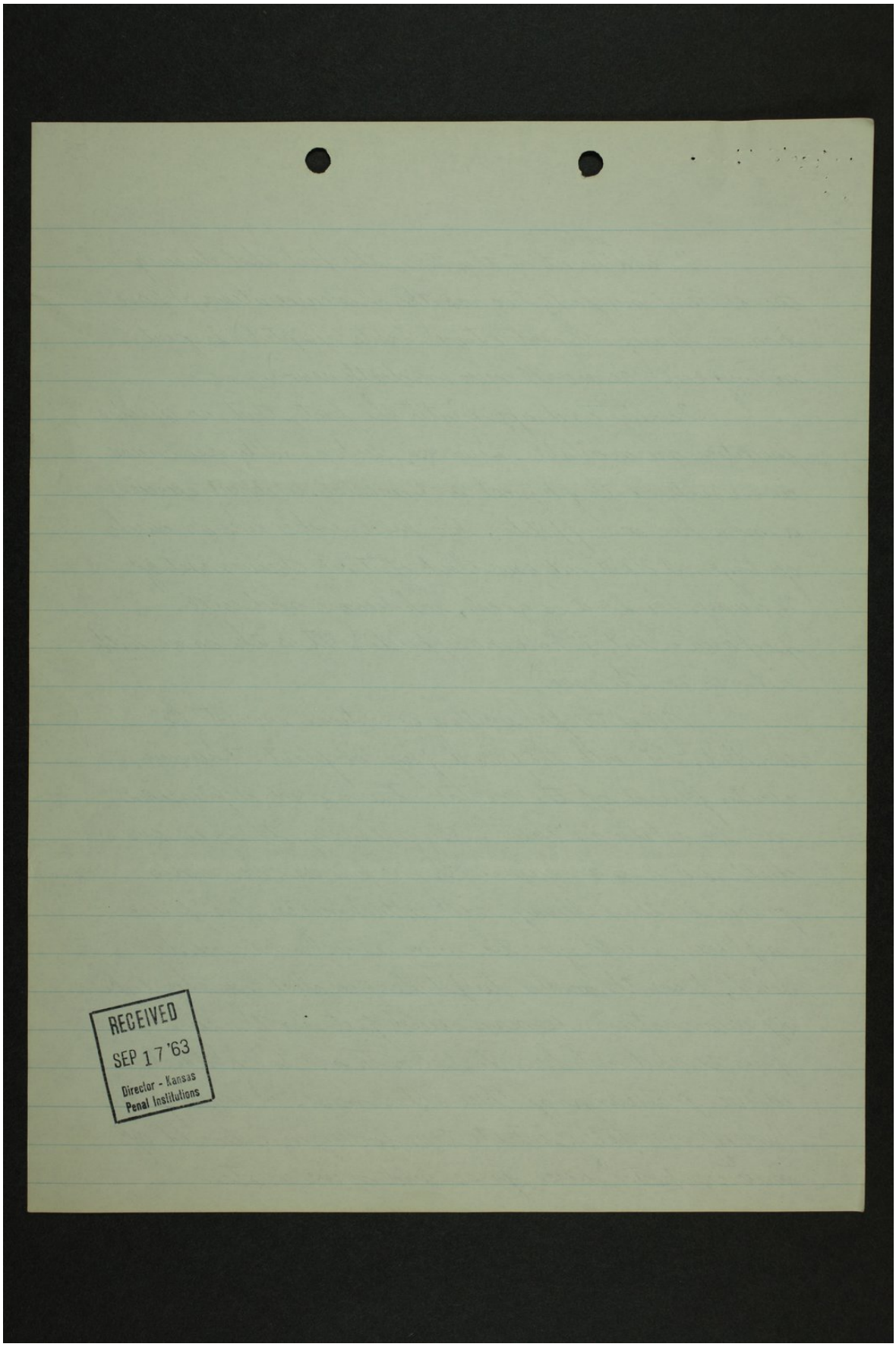

RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions



I would like to insert at this time, the fact that during the course of my forty two months of incarceration, I have had no exercise. My entire time (visits excepted) is spent in my cell (as are all men on death row).

