

Richard Eugene Hickock inmate case file

Section 5, Pages 121 - 150

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

Richard Eugene Hickock inmate case file

5

before they could get away. Arrived at home about 12:30 am, family asleep, all sleeping in different rooms. Didn't know whether at home, if not at home planned to burglarize, just walked in, information was that door unlocked, friend of subject gave information. But all in bathroom at first. Stayed in bath about 1/2 hr, after search took one out at a time, took men out first. Hickock obtained info. about clutter from inmate while at KSP, had floor plan of home. Floyd Wells gave the information. Smith paroled first, subject wrote him after ^{his} release about helping with clutter robbery. Plans were all made after release, wrote Smith about 60 days after release.

Was given opportunity to give any other information in mitigation, but he had none. Atty Jenkins recited other murders committed by men "on the yard" and were not executed, asked "why do we pick on this person or these persons to execute", and "why hasn't Smith been given a psychiatric evaluation?" Atty Jenkins believes that Smith went wild & killed the four people and there was no premeditation. Thinks no violence in this man, Hickock, another meek, thinks he has grown up in last 2 1/2 years, could be useful citizen.

DR. J. J. [Signature]

Richard Eugene Hickock inmate case file

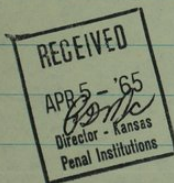
Mr. Charles D. McAtee
Director of Penal Institutions
1128-S State Office Bldg.
Topeka, Kansas

March 31, 1965

Dear Mr. McAtee,

I regret the necessity of imposing upon your time, however, I am faced with a matter of utmost importance. On this date I received, from the Warden's Office, the following notification:

"Mr. Henry called today and requested that I inform you the clemency hearings before the Board will be Tuesday morning, April 6, 1965. Exact time has not been set for the hearings."



According to my understanding of statutory provisions providing rules of procedure for clemency application, is that no hearing is to transpire until after five advertisement publications have ~~been~~ appeared in the official county paper where conviction was had.

If the hearing is conducted on April 6, 1965, only one advertisement will have been published. Mr. Jenkins is scheduled to appear before Governor Avery on April 1, 1965, to argue motion for reprieve, in order that time be allowed to publish the required

Richard Eugene Hickock inmate case file

number of advertisements and, in order that a clemency hearing can then be had in accordance to statutory provision.

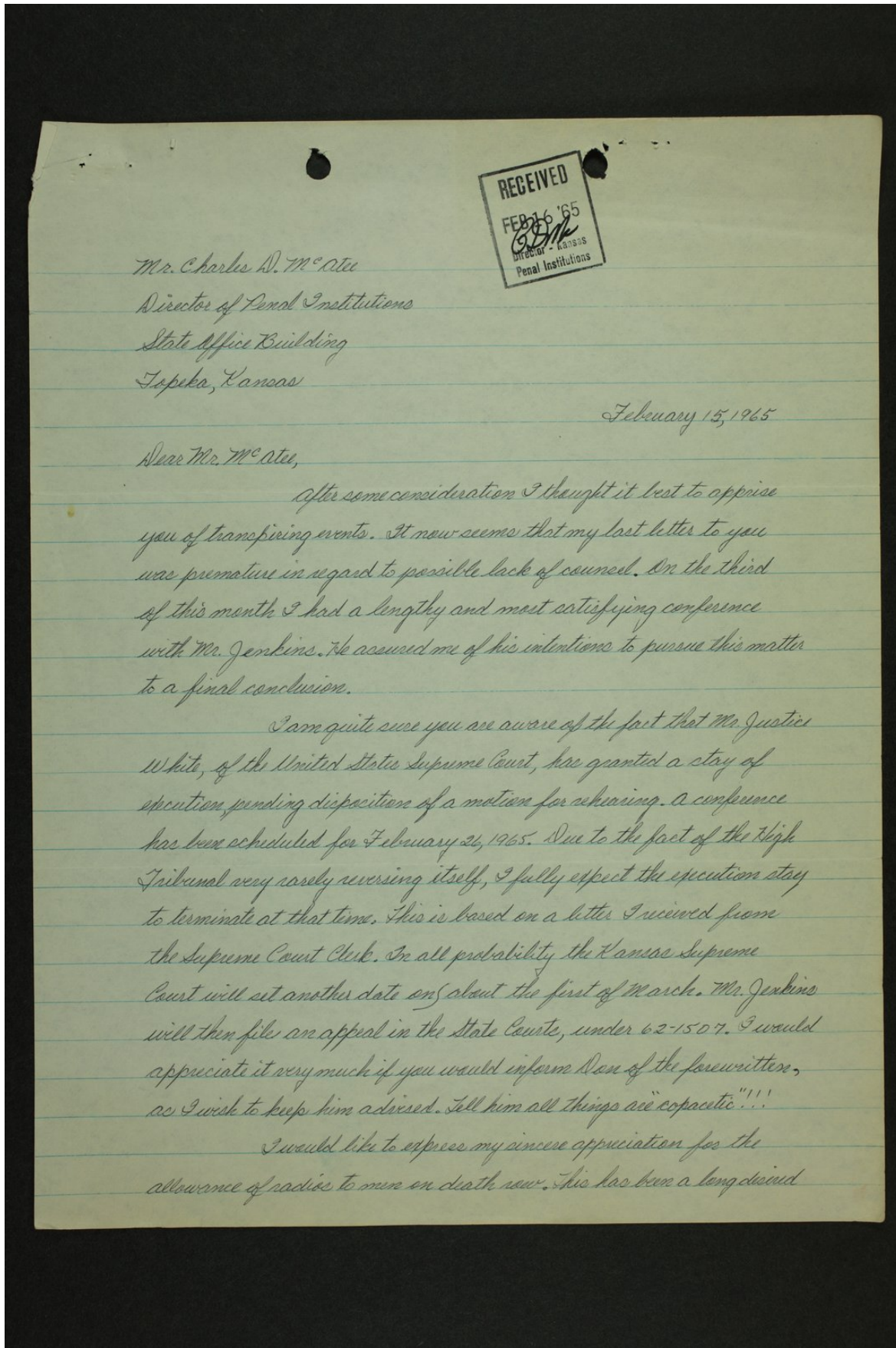
It is my opinion that the clemency board is attempting to circumvent the procedures outlined by statute, in order that Governor Avery will not be required to grant a reprieve.

This entire clemency affair has come as a complete and total surprise to me. I know nothing about clemency being filed until day before yesterday. It was previously my opinion, as I have already informed you, that counsel was to file a court action in trial court or, a habeas corpus in Federal Court. I am totally unprepared for a clemency hearing before the board. I must now face this thing cold. I will be unable to present my case in the manner it requires. Such a hearing will be most inadequate and incomplete. I am being deprived of my right to present the facts of this case to the Governor for his consideration. Unless, I am totally mistaken as to the purpose of the April 6, 1965 hearing. Hello bells, I'm a dummy when it comes to something like this. I had a multitude of things I wanted to prepare for presentation to the board. Now, I'll be lucky if I have time to even get a hair cut and shave before I am forced to appear before them. I don't think this is a fair shake at all! However, I reiterate, unless I am mistaken about the purpose of this April 6th hearing. Can you shed any light on the matter?

Sincerely

Richard E. Hickock #14746
P.O. Box 2, Lansing, Kansas

Richard Eugene Hickock inmate case file



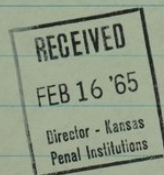
Richard Eugene Hickock inmate case file

privilege and, will be a welcome relief to the existing mental agony. I only hope that we receive them soon, so that a man can enjoy them prior to an execution date being set. Since receiving the news, the men on the row have become quite anxious. In fact, a little childish with expectation. However, speaking for myself, what else can be expected after five years in this cell ?? If the acquisition of the radios can be precipitated in ^{any} manner, please do.

Received a letter from Trauman. He is planning on leaving Switzerland the middle of next month. He said he had just finished talking to Mr. Jenkins, via telephone, and had a long talk. "Approximately two hundred dollars worth!!" "It must be nice to be able to afford such telephone calls. At any rate, I thought it extremely nice of Trauman to be so concerned to make such a call. He is one man in a million.

