

The Case of Isaac Crawford



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I. INTRODUCTION

In 2006, the FBI began its “Cold Case Initiative,” a comprehensive effort to identify and investigate racially-motivated murders which remain part of our country’s unexamined historical legacy. One of the FBI’s network of supporters in this endeavor is Northeastern University School of Law’s Civil Rights and Restorative Justice Project (CRRJ). The facts about the victims available to the student clinician at the inception of the investigation are usually very sparse. Hence, over the course of a quarter, the student will try to piece together the case by sifting through contemporaneous news articles, court records, government documents, and personal recollections drawn up from family members and acquaintances. These details make it possible to recreate accounts of past crimes of racial violence that would otherwise remain untold. Then, on a case by case basis, forms of genuine reconciliation may be pursued. The aggregate patterns and themes to be found in these cases help to build a platform for a range of policy approaches, including criminal prosecutions, truth and reconciliation proceedings, and legislative remedies.

In 2008, Douglas A. Blackmon’s Slavery By Another Name: The Re-enslavement of Black People in America from the Civil War to World War II was published. The book chronicles the plight of the many African Americans who endured different form of enslavement as convict laborers in the Deep South during the decades between the Civil War and World War II. In the wake of the Civil War, the criminal justice system was used to entrap recently freed African

Americans back into a system of repression and control, and these practices would be applied for generations to come. Even as convict leasing faded away, new forms of exploitation and repression emerged. As Blackmon notes, “[t]he apparent demise...and leasing of prisoners seemed a harbinger of a new day. But the harsher reality of the South was that the new post-Civil War neoslavery was evolving – not disappearing.”¹

The criminologist Martha A. Myers examines the effects of general economic conditions, labor market trends, and racial inequities on misdemeanants *Inequality and the Punishment of Minor Offenders in the Early 20th Century*. She cites Georgia to illustrate broader trends reflected across the South. Myers notes that 1909 was the last year that a Georgia prisoner was leased out to private employees, at which point the state assumed oversight of prison labor for use in public projects.² Historically, convict leasing in antebellum Georgia has been linked to the state’s reliance on black labor for its cotton output.³ At the turn of the century, cotton prices were on the decline.⁴ Moreover, between 1900 and 1940, the black population of Georgia decreased by 9%.⁵ These two factors led to a labor crisis which Georgia officials seemed to address, at least in part, by incarcerating more black men for minor crimes. At a national level, the Federal Aid Road Act was passed in 1916.⁶ This act provided an additional impetus for local counties to incarcerate more people, because prison labor could be counted as the state’s contribution to the state/federal road project.⁷ In Georgia, the demand for labor began to outstrip

¹ Douglas Blackmon, “A Different Kind of Slavery,” *Wall Street Journal Online*, Mar. 29, 2008.

² Martha A. Myers, *Inequality and the Punishment of Minor Offenders in the Early 20th Century*, 27 *Law & Society Review* 313, 320 (1993).

³ Martha A. Myers, *Inequality and the Punishment of Minor Offenders in the Early 20th Century*, 27 *Law & Society Review* 313, 315 (1993).

⁴ Myers at 315.

⁵ Myers at 316.

⁶ *Id.* At 316.

⁷ *Id.*

the supply so severely that poor white people also began to be incarcerated at higher rates.⁸ Two major findings from Myers' study are relevant here. First, chain gang incarceration rates rose as cotton prices fell.⁹ And second, the declining size of the black male population led to an increase in the rates at which both black and whites were sent to the chain gang.¹⁰ These two themes provide an important backdrop for the material that follows.¹¹

II. THE DEATH OF ISAAC CRAWFORD

1. THE BEATING

The details surrounding Isaac "Ike" Crawford's initial arrest are not well established. Some news articles recount that Crawford was sentenced for assault with intent to murder.¹² Others link Crawford's arrest to his alleged theft \$31.¹³ None of the articles attempt to link the alleged robbery and the assault. Newspaper accounts do establish that on March 9, 1948, Judge Grover C. Anderson of the Richmond Superior Court provided Crawford with two sentencing options: either pay a \$50 fine and return \$31 that he was alleged to have stolen or serve a 12 month sentence.¹⁴ Crawford was able to pay that total amount of \$81, managing to escape imprisonment in his initial run-in with the law. Unfortunately, shortly thereafter, Crawford was apprehended by the police for "public drunkenness" and on April 22 of that same year, Judge Anderson revoked Crawford's parole and sent him to the Richmond County Stockade for 10 months and 17 days – the balance of his original sentence.¹⁵

⁸ Id.