I realize and appreciate the fact, that no exercise facilities are available. However, such conditions cause dire results, both physical and mental. Without exercise a man has no appetite; his food looks like so much garbage. I dont eat one third of it. I throw most of it away. The food is good, wholesome and well prepared - but I have no appetite. (It is the same with all men on the row.)

All of the four written conditions cannot be remedied. Not with the present physical plant. However, ninety percent of the mental strain and depression can be relieved. How? By allowing the men on deathrow a ~~radio~~ radio with ear phones. One radio placed in the hallway, with attachments for four earphones, would give the men a welcome, needed relief, from the mental turpitude prevalent in this type of incarceration. A man could put on the ear-phone and not have to listen to all the childish, idiotic prattlings of these other men. He could place himself, mentally, outside these walls, in a world of music, sports, horse operas and news events.


RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions

Music is soothing to anyone's nerves. It keeps the mind off one's troubles - family, financial, death, etc. a radio is the answer to our mental depression.

If a man was to be incarcerated under these conditions, for a short time only, he could readily endure it. Or, if it was to be a long incarceration, the mere knowledge of eventual release would be balm enough to endure most anything.

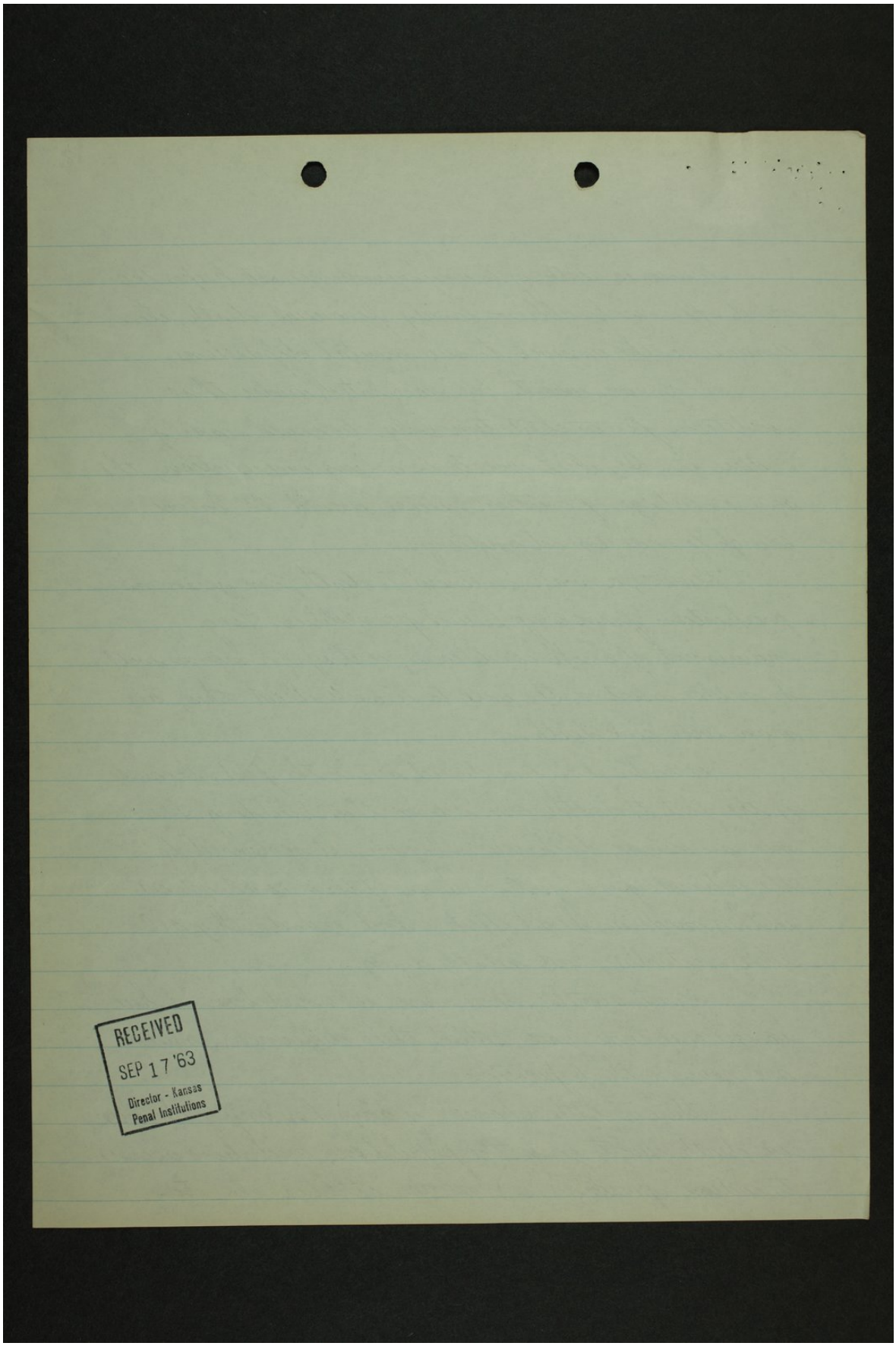
However, a man sentenced to death, can glean no pacification from any future possibilities. Long endurement of such conditions, destroys a man's will he needs most - the will to live. Without this, a man will seek death.