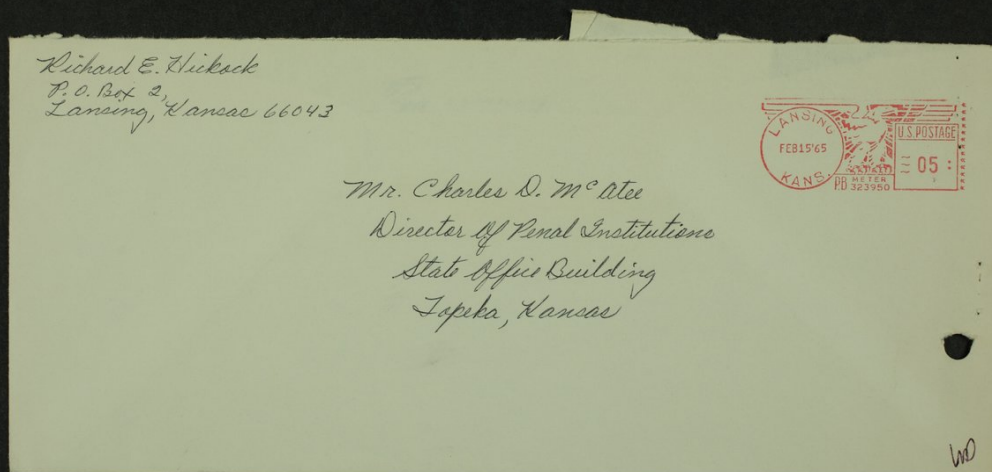
Will further advise you of any transpiring events.

Sincerely yours

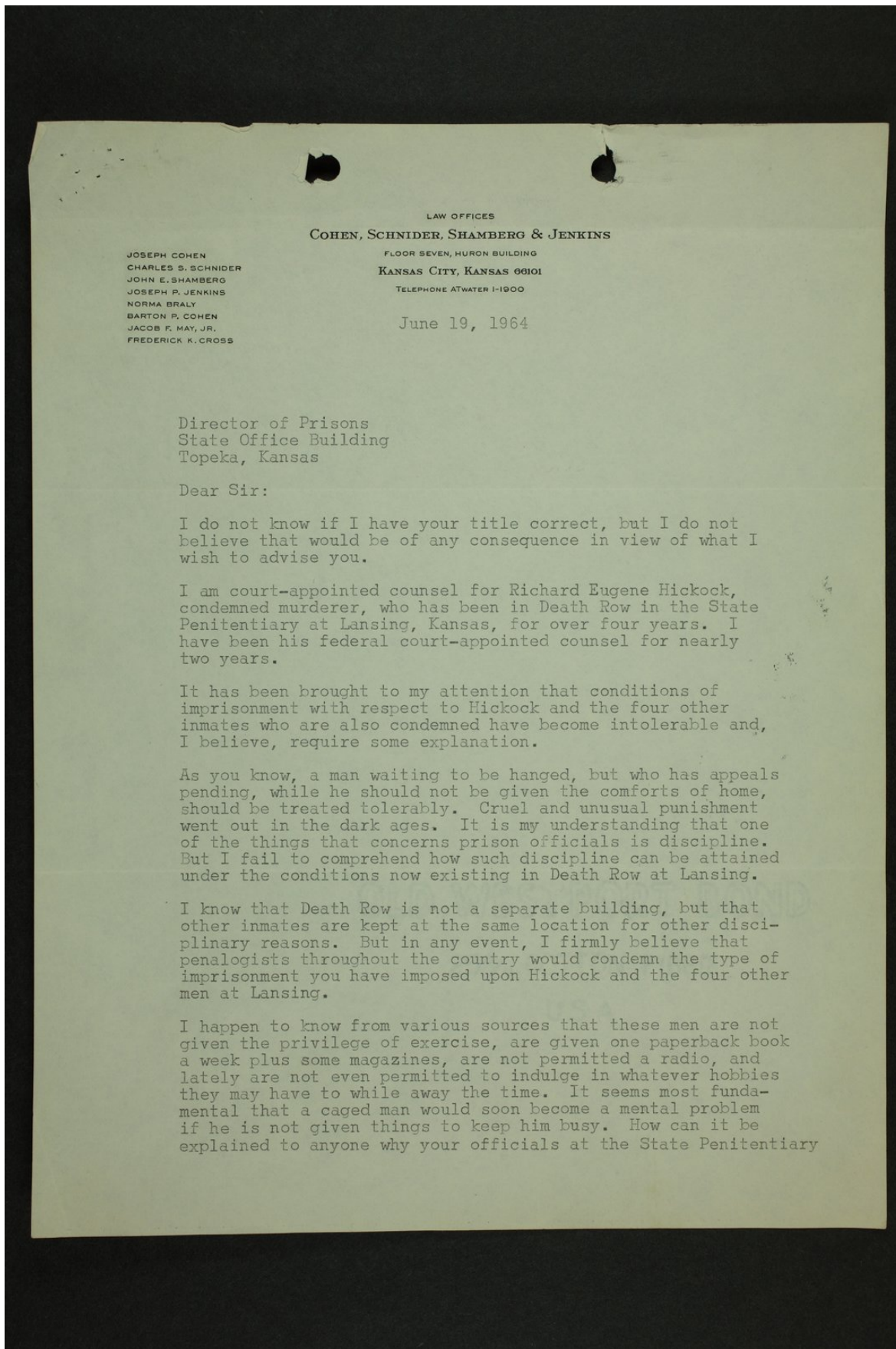


Richard E. Hickock #14746
P.O. Box 2,
Lansing, Kansas 66043

Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file



LAW OFFICES

COHEN, SCHNIDER, SHAMBERG & JENKINS

FLOOR SEVEN, HURON BUILDING

KANSAS CITY, KANSAS 66101

TELEPHONE ATWATER 1-1900

JOSEPH COHEN
CHARLES S. SCHNIDER
JOHN E. SHAMBERG
JOSEPH P. JENKINS
NORMA BRALY
BARTON P. COHEN
JACOB F. MAY, JR.
FREDERICK K. CROSS

June 19, 1964

Director of Prisons
State Office Building
Topeka, Kansas

Dear Sir:

I do not know if I have your title correct, but I do not believe that would be of any consequence in view of what I wish to advise you.

I am court-appointed counsel for Richard Eugene Hickock, condemned murderer, who has been in Death Row in the State Penitentiary at Lansing, Kansas, for over four years. I have been his federal court-appointed counsel for nearly two years.

It has been brought to my attention that conditions of imprisonment with respect to Hickock and the four other inmates who are also condemned have become intolerable and, I believe, require some explanation.

As you know, a man waiting to be hanged, but who has appeals pending, while he should not be given the comforts of home, should be treated tolerably. Cruel and unusual punishment went out in the dark ages. It is my understanding that one of the things that concerns prison officials is discipline. But I fail to comprehend how such discipline can be attained under the conditions now existing in Death Row at Lansing.

I know that Death Row is not a separate building, but that other inmates are kept at the same location for other disciplinary reasons. But in any event, I firmly believe that penalogists throughout the country would condemn the type of imprisonment you have imposed upon Hickock and the four other men at Lansing.

I happen to know from various sources that these men are not given the privilege of exercise, are given one paperback book a week plus some magazines, are not permitted a radio, and lately are not even permitted to indulge in whatever hobbies they may have to while away the time. It seems most fundamental that a caged man would soon become a mental problem if he is not given things to keep him busy. How can it be explained to anyone why your officials at the State Penitentiary

Richard Eugene Hickock inmate case file

Director of Prisons
June 19, 1964
Page 2

took from Mr. Hickock all of his United States Supreme Court decisions that he had purchased from the West Publishing Company, plus decisions he received from the Clerk of the Supreme Court. What reason can be given for destroying other legal matter material this man had in his cell. I happen to know that Mr. Hickock dabbles in painting. He had requested that I give him photographs of various members of my family so that he could draw or paint portraits of them. He said this would be some compensatbn for the services I had rendered him, and would also keep him busy. I believe an explanation is forthcoming as to why his art supplies were taken from him. What justification can there be for denying a condemned man the right to paint pictures?

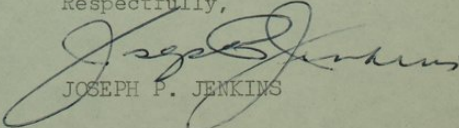
I have also been advised that many letters that Mr. Hickock had been saving had been destroyed.

I cannot personally vouch for the truth of these allegations, but I do know that I had requested Warden Crouse to take up with you the matter of permitting these men to have a radio, perhaps a small transistor set, and perhaps giving them some exercise. Nothing has been done. Warden Crouse explained to me that the matter was up to your office. He apparently felt that he would like to see some improvement. But when the prison officials take away a man's hobby, then it seems to me that the ends of justice are not being served.