⁹ Myers at 329.

¹⁰ Id. at 332.

¹¹ The author acknowledges that Myers' study only covered the time period from 1915-1935. A more relevant historical context is necessary in the case that the trends Myers observed shifted from 1935 to 1948.

¹² *Anderson Revokes Parole of 2 Men*, Augusta Chronicle, April 23, 1948, at 5.

¹³ *State Requested to Inquire Into Prisoner's Death*, Augusta Chronicle, June 8, 1948, at 1.

¹⁴ Id.

¹⁵ *Anderson Revokes Parole of 2 Men*, Augusta Chronicle, April 23, 1948, at 5.

In 1948, the sight of prisoners working on public work projects was part of the landscape in Richmond County, Georgia and in many other pockets of the Deep South. Indeed, the violence that took Isaac Crawford's life places him amongst the many nameless casualties of the convict leasing system. At an unknown point during his labor Isaac Crawford refused to continue to dig a ditch because he had seen a rattlesnake in it¹⁶. He asked his warden, David L. Turner, to shoot the snake so that he could keep working, but the warden refused.¹⁷ In turn, Crawford stopped working in the ditch, and Turner began to beat Crawford with a stick.¹⁸ Turner beat Crawford so severely that the stick broke at which point Turner pulled out a rubber hose that he carried on his person and recommenced the beating.¹⁹ At proceedings held after Crawford's death, other prisoners who witnessed the beating testified that Crawford cried out, "Cap'n you hit me in the eye!"²⁰ To which Turner is said to have replied: "Well, get into the ditch and feel like hell, then."²¹

Isaac Crawford was admitted to University Hospital on May 21, 1948.²² Differing accounts describe what injuries Crawford suffered, but one of the victim's fellow patients at the hospital later said that Crawford's body was covered with welts on the arms, chest, back, sides, thighs and hips and that his face was swollen beyond recognition.²³ Indeed, Crawford's wife, Beulah Crawford, recounted that she could almost not recognize her own husband when she visited him in the hospital and that a trickle of blood ran from tubes connected to his nose.²⁴

¹⁶ *Guard is Accused of Beating Negro*, Augusta Herald, June 12, 1948, at 1.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *New Affidavit Sheds More Light On Death of Negro Convict*, Augusta Herald, June 20, 1948, at 2.

²⁰ *Guards Indicted as Prisoner Beaten to Death in Georgia*, Los Angeles Sentinel, July 8, 1948, at 12.

²¹ *Guard is Accused of Beating Negro*, Augusta Herald, June 12, 1948, at 1.

²² *Crawford Suffered More Than One Blow, Affidavit of Physician at Hospital Asserts*, Augusta Herald, June 18, 1948, at 12.

²³ *Crawford Died From Natural Causes Coroner's Jury Says in Verdict Here*, Augusta Herald, June 13, 1948, at 7.

²⁴ *Id.*

The severity of the injuries suffered by Crawford is made clear in doctors' reports that have been described in newspaper accounts of the case. An affidavit of Dr. Roy Ward described his findings:

I was called to see a patient on the surgical ward on May 21. I found a colored man (whose name I later learned was Isaac Crawford) and examined him thoroughly. I immediately asked him how he had been injured and he told me that he had been beaten with a [hose] at the county stockade, I found diffused injury to his left eye with blindness in that eye and numerous bruises over the entire scalp. The scalp was swollen, tender, and soft, suggesting considerable hemorrhage under the skin. There were no injuries to the rest of the body. No one [unreadable word] could have possibly caused the injuries to the man's head. I didn't see the patient after that day.²⁵

The doctor in charge of Eye, Ear, Nose, and Throat treatment at the University Hospital, Virgil Williams, was called in to check on Crawford Saturday morning, May 23, 1948.²⁶ It appears that Dr. Williams treated Crawford until his death, and his report was illuminating:

On physical examination I found that this patient's left eye was swollen, red, and exquisitely tender. There was [hemorrhage] into the optic orb causing a marked increase in the intra ocular pressure. There was [hemorrhage] and swelling of a conjunctive. During the course of my examination I discovered that there was a number of tender areas over the patient's scalp. All other findings in the physical examination were essentially uninteresting at this time."