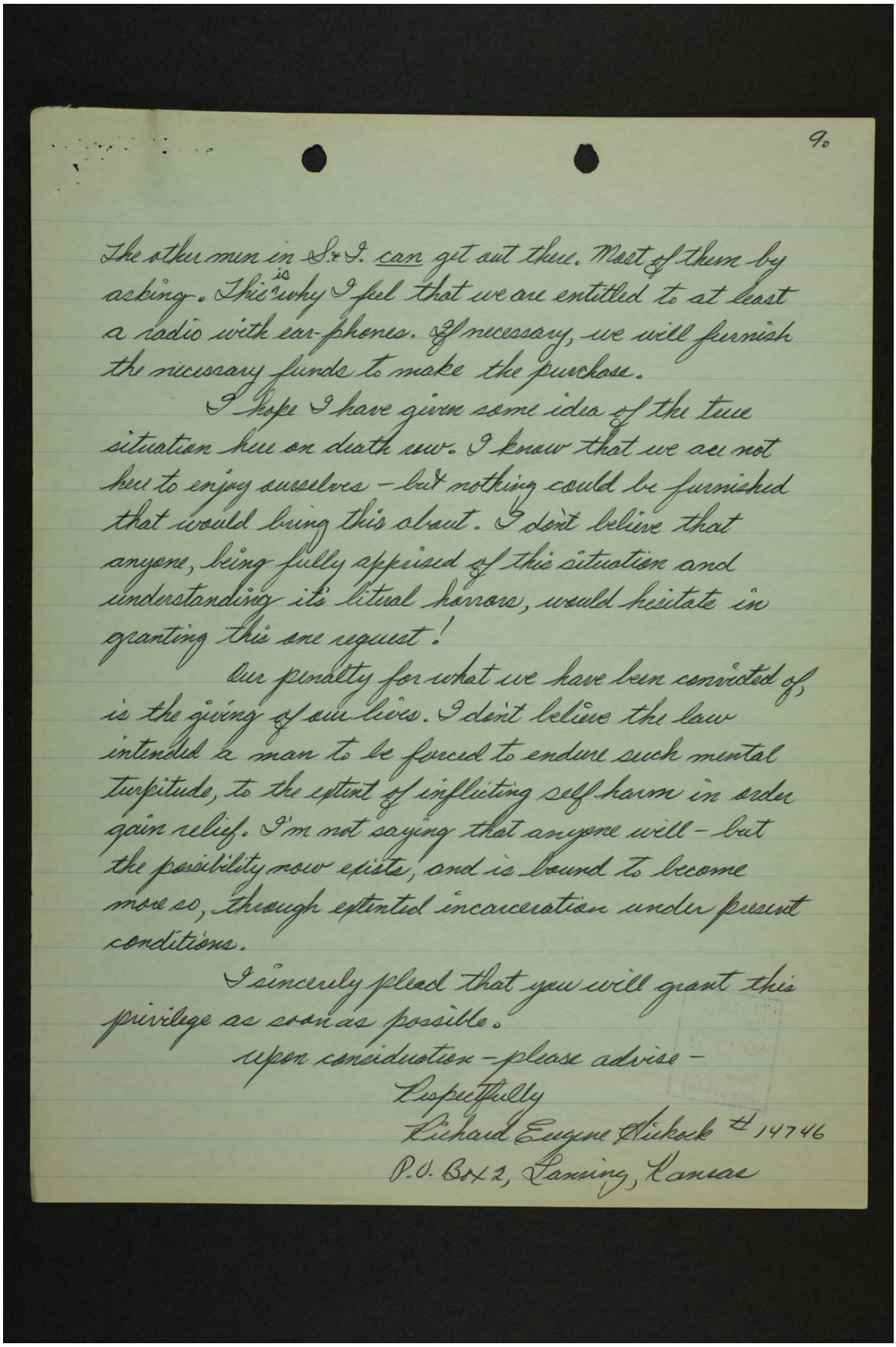
A radio has been denied us, in the past, because of the fact that other men are in this building. These men are not on death row. They are not sentenced to the ultimate penalty. Almost all of them could get out if they made an honest effort - and, indeed, they all will eventually; and not by dying.