I believe that the courts assess punishment and that this punishment is only carried out by prison officials. The social science of penalogy has made great strides in the past twenty years, but, frankly, it appears that Kansas has overlooked what other states have done.

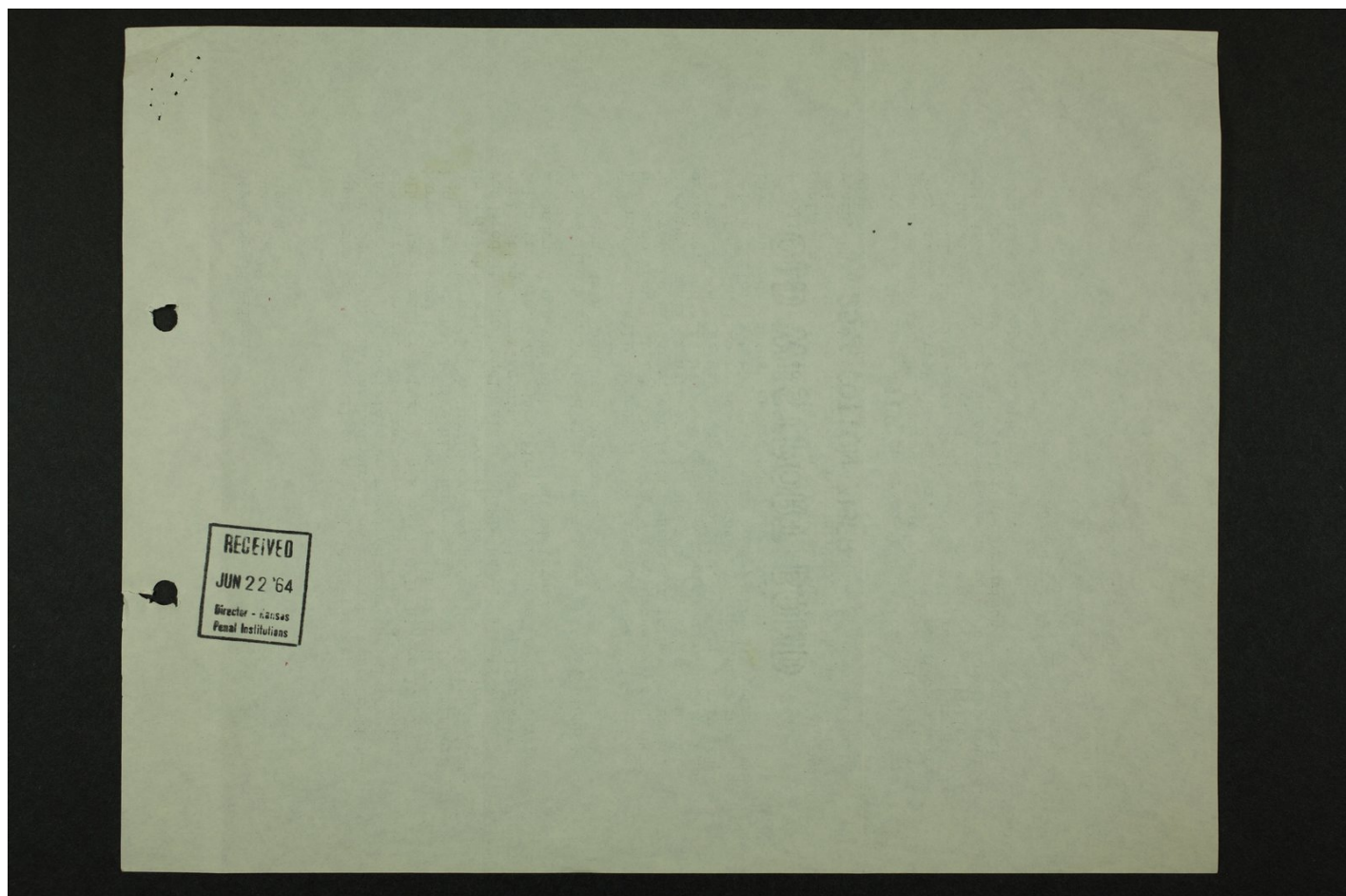
I respectfully request an answer to this letter, and that some steps be made to make life more bearable for Mr. Hickock, Mr. Gee, Mr. Smith, Mr. Latham and Mr. York. If nothing is done concerning these matters, I will have no alternative but to take it up with the Governor. If I get nowhere there, I believe this is a matter for the newspapers and perhaps for the courts. I am no crusader but I do feel that our prison system should measure up to those in other states.

Respectfully,


JOSEPH P. JENKINS

JPJ:mr

Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file

June 12, 1974

J. Michael Leyhe
Juvenile Department
4711 Harry Hines Blvd.
Dallas, Texas 75235

RE: HICKOCK, Richard Eugene
SMITH, Perry E.

Dear Mr. Leyhe:

Reference is made to your letter of June 4, 1974 requesting data on the above captioned subjects.

In reviewing our files I find that they were never evaluated at the Kansas Reception & Diagnostic Center and there is no record of any psychological testing. Therefore, other than routine record data on prisoners, there is nothing contained in our files that would be of any significant value to you in your study.

The story and film "In Cold Blood" by Truman Capate is a very accurate account of the crime committed by these two subjects and also goes into much detail on their backgrounds and social histories. I do not believe anything from our records could enhance this information in any manner.