"During his stay in the hospital a drainage was surgically performed on three different occasions to relieve the intra ocular pressure. Between these procedures [manipulations] were carried out to ensure that these points of drainage remained [patent]. He was placed on a course of treatment which is unusual in cases of this nature. At no time was there any evidence of gross infection, or other complications in the involved eye. During his stay in the hospital there was complete loss of sight in the left eye and whether or not the sight would be regained is problematical and could have only been determined after completion of treatment.

On his sixth day in the hospital there was elevation of the patient's temperature which could not be explained on the basis of the injury to his eye. In an attempt to determine the cause of this manifestation there was ordered X-rays of the patient's chest, a repetition of the blood and urine lab studies, blood cultures, urine cultures, stool examinations. These procedures were carried out with no positive findings except those from the X-ray studies which were consistent with bronchitis and early pneumonitis of the right lung. No change in the course of treatment was made at this

²⁵ *Crawford Suffered More Than One Blow, Affidavit of Physician at Hospital Asserts*, Augusta Herald, June 18, 1948, at 12.

²⁶ *New Affidavit Sheds More Light On Death of Negro Convict Here*, Augusta Herald, June 20, 1948, at 2.

time. Three of four days later the X-ray studies showed that the patient was suffering from bronchial pneumonia. It was at this time that consultation with the medical service was requested and he was then transferred to the medical service where I continued to see him for treatment of the eye. Spinal fluid examination was also negative.

At the time he was suffering from obvious cardiac failure. The liver was tender and enlarged and the abdomen was slightly distended. It was on or about this date, June 2, that I ordered nasal oxygen to be started. So far as I know this was continued until the time of patient's death.

Dr. Caldwell performed the autopsy.²⁷

On Saturday, June 5, 1948, Isaac Crawford's death was recorded at 12:30AM at University Hospital.²⁸ A coroner's jury was convened to investigate the death.²⁹³⁰ The coroner Dr. D.M. Silver, reported that Crawford had been taken to the hospital from the county stockade fifteen days before his death for "eye trouble."³¹ Crawford's death certificate records the primary cause of death as "Acute Hepatitis."³² Crawford was only 28 years old when he died.³³

Neither of the doctors involved in investigating the case attributed Crawford's death to the beating that he received. It appears that their examinations were solely confined to injuries to those areas of the body above the shoulders, for neither of them reported on the injuries to Crawford's lower extremities. Yet it seems unlikely that Turner isolated his beating to Crawford's head. While, in his statement Dr. Williams described the surgical proceedings that were performed to treat Crawford's eye, apparently nothing was done to address the symptoms of pneumonia or bronchitis that developed around Crawford's sixth day in the hospital. There is no discussion of the cause of these conditions. Other conditions that the doctors took note of were cardiac failure, enlargement of the liver, and a distended abdomen. While the doctors

²⁷ Id.

²⁸ Death Certificate

²⁹ *Crawford Died From Natural Causes Coroner's Jury Says in Verdict Here*, Augusta Herald, June 13, 1948, at 7.

³⁰ Id.

³¹ *State Requested to Inquire Into Prisoner's Death*, Augusta Chronicle, June 8, 1948, at 1.

³² Death Certificate

³³ Death Certificate

commented on these conditions, what remains lost to history is whether anything was ever done to address Crawford's failing health beyond the treatment to his eye.³⁴ Hence, the fact that the Coroner attributed Crawford's death to a natural cause, i.e., "acute hepatitis" makes clear that the doctors covered up medical evidence of Turner's beating of Crawford, and the failure of the University Hospital to render adequate care to the prisoner.