Just recently, three men, who had been in here in excess of three years, settled their differences, and are now in the population.

There is little chance (if any) for any of the men on death row to go to the population, and have access to radios (possibly T.V.) movies, athletics, etc, etc.

Richard Eugene Hickock inmate case file





9.

The other men in S. & S. can get out there. Most of them by asking. This is why I feel that we are entitled to at least a radio with ear-phones. If necessary, we will furnish the necessary funds to make the purchase.

I hope I have given some idea of the true situation here on death row. I know that we are not here to enjoy ourselves – but nothing could be furnished that would bring this about. I don't believe that anyone, being fully appised of this situation and understanding its literal horrors, would hesitate in granting this one request!

Our penalty for what we have been convicted of, is the giving of our lives. I don't believe the law intended a man to be forced to endure such mental turpitude, to the extent of inflicting self harm in order gain relief. I'm not saying that anyone will – but the possibility now exists, and is bound to become more so, through extented incarceration under present conditions.

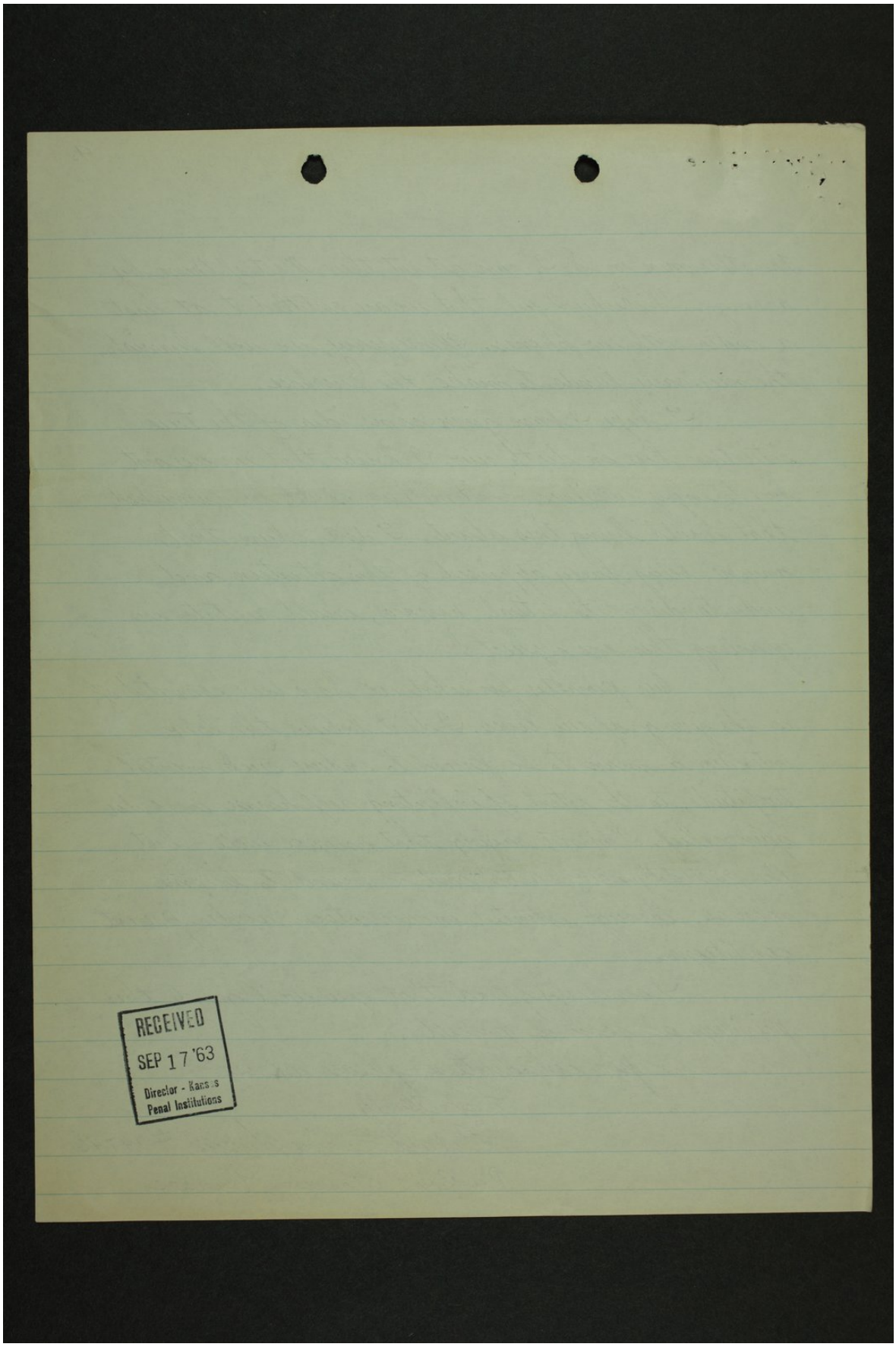
I sincerely plead that you will grant this privilege as soon as possible.