With best regards, I remain

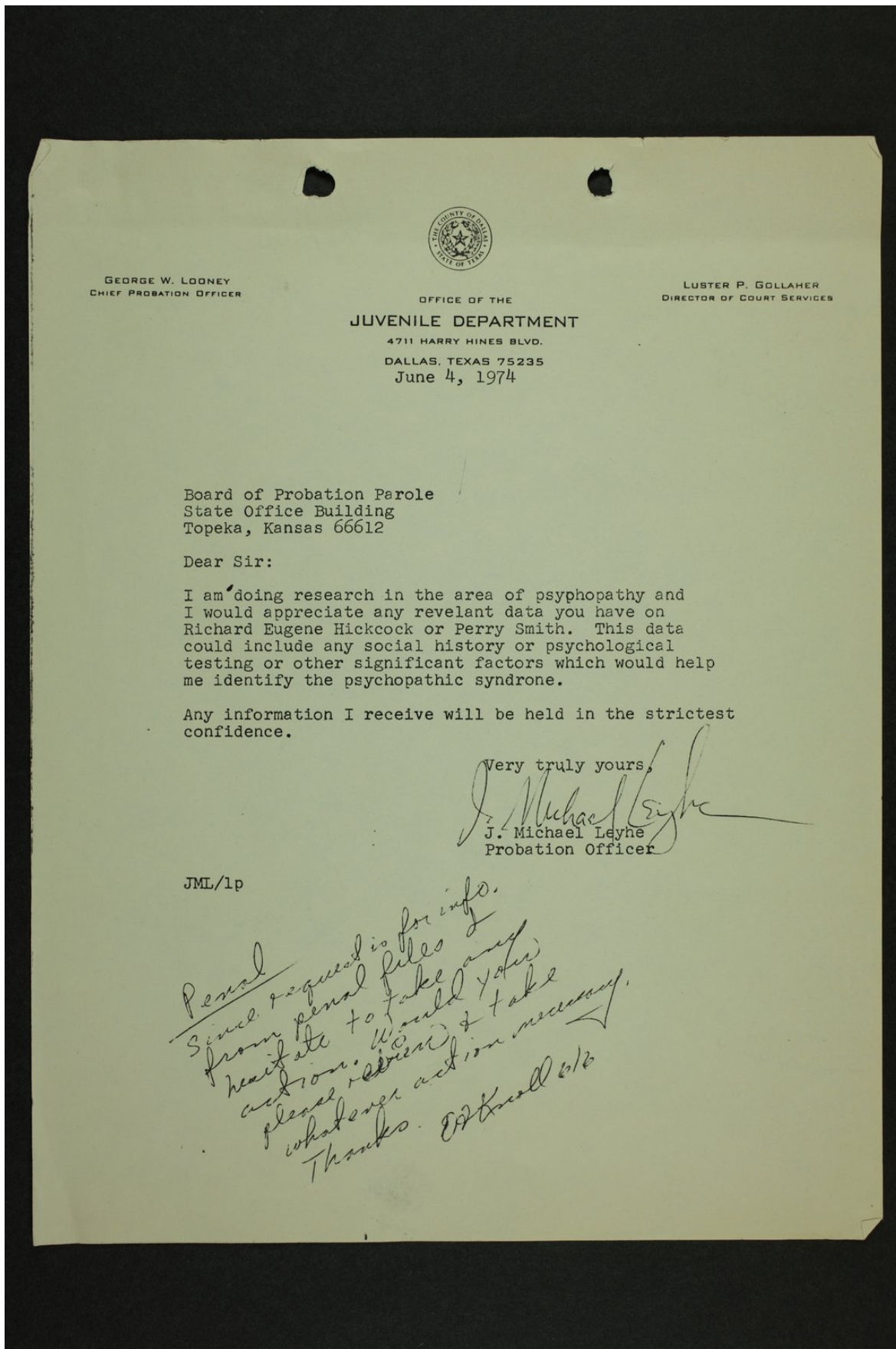
Very truly yours,

R. R. RAINES
Director

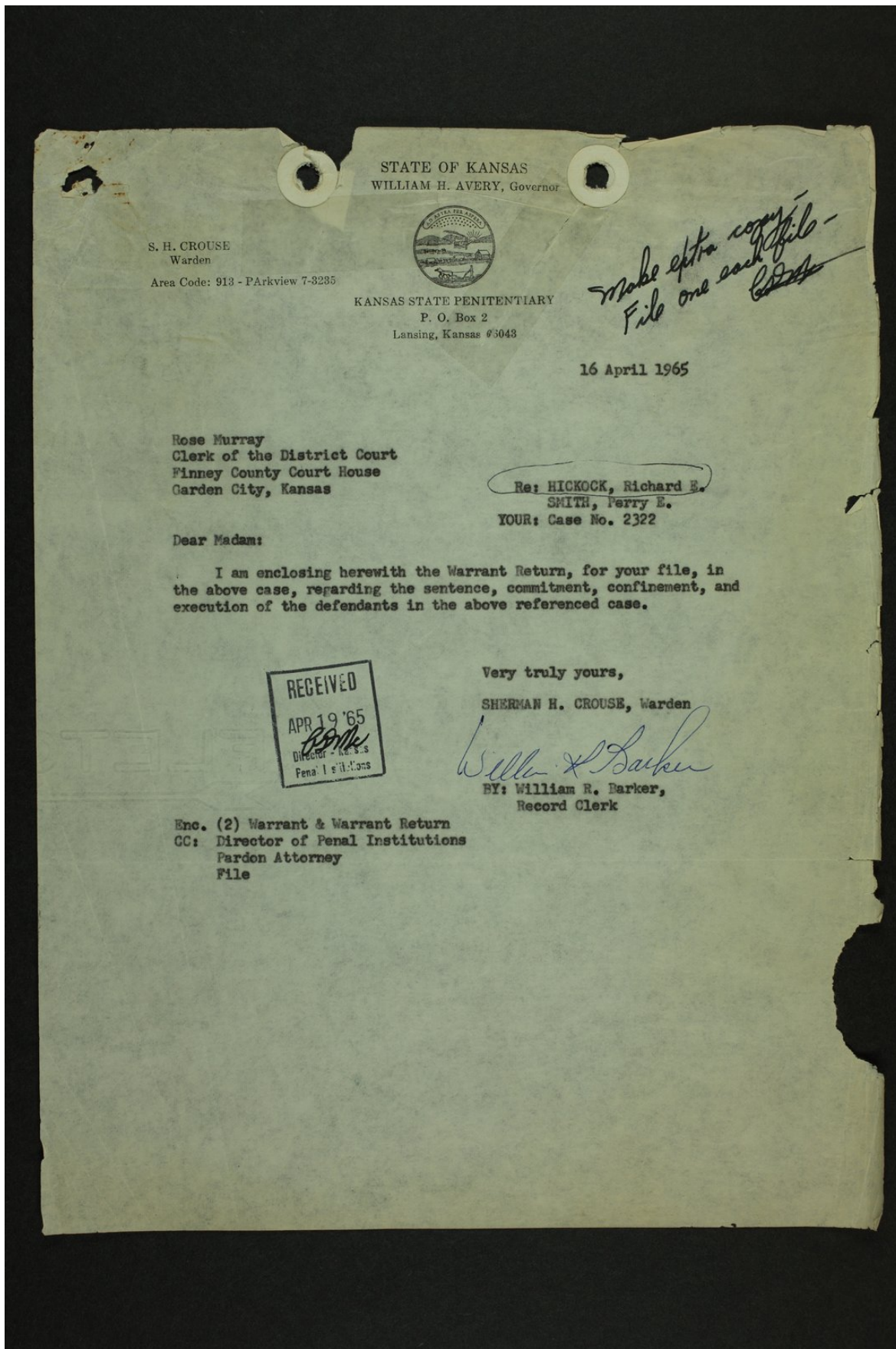
By: WAYNE D. WOOLVERTON
Assistant Director