Facts pertinent to the case can be gleaned from an obituary of Isaac Crawford published by the *Augusta Chronicle* on June 8, 1948.³⁵ The first sentence reads, "Friends of Isaac Crawford will be shocked to learn of his death."³⁶ The present-day reader's attention is drawn to the word "shocked." One could reasonably surmise that Crawford entered into the stockade a relatively healthy young man whom his friends and relatives expected to see again on his release from prison. Isaac Crawford was survived by his wife, Beulah and three children: Julius L. Crawford; Isaac Crawford Jr.; and daughter Carolyn Crawford. Isaac Crawford also had a large extended family and several of their names were also listed in the obituary.³⁷

2. THE INVESTIGATION

Isaac Crawford's beating, and subsequent death led to an investigation of the Richmond County Stockade by several local and state bodies: The State Board of Corrections, the County Board of Commissioners, the Richmond County Sheriff, the stockade superintendent, R.L. Chavous, and a Richmond County Grand Jury. Apparently, after he passed away, two rumors circulated about the cause of Isaac Crawford's death. One version of the story attributed his death to an unintentional blow from the shovel of a fellow prisoner, while the other pinned the

³⁴ University Hospital destroys records that have remained untouched after 20 years.

³⁵ *Isaac Crawford Taken By Death*, *Augusta Herald*, June 8, 1948.

³⁶ *Id.*

³⁷ Those were his mother Lucy Milton; seven brothers, Frank, George Stanley, William and John Edward Crawford, Charles; Alphonzo and George Milton Jr.; and one sister, Pearl Milton.

blame on a prison guard.³⁸ Soon after the prisoner died, the superintendent of the stockade, R.L. Chavous, reported that, “he had made an investigation and was satisfied that [Isaac Crawford] had not suffered any mistreatment.”³⁹ Three days later Chavous declared that, “he [knew] of no foul play, and [believed] the prisoner died of natural causes.”⁴⁰ The Superintendent’s claims about no “foul play” were rebutted by residents in the local community. In an interview with the *Chronicle*, one I.L. Hooks stated that he had called Chavous to protest the beating of prisoners who were working on a ditch running through his property three months earlier.⁴¹ Apparently, nothing was done to address his and other residents’ reports of prisoner abuse.

Meanwhile, the State Board of Corrections and the County Board of Commissioners deflected blame for the beating. On June 22, 1948, the director of the State Board of Corrections, C.A. Williams, traveled to Augusta. It was reported that he immediately went into conference with Sheriff Whittle, acting chief prison inspector of the State Board of Corrections J.L. Griffith, Solicitor George Hains, Chief Deputy Sheriff Walter E. Kent, and another deputy sheriff, one Elena Van Pelt.⁴² The newspapers concluded that Isaac Crawford’s death was the reason for this meeting.⁴³ Oddly, the members of the County Board of Commissioners, who were “solely responsible for the [alleged irregularities at the] county stockade”⁴⁴ were informed of Williams’ visit only via press reports; apparently they had not been invited to conference.⁴⁵ The Commissioners were ultimately able to convince Williams to return to Augusta on the Crawford matter. Soon after that first convening, Williams publicly absolved the stockade warden, Captain

³⁸ *Death of Negro Convict Starts Investigation From Two Sources*, Augusta Chronicle, June 6, 1948, at 4.

³⁹ *Id.*

⁴⁰ *State Begins Investigation of Augusta Prisoner’s Death*, Augusta Chronicle, June 9, 1948, at 12.

⁴¹ *Stockade Guard’s Firing is Urged; Beating Alleged*, Augusta Chronicle, June 16, 1948, at 1.

⁴² *Death of Stockade Prisoner Still Being Probed by State*, Augusta Chronicle, June 23, 1948, at 1.

⁴³ *Id.*

⁴⁴ *Commission to Ask To Hear Williams In Stockade Case*, Augusta Chronicle, July 4, 1948, at 1.

⁴⁵ *Commission Wants to Hear Williams*, Augusta Chronicle, June 30, 1948, at 1.

David L. Turner, of any responsibility for the death of Isaac Crawford.⁴⁶ However, Williams provided little detail to support of this public finding that the warden deserved a clean bill of health.⁴⁷

In all, the commission sought Williams' appearance four times, each time he ignored their request. The commission chairman, Scott Nixon, strongly criticized the state board for its "uncooperative attitude" stating "*I cannot understand how the board can ignore the formal requests of a political subdivision of the state.*" The circumstances leading to the death of Isaac Crawford had apparently shocked the County Board of Commissioners. It stated that it had been "receiving communications from [the State Board of Corrections], to the effect that the work camp, the sanitary conditions and everything else were in order."⁴⁸ On August 10, 1948, the Board of Commissioners unanimously voted to subpoena Williams, directing him to appear before the Commission on August 24, 1948. However, Williams did not appear for a hearing before the Board of Commissioners until September 1, 1948.⁴⁹

A side story to this controversy is that for Williams' first visit to Richmond County, he was accompanied by Roy V. Harris,⁵⁰ a state politician who eventually became known as "kingmaker" for his ability to place candidates he supported in the governor's mansion.⁵¹ He worked equally hard to oppose civil rights.⁵² The reason for Harris' visit is was suggested by

⁴⁶ *Death of Stockade Prisoner Still Being Probed by State*, Augusta Chronicle, June 23, 1948, at 1.