upon consideration – please advise –

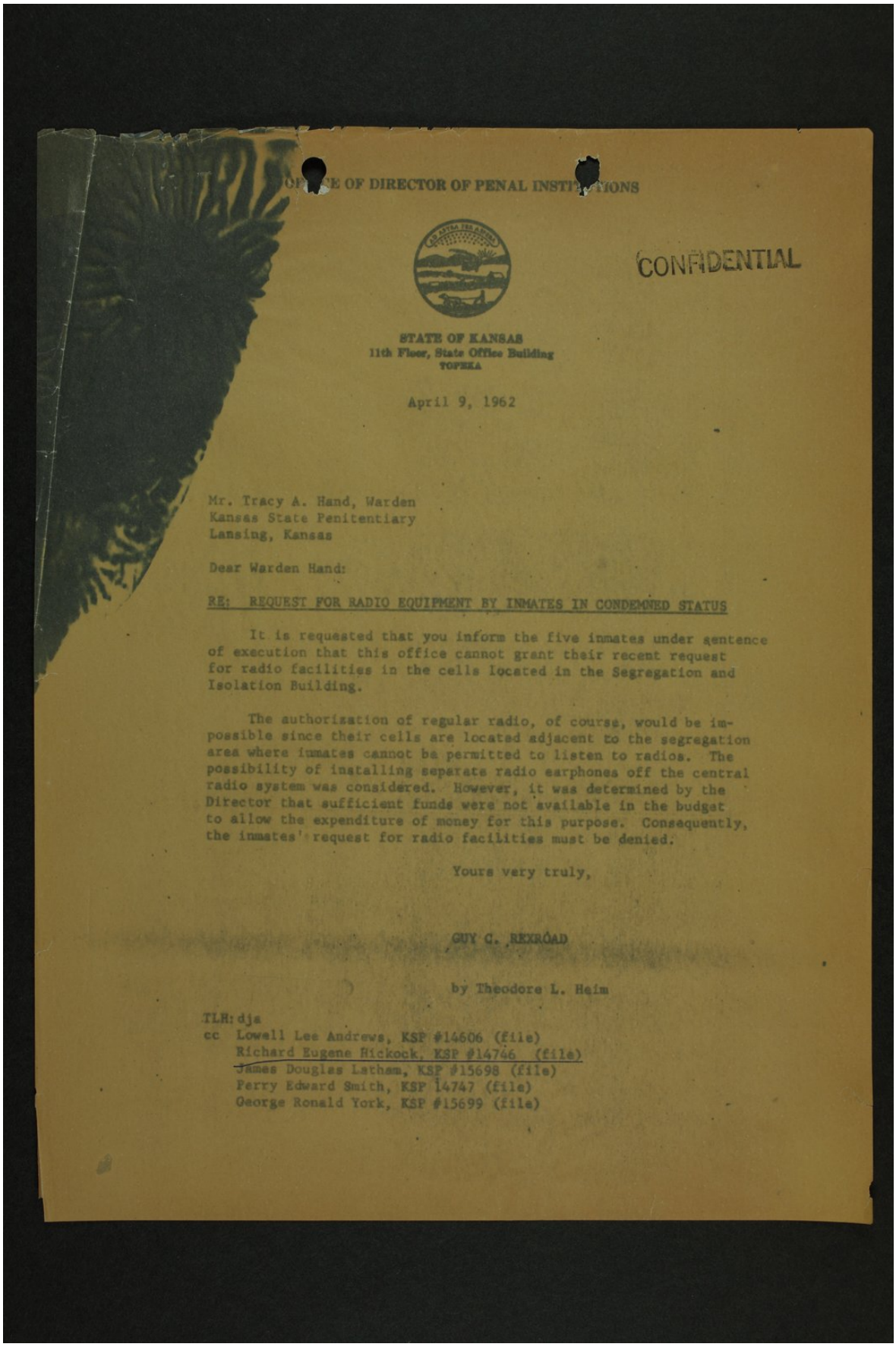
Respectfully

Richard Eugene Hickock # 14746

P.O. Box 2, Lansing, Kansas


RECEIVED
SEP 17 '63
Director - Kansas
Penal Institutions

Richard Eugene Hickock inmate case file



OFFICE OF DIRECTOR OF PENAL INSTITUTIONS

CONFIDENTIAL

STATE OF KANSAS
11th Floor, State Office Building
TOPEKA

April 9, 1962

Mr. Tracy A. Hand, Warden
Kansas State Penitentiary
Lansing, Kansas

Dear Warden Hand:

RE: REQUEST FOR RADIO EQUIPMENT BY INMATES IN CONDEMNED STATUS

It is requested that you inform the five inmates under sentence of execution that this office cannot grant their recent request for radio facilities in the cells located in the Segregation and Isolation Building.

The authorization of regular radio, of course, would be impossible since their cells are located adjacent to the segregation area where inmates cannot be permitted to listen to radios. The possibility of installing separate radio earphones off the central radio system was considered. However, it was determined by the Director that sufficient funds were not available in the budget to allow the expenditure of money for this purpose. Consequently, the inmates' request for radio facilities must be denied.

Yours very truly,

GUY C. REXROAD

by Theodore L. Heim

TLH:dja
cc Lowell Lee Andrews, KSP #14606 (file)
Richard Eugene Hickock, KSP #14746 (file)
James Douglas Latham, KSP #15698 (file)
Perry Edward Smith, KSP 14747 (file)
George Ronald York, KSP #15699 (file)