WDW/lb

Richard Eugene Hickock inmate case file

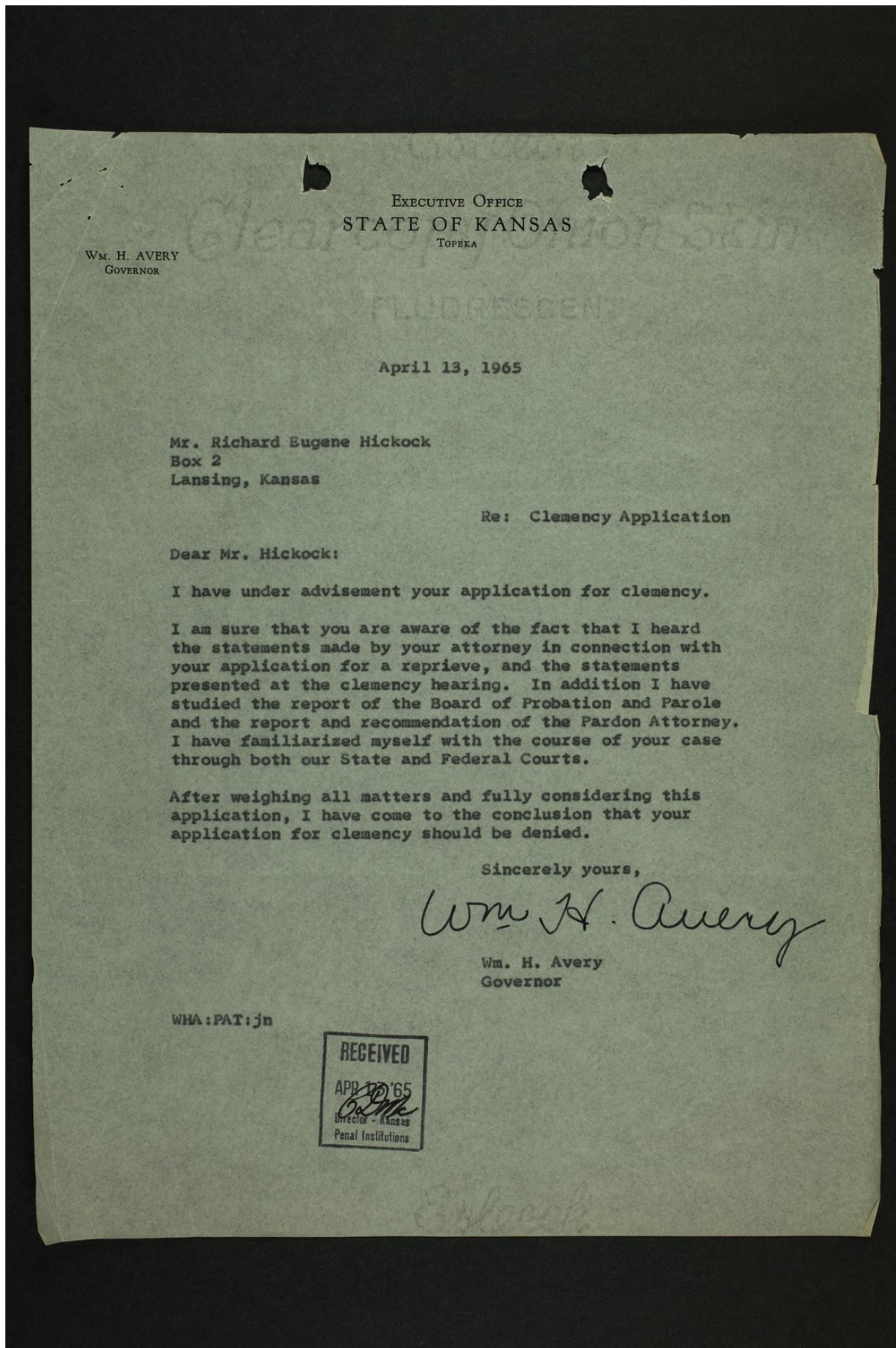


Richard Eugene Hickock inmate case file



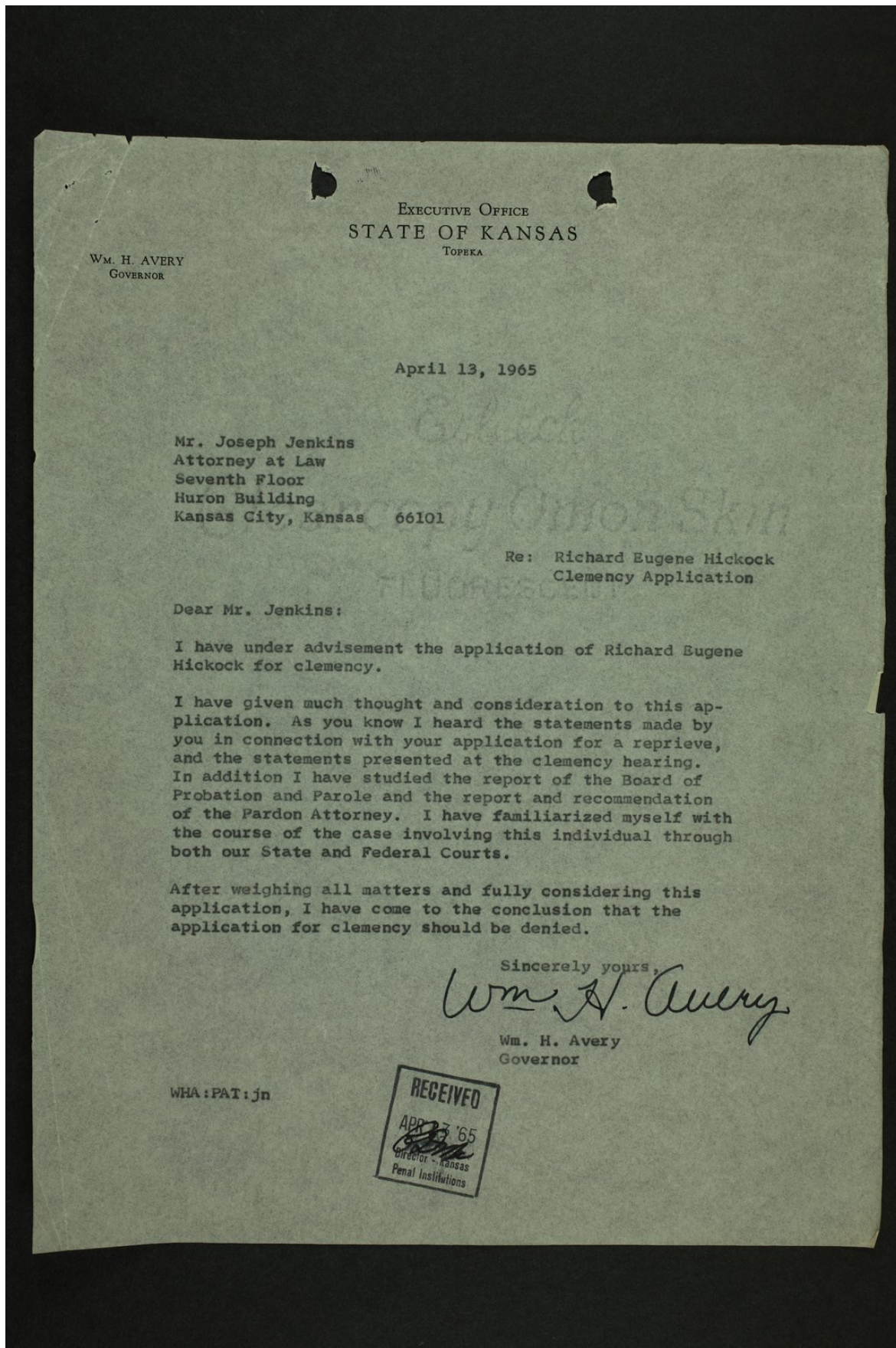


Richard Eugene Hickock inmate case file





Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file

April 8, 1965

Richard D. Hickock ✓
Box 2
Lansing, Kansas

RE: KSP # 14,746

Dear Mr. Hickock;

Your recent letter in which you outlined the procedure which has been determined will be followed in your pending application for executive clemency is acknowledged.

You have quite accurately outlined the procedural steps which have been set up in this matter.

Although normally it is the Board's procedure to see the applicant for executive clemency, along with the Pardon Attorney, during the time which the publications are running, there is therefore no departure from normal procedure herein. A special setting on April 12, has been set up for the Pardon Attorney and the Governor to hear the plea of your counsel. This is based upon an interpretation of the executive clemency statute by the Attorney General which indicates that the Governor cannot grant a commutation of sentence, until the five publications have actually been run. However, there is no requirement pertaining to the publication should he determine to deny such an application. It is my understanding, as I am confident that your counsel has by now pointed out to you, that should sufficient justification and grounds be presented at that hearing, the Governor would then grant the necessary reprieve to allow the legal notice publication to be completed.

Though I can imagine that this move may have caught you by surprise, I am confident that your counsel has done everything that is possible, and is continuing to do so, and further believe that there is little that can be done to alter the administrative determination as to the requirements of the statute.

I trust that your counsel has adequately informed you as to all of the procedures which have transpired and which he contemplates. He has no appeal from the administrative determinations which have been made insofar as the handling of this application is concerned.

Very truly yours,

CHARLES D. McATEE
Acting Director

CDM:yfl

Richard Eugene Hickock inmate case file

KSP No. 20 (Rev. Jan. 60)

KANSAS STATE PENITENTIARY
Lansing, Kansas

NAME: _____, 19 _____

ADDRESS: _____

This copy of the Institutional Correspondence and Visiting rules is sent to you for your information and guidance.

CORRESPONDENCE RULES

1. Only members of the Inmate's immediate family, (Mother, Father, Sisters, Brothers, Wife and Children) are placed on his Mailing List. If the Inmate does not have an immediate family, a more distant relative or friend may be processed. Not more than ten (10) Approved Correspondents will be approved for any Inmate. Married women will not be approved as a friend.
2. Inmates are allowed to send two (2) free letters each week to an Approved Correspondent or one (1) letter each to two (2) Approved Correspondents. Inmates are allowed to write a Business Letter when postage is paid from their Institution account, providing, the letter is strictly of business nature and is deemed necessary.
3. Inmates are allowed to receive mail from Approved Correspondents or in answer to a Business Letter. Letters from an Approved Correspondent will not be processed for the Inmate which contains letters, notes, pictures, etc. of anyone who is not an Approved Correspondent. Such letters will be returned to the sender and future violations will be cause for removal of their name from the Inmate's Approved Correspondence List. Inmates are permitted to receive pictures, unmounted, that do not exceed 5" x 7" in size. Letters must be signed with the full name of the sender, first name or nickname is not sufficient. Inmates name and number must be on the first sheet of the letter for identification purposes. Letters which do not comply will not be accepted.
4. Clothing or other articles must not be brought or mailed into the Institution without the Approval of the Warden. Newspapers or Magazines are permitted only when received direct from the publisher.
5. Money may be received by Inmates from Approved Correspondents in the form of a MONEY ORDER or BANK DRAFT. CASH or PERSONAL CHECKS will not be accepted. Inmates may also receive money in payment of a debt or pension which must have the Approval of the Warden.

VISITING RULES

1. Visits with inmates are restricted to members of the immediate family, (Mother, Father, Sisters, Brothers, Wife and Children). If the inmate does not have an immediate family, he may request a more distant relative or friend to be processed for his Approved Visiting List. Not more than ten (10) names of Approved Visitors will be placed on the Inmate's Approved Visiting List. Any person who has served a sentence in a Penal or Correctional Institution will not be permitted to visit. Visits will not be permitted during the Inmate's first thirty (30) days of confinement, except, Inmates who are returned for Parole Violations will be permitted visits after fourteen (14) days confinement.
2. Visits will be limited to four one hour periods or one four hour period in each calender month. The four one hour visits, if by the same party, shall be at least seven days apart. Visiting on Saturday or Sunday is restricted to a one hour period.
3. Visits will not be permitted on Holidays. All other days, visiting hours are from 8:30 A.M. to 11:10 A.M., and from 1:00 P.M. to 3:15 P.M. Special Visits by anyone not on the Approved Visiting List will be limited to the purpose for transaction of business. Special Visits must be approved in writing from the Warden.