⁴⁷ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948.

⁴⁸ *Stockade Guard Case to Be Put Before Grand Jury on Monday; Probe of Institution Is Asked*, Augusta Chronicle, June 18, 1948, at 1.

⁴⁹ *Williams Denies Investigating Richmond Stockade Or Death of Ike Crawford During Previous Visit*, Augusta Chronicle, September 2, 1948, at 10.

⁵⁰ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948.

⁵¹ <http://www.georgiaencyclopedia.org/nge/Article.jsp?path=/HistoryArchaeology/SunbeltGeorgia/People-7&id=h-3495>

⁵² *Id.*

Sheriff Whittle in his testimony before the Richmond County Commission Board, “*Roy Harris [was] a very good friend of the head of the Highway Patrol, and when Roy saw by the papers he was to be here he came in.*”⁵³ The fact that Harris was in Augusta draws a red flag to the political context of the time.⁵⁴ In 1948, Georgia was in the middle of a recession, yet it was also in the middle of a major infrastructure development program. The construction of roads was key to the success of the cotton industry, which would have been stymied without prison labor to build the roads. Harris, among other Georgia politicians, had an intense interest in retaining the state’s system of prison labor, and therefore, any negative publicity about the treatment of prisoners would have been of concern to him. Sheriff Whittle noted that Harris was good friends with the head of the state highway patrol, who played a significant role.⁵⁵ Ultimately, accountability in the scandal at the Richmond County stockade could have jeopardized the form of convict-leasing that Georgia’s economy was dependent upon.

Director Williams finally did appear before the Board of Commissioners on September 1, 1948.⁵⁶ He was careful to limit the scope of his testimony. He announced that he was appearing before the Commission at the request of Sheriff Whittle because there were prisoners who were willing to testify regarding the circumstances at the Stockade, and the sheriff sought to have them moved to a different location to protect their safety.⁵⁷⁵⁸ Williams, however, was reluctant

⁵³ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948, at 6.

⁵⁴ In a public hearing convened by the Richmond County Board of Commissioners, Chairman of the Commissioners, Scott Nixon, said, “At the same time, it did look peculiar that a State politician like Roy Harris was sitting in on a matter he had nothing to do with.” (Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948, at 20.

⁵⁵ Investigate whether Head of Transportation had anything to do with construction of roads in Georgia in 1948.

⁵⁶ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948.

⁵⁷ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948, at 4.

⁵⁸ *Affidavits on Hand In Crawford Death*, Augusta Chronicle, June 12, 1948, at 3.

to move the prisoners because it would suggest wrongdoing at the Stockade. At the Board meeting on September 1:

I knew that in order to order the removal of even one, let alone several prisoners from the camp was rather a drastic action. We always feel that all of our wardens are acting in good faith, and I didn't want to cause any reflection on Mr. Chavous by the removal of prisoners from this camp unless there was a very good reason for it, because it would tend to reflect on him, and so I decided the best thing I could do would be to come down here and talk to the court authorities and see if in their opinion the removal of any prisoners was necessary, in order to put him in position to freely and voluntarily testify. That is the purpose I came to Augusta for. I didn't come down to make any investigation. I have never made any investigation for the department in my nearly two and a half years' service.⁵⁹

The Sheriff of Augusta City, M. Gary Whittle, played an intriguing part in this case revealing faults with the investigations at both county and the state levels. At the hearing in which C.A. Williams was interrogated by the County Board of Commissioners, Whittle reportedly "[tried] at several times to address the meeting, charging that [the chairman of the commissioner's board] Nixon maligned him and questioned his authority to probe the stockade case."⁶⁰ It also appears that Whittle directly criticized the County Board of Commissioners for failing in its oversight responsibilities, charging, "*The stockade has no more right to violate the state law than any other place.*"⁶¹ Although the sheriff's department had no jurisdiction over the stockade, Sheriff Whittle continued to urge further investigations even after both R.L. Chavous and C.A. Williams had absolved stockade warden Turner. Whittle was faced with the fact that reports of previous beatings of other prisoners continued to flood his office. These reports were disturbing in content, as was, for example, a report from Mrs. J.M. Adams of Thomson Street:

⁵⁹ Public Hearing Before the Richmond County Board of Commissioners In Connection With Alleged Irregularities at the Richmond County Stockade, September 1, 1948, at 5.