TRACY A. HAND, Warden

REFERENCE TO INMATE _____ KSP No. _____

Richard Eugene Hickock inmate case file

ROUGH DRAFT

Dear Representative Saffels:

Your letter of October 19, 1961, requesting that Mr. Truman Capote be granted permission to interview two inmates of the Penitentiary, Hickock, Richard Eugene and Smith, Perry Edward, in connection with a book he is writing has been received.

First, let me apologize for the delay in my reply. Your letter was received while I was out of the office due to illness and was held until my return. It is unfortunate that it may appear that other reports^{er} were given special consideration in allowing them to interview these two inmates, while Mr. Capote is not granted an interview. However, this is not the case. To my knowledge, two reports^{er} were allowed to interview inmates Hickock and Smith prior to the adoption of the rule covering this situation. One reporter was granted interviews with the inmates when he accompanied a Legislative group to the Penitentiary.

After review of the problem, it was decided that ~~these~~ interviews with condemned inmates served no constructive purposes and certainly were not basic rights of the inmates concerned. Consequently, this office issued a general order prohibiting any interviews between reporters and inmates. This rule applies to all journalists and writers since this office does not want to attempt to judge the sincerity or ability of various writers who may desire interviews.

Consequently, although I recognize that Mr. Capote is a highly regarded^{pl} writer, I do~~not~~ ~~not~~ believe that I am justified in waiving an established rule to allow him to interview inmates Smith and Hickock. I sincerely regret that I am unable to grant your request.

Yours very truly,

GUY C. REXROAD

Richard Eugene Hickock inmate case file

ROUGH DRAFT

Dear Mr. Saffels:

I have received your letter of October 19, requesting that Mr. Truman Capote be granted permission to interview inmates Richard Eugene Hickock and Perry Edward Smith at the Penitentiary at Lansing. First, let me apologize for not having replied sooner. Your letter arrived while I was out of the office due to illness and was held until my return.

Your request requires a rather difficult decision on the part of this office. The rule prohibiting interviews between inmates and journalists was adopted precisely because of the earlier interviews conducted by reporters with Smith and Hickock. In the absence of the regulation on this subject, a reporter accompanying a Legislative Committee to the Penitentiary was allowed to interview both Smith and Hickock.

Since inmates are the wards of the State, it was believed that it was necessary to adopt a rule which would prevent them being interviewed for exploitive or ~~sensational~~ sensational purposes. Although we realized that some writers would conduct interviews with discretion, it was considered best to apply the rule to ~~all~~ all journalists alike, rather than to attempt to judge each writer's sincerity or ability.

Although it is believed that the rule prohibiting interviews between inmates and reporters is a necessary one, I believe that in fairness to Mr. Capote and other writers who have been preparing materials on this case the rule should be waived in this case.

It is requested that either you or Mr. Capote notify this office of the date the interviews are desired. It should be understood that the interviews must be conducted in accordance with Penitentiary security policies regarding length, ^{place time} and ^{place} of the interview.

Yours very truly,

GUY C. REXROAD

Approved
BRK

Richard Eugene Hickock inmate case file

Appeal for Lawyer Made by Hickock

By RON KULL

LANSING — Condemned murderer Richard E. Hickock said Thursday he has appealed to the American Civil Liberties Union for legal aid in his fight to escape the hangman's noose.

Hickock, who with Perry Edward Smith was convicted in March, 1960, of the shotgun slayings of four members of the Herbert Cluster family near Garden City, said he has been turned down by six attorneys who he has asked to handle his case.

His first court-appointed attorney, Harrison Smith, withdrew from the case when he was elected Finney County attorney. Dale Corley, another Garden City attorney, withdrew from the case after the appeal to the Kansas Supreme Court.



Richard E. Hickock

THE SUPREME COURT upheld the District Court decision, condemning Hickock and Smith to the gallows, and a petition for rehearing is now before that court.

Hickock said his main problem is lack of money.

"Boy, if I just had \$50,000 I'd just lay up there on death row and ha-ha," he said. "They'd never hang me."

As it is, Hickock said, he's broke. He said he's written a book, and hopes to have it published in order to provide funds for his defense.

Hickock, interviewed at the office of Deputy Warden Sherman Cronin here Thursday, has changed little in appearance from the time of his trial more than a year ago. If anything, he's a bit heavier.

Of late, he's been reading law, trying to find a way at least to avoid the death penalty.

HICKOCK NEVER has denied taking part in the robbery of the wealthy Finney County farm family in December, 1959. However, he since has denied doing the actual killings — blaming them on Smith.

If he can secure an attorney, Hickock plans to base his defense on the theory that he didn't get a fair trial at Garden City — that people in the area were unduly prejudiced by pre-trial publicity.

He also figures that he still may be able to plead insanity, although Dr. Mitchell Jones, a psychiatrist who examined him, testified that Hickock knew the difference between right and wrong at the time the crime was committed.

However, Hickock is sharply critical of the three-physician sanity commission which examined him before the trial.

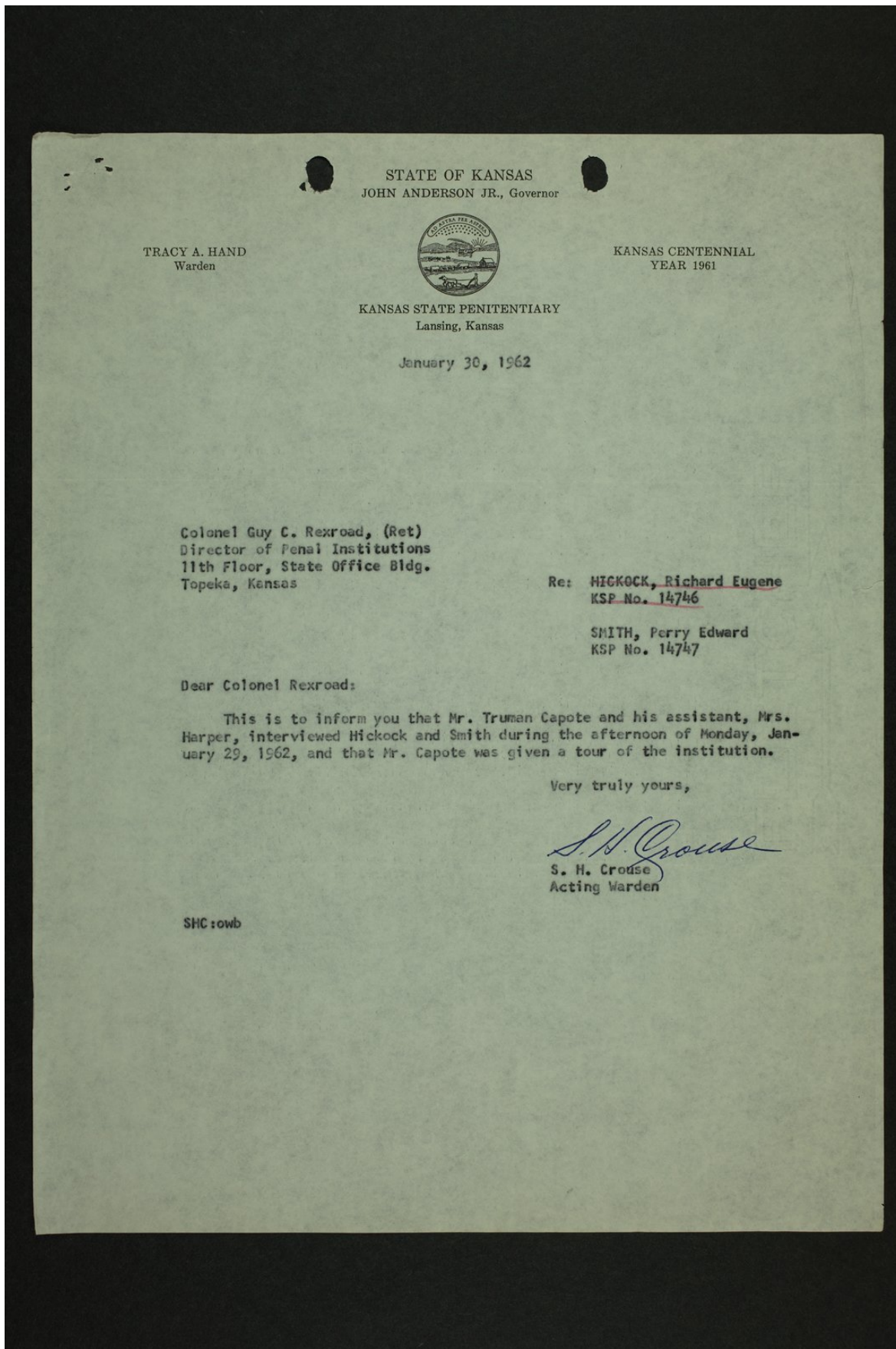
"They just took about 10 minutes," he said. "I don't see how they could find out anything in 10 minutes that a qualified psychiatrist 30 days to find out."

Hickock also said Dr. Jones only talked to him about 45 minutes.

"He told my folks out at the trial that I ought to be treated in a mental hospital," Hickock said. "I'd like to put him on the witness stand and ask him a few questions."

Hickock file

Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file

OFFICE MEMORANDUM
BOARD OF PROBATION AND PAROLE
Topeka, Kansas State Office Building

From: DEW Date: 1-27-66
To: EWD Re: Leading Opinion

Bob Hoffman said to
bring him tomorrow after lunch
for opinion as to Capital (3) cases

DEW/ew
cc: W

Richard Eugene Hickock inmate case file

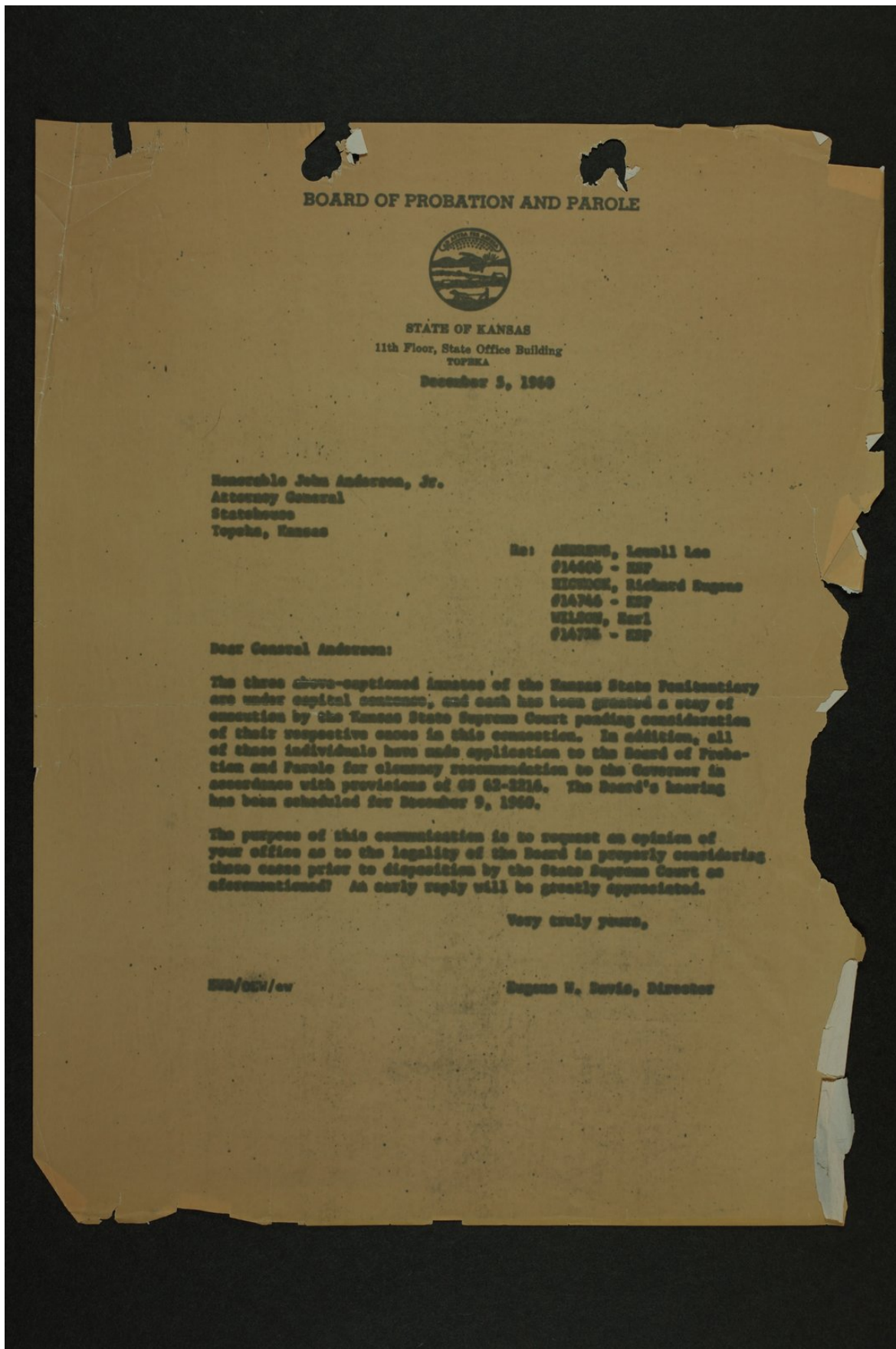
OFFICE MEMORANDUM
BOARD OF PROBATION AND PAROLE
Topeka, Kansas State Office Building

From: E. W. D. Date: 12-5-60
To: E. W. D. Re: Prisoner for Union

This has been read
to Bob Hoffman at 9:15 am
who "blessed" it as to
form, etc.
He said it may be sent
right over. W

DEW/ew
cc:

Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file

FROM THE DESK OF—
Harry Lytle 11-18-60

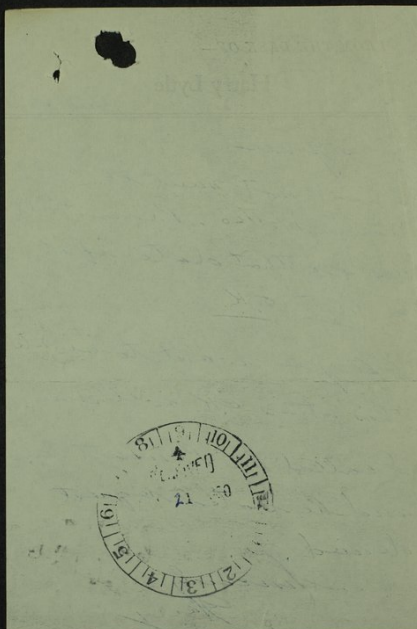
Dear Gene—
I will not rec'd this
before 11/21/60. Please call
me on that date if it
is not O.K.

If you want to write
this it is O.K. with me.
I called Rev. Bennett Tins
and he voted request
denied.

Sincerely
Harry

6E doc
8-6126

Richard Eugene Hickock inmate case file



Richard Eugene Hickock inmate case file

GEORGE DOCKING
Governor
DALE A. SPIEGEL
Pardon Attorney

EUGENE W. DAVIS
Director
D. E. WINTERBURG
Interstate Compact Administrator

THE STATE OF KANSAS



Board of Probation and Parole

State Office Building
TOPEKA, KANSAS

Junction City, Kansas
November 19 1960

Members
HARRY O. LYTLE, Chairman
JUNCTION CITY
EARL L. PETERSEN, Vice-Chairman
KANSAS CITY
REVEREND THOMAS J. BENNETT
HUTCHINSON
WARREN MARTIN
MILFORD
JOE L. HENBEST
COLUMBUS

Mr. Duane E. West, County Attorney
Garden City, Kansas

Dear Mr. West;

Pursuant to our conversation on the phone yesterday, the request, for your appearance before the Board December 9th to oppose granting clemency for Richard Hickock, was presented and it was decided that your request be denied.

It is our opinion, the law states your appearance should be made to the Pardon Attorney and I understand this is to be December 29th, however you can check this with the publication.

The Board will welcome any information, which you consider pertinent, in writing that you may wish to prepare and we would request five copies so each member would have one for his file.