⁶⁰ *Williams Denies Investigating Richmond Stockade Or Death of Ike Crawford During Previous Visit*, Augusta Chronicle, September 2, 1948, at 10.

⁶¹ *Stockade Guard's Firing Is Urged; Beating Alleged*, Augusta Chronicle, June 16, 1948, at 1.

I live on the Old Savannah Road on Thompson Street. There are two lots on my place and a drainage ditch runs through them. This ditch is 36 feet from my back porch. Last winter the county stockade colored prisoners were cleaning out this ditch and were working in water up to their knees with no boots on. Dave Turner, guard, carried a big stick about 3 1-2 feet long and about as big around as a half dollar, or larger. I was in my house and heard a great deal of fuss going on and went on my back porch to see what the matter was. One of the prisoners was down in the ditch trying to get a root out. I heard him say to Mr. Turner, 'Boss, I can't get this out.' Mr. Turner yelled, 'Don't you tell me you can't get it out,' and began beating the Negro with the stick. He hit him terrible blows all across the back with the stick. The prisoner screamed as if he was crying and kept saying, 'Yes, Sir, Cap,' as Mr. Turner continued to beat him. The Negro finally fell to his knees in the ditch, in the water. Mr. Turner beat this Negro unmercifully. It was inhuman. It made me so nervous and tore me up so badly I had to go to a doctor for my treatment. I have had it on my mind ever since. During the time Mr. Turner had these prisoners out there he beat several of them. I could hear the licks even when I was inside my house.⁶²

Also, Sheriff Whittle had obtained affidavits from Crawford's fellow prisoners in the stockade, but he refused to release these until the state promised to transfer the prisoners out of Richmond. This caution may have been motivated by Whittle's knowledge of past incidents in which a Grand Jury had placed the prisoner's safety at risk by questioning them under circumstances that placed their safety in jeopardy.⁶³ Whittle noted that this violated a Georgia law that "made it mandatory for grand juries to separately confer with each inmate in county prisons."⁶⁴

Although these safeguards were not in place in this incident, six African American prisoners bravely testified to witnessing the beatings of their fellow inmates.⁶⁵ They were not transferred from Richmond County until July 3, 1948, when they were moved to Hancock.⁶⁶

It is difficult to ascertain what it was that motivated the sheriff. It is possible that he was genuinely interested in seeking justice for Isaac Crawford and was less constrained by the political winds of the day. Having received disturbing reports from citizens, he may have been

⁶² *Death of Negro Convict Brings Out Other Charges of Beatings at Stockade*, Augusta Herald, June 15, 1948.

⁶³ *Whittle Refers To Georgia Law In Prison Probe*, Augusta Chronicle, July 16, 1948, at 11.

⁶⁴ *Id.*

⁶⁵ *Guards Indicted as Prisoner Beaten to Death in Georgia*, Los Angeles Sentinel, July 8, 1948, at 12.

⁶⁶ *Move to Safety Six Who Testify In Guard Murder of Young Convict*, The Chicago Defender, July 17, 1948, at 1.

concerned that the beating of stockade prisoners would provoke public outcry and besmirch the reputation of Augusta City. Or, he may have had a genuine concern for the welfare of the prisoners who were submitting their statements to him.