Cordially Yours
Harry O. Lytle
Harry O. Lytle, Chairman

Copy/eugene davis



Richard Eugene Hickock inmate case file

GEORGE DOCKING
Governor

DALE A. SPIEGEL
Pardon Attorney

EUGENE W. DAVIS
Director

D. E. WINTERBURG
Interstate Compact Administrator

THE STATE OF KANSAS

*134.292
65481*

*Deborah Smith
3114. Smith
2150*

*Junction City KS
11-21-60*

(Harrison Smith)

Dear Gene -

Will you please inform Harrison Smith

Richard Hickock's defense attorney

that we will hear the county attorney

at Lansing Dec 9th. If the defense

attorney wants to come, the door is open.

This is a matter of life and death -

In all fairness they will have equal time

if they want it.

Yours Truly
Harry

RECEIVED
NOV 22 1960
STATE BOARD OF
PROBATION &
PAROLE

Richard Eugene Hickock inmate case file

KSP No. 1

INTER-OFFICE COMMUNICATION
Kansas State Penitentiary

From Office of: KSP - Record Clerk Date: May 11, 1960

To: HICKOCK, Richard Eugene KSP # 14746 Subject: Stay of Execution

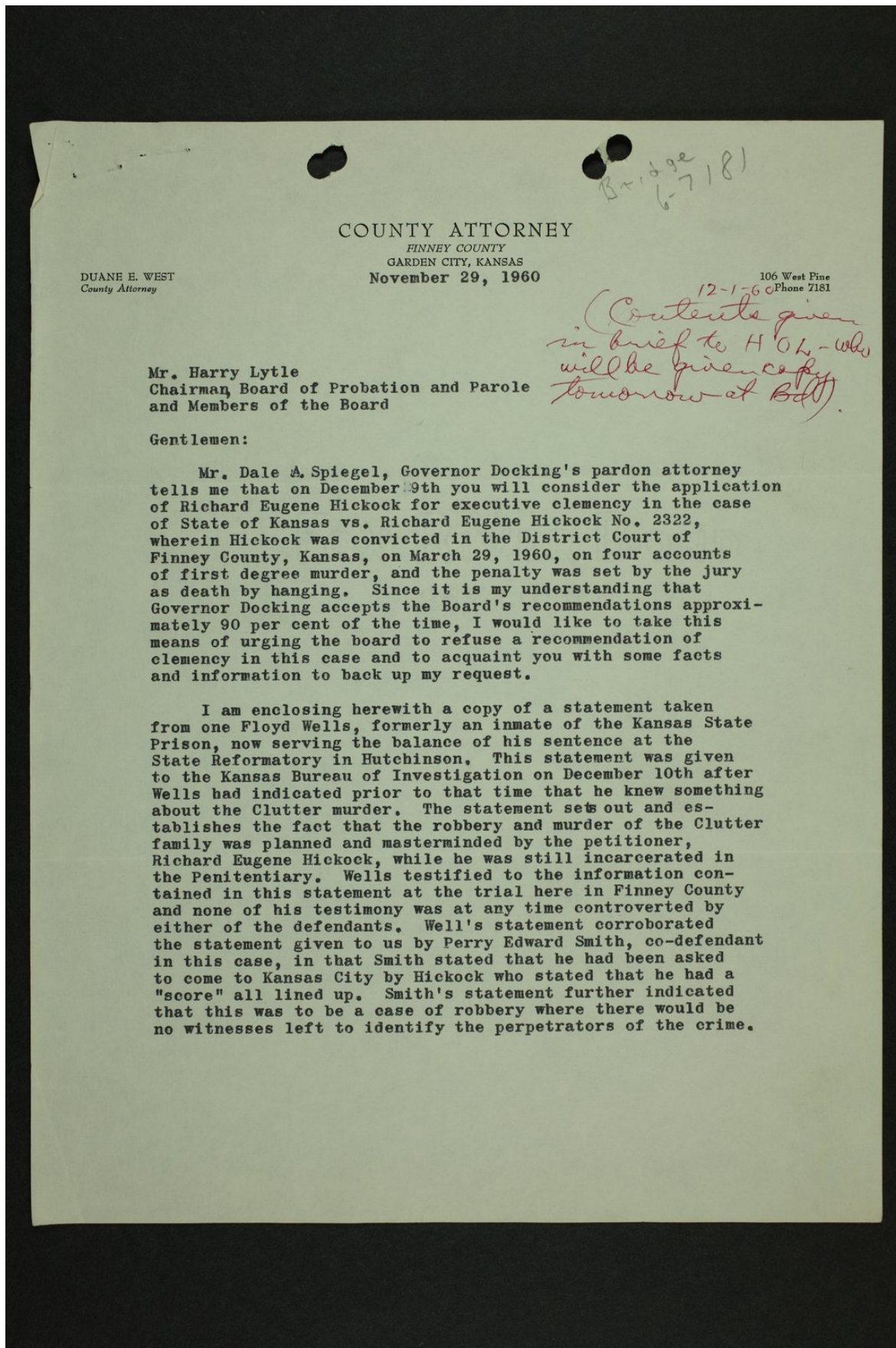
Be advised that an Order Staying Execution, dated April 11, 1960, and issued by Chief Justice Jay S. Parker, Kansas State Supreme Court, has been received in this office.

This is your official notice of this order.

cc: Director, Penal Institutions
Director, Probation and Parole ✓
Warden
Pardon Attorney
Director, KBI
Deputy Warden
File

William R. Barker
WILLIAM R. BARKER, Record Clerk

Richard Eugene Hickock inmate case file



COUNTY ATTORNEY

FINNEY COUNTY
GARDEN CITY, KANSAS

November 29, 1960

DUANE E. WEST
County Attorney

106 West Pine
Phone 2181

Mr. Harry Lytle
Chairman, Board of Probation and Parole
and Members of the Board

Gentlemen:

Mr. Dale A. Spiegel, Governor Docking's pardon attorney tells me that on December 19th you will consider the application of Richard Eugene Hickock for executive clemency in the case of State of Kansas vs. Richard Eugene Hickock No. 2322, wherein Hickock was convicted in the District Court of Finney County, Kansas, on March 29, 1960, on four accounts of first degree murder, and the penalty was set by the jury as death by hanging. Since it is my understanding that Governor Docking accepts the Board's recommendations approximately 90 per cent of the time, I would like to take this means of urging the board to refuse a recommendation of clemency in this case and to acquaint you with some facts and information to back up my request.

I am enclosing herewith a copy of a statement taken from one Floyd Wells, formerly an inmate of the Kansas State Prison, now serving the balance of his sentence at the State Reformatory in Hutchinson. This statement was given to the Kansas Bureau of Investigation on December 10th after Wells had indicated prior to that time that he knew something about the Clutter murder. The statement sets out and establishes the fact that the robbery and murder of the Clutter family was planned and masterminded by the petitioner, Richard Eugene Hickock, while he was still incarcerated in the Penitentiary. Wells testified to the information contained in this statement at the trial here in Finney County and none of his testimony was at any time controverted by either of the defendants. Well's statement corroborated the statement given to us by Perry Edward Smith, co-defendant in this case, in that Smith stated that he had been asked to come to Kansas City by Hickock who stated that he had a "score" all lined up. Smith's statement further indicated that this was to be a case of robbery where there would be no witnesses left to identify the perpetrators of the crime.

Richard Eugene Hickock inmate case file

Page 2-

I am making the statement of Perry Edward Smith available to Mr. Spiegel only as a means of corroborating the statement given by Wells. Both of these indicate quite clearly that this crime was indeed premeditated murder from the very outset by the petitioner, Richard Eugene Hickock.

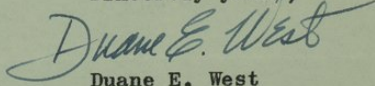
I am not going to dwell upon the terrible brutality of the crime. As you know, it took the life of Mr. and Mrs. Clutter and two of their children, age 15 and 16. This is something that all of us would like very much to forget.

At the trial of this case, the jury, after taking into consideration all of the facts and circumstances, deemed that this was a clear case of premeditated first degree murder and was of such magnitude that the extreme penalty of death should be and was imposed. I believe the jury reached the correct verdict and I know it was something that they did not do without a great deal of soul searching and prayerful consideration. I believe that the jury felt that society must protect itself from an individual such as the petitioner and the ultimate penalty in this instance is the only way in which to be absolutely certain that this petitioner does not once again take human life.

As a law enforcement official, as a private citizen, and on behalf of what I believe to be a vast majority of the citizens in the County, I am respectfully requesting that you deny this request for commutation of sentence and that you recommend to Governor Docking that he allow the sentence to be carried out as imposed.

With best regards, I am

Sincerely yours,



Duane E. West

DEW/dah

cc: Dale A. Spiegel