Even after the miscommunications between the state and the County Board of Commissioners had apparently been resolved, reports documenting abuses by stockade officials continued to leak out. On December 14, 1948, more evidence was presented to the Board of Commissioners by Sheriff Whittle. These affidavits addressed additional allegations of mistreatment of Stockade prisoners. Commissioner Franklin, head of the board, expressed the group's frustration and determination to close down the investigation. He declared the affidavits were an attempt to smear the reputation of H.A. Pinkston, one of the accused guards. Commissioner Nixon inquired as to why there had been such delay in presenting these accusations since the matter had been thoroughly "thrashed out" by the Grand Jury and by City Court, with guilty parties tried and punished. Commissioner Nixon urged the reprimand of Sheriff Whittle for presenting the new affidavits. a motion that carried by three votes in the Commission. It seems clear the Commission sought to get out of the business of investigating the violence at the Stockade. In sanctioning the whistleblower, Sheriff Whittle, instead of investigating the wrongdoing, the Board made clear that it was unwilling to provide relief to the prisoners victimized by the brutality at the stockade. Indeed, the Commission forwarded the last group of affidavits to the State Board, indicating thereby that it considered redress of the abuses to be within the purview of the state and not the county.

3. THE TRIAL

On June 24, David Turner – the warded who had beaten Crawford to death - Alvin Jones, and Horace Wingard were indicted by the Grand Jury on a total of 12 counts for assaulting

convicts.⁶⁷ Turner was charged with beating Isaac Crawford with a rubber hose over the head and about the body.⁶⁸ Turner was also indicted for the beating of the following prisoners, all African American: John Luther Oliphant, Zelma Hampton, Ernest Tiller, John R. Taylor, Willie Byner, Joe Minnick Jr., Alfred Dudley, and Nathaniel Blount.⁶⁹ Several prisoners testified that Turner carried a specially prepared rubber hose to beat prisoners,⁷⁰ it was fitted with a wooden grip and carried hidden inside the guard's clothes.⁷¹ Jones was charged with beating two African American prisoners, Johnnie Hampton and Willie Byner.⁷² Finally, Wingard was charged with beating the white prisoner, Frank Sullivan.⁷³ Each of the guards was suspended, and, the trials were referred to Superior Court because of their serious nature, although each guard's charge was only a misdemeanor.⁷⁴ Ultimately, however, each of these cases was decided in city court.⁷⁵

On July 12, 1948, the Grand Jury cleared Stockade Warden David Turner of any blame in connection with the death of Isaac Crawford.⁷⁶ Although the Grand Jury refused to attach to Turner's name any charge of homicide, it did acknowledge that the abuse of prisoners in the Richmond County Stockade was rampant, unlawful and inexcusable.⁷⁷ Indeed, the Grand Jury recognized that assaulting prisoners on the roads was not a new phenomenon but rather a common practice that had persisted over a period of years.⁷⁸ The Grand Jury went so far as to express its surprise that an investigation of the stockade had not been previously made since, "*the*

⁶⁷ *3 Stockade Guards, Under Indictments, Face Arrest Today*, Augusta Chronicle, June 25, 1948, at 1.

⁶⁸ *Crawford Death Probe Discloses Assault Charges*, Augusta Herald, June 24, 1948, at 1.

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *3 Stockade Guards, Under Indictments, Face Arrest Today*, June 25, 1948, at 1.

⁷⁵ *Turner Trial Enters 2nd Day In City Court*, Augusta Chronicle, December 9, 1948, at 1.

⁷⁶ *Crawford Died From Natural Causes Grand Jury Says in Presentments*, Augusta Herald, July 12, 1948, at 5.

⁷⁷ *Id.*

⁷⁸ *Id.*

information before [the Grand Jury] was so readily available, and [there were] other cases where death resulted, [and] investigations made at that time did not disclose these conditions.”⁷⁹

On the basis of its investigation, this Grand Jury created the following set of recommendations regarding the further handling of prisoners. The first of these recommendations was directed toward the state legislature and consisted of a request that congress make it mandatory for the Inspecting Officer from the State Board of Corrections to make an inspection of the prisoners as well as the usual routine inspection of building foods, etc. The second recommendation of the set was geared toward the County Board of Commissioners that they immediately require that all prisoners receive a complete physical check-up and that they pay closer attention to the type of work a prisoner might be physically capable of doing. This second recommendation also drew attention to the seeming confusion between the State Board of Corrections and the County Board of Commissioners in relation to their administrative roles as overseers of the stockade. The Grand Jury admonished the County Board of Commissioners that they insure that the State Board of Corrections inspector examine the prisoners and that the County should respond to a negligent (or non) response by the State with their own plan of action. The Grand Jury noted that this procedure was necessary for insuring the benefit and protection of the persons in charge of the prisoners along with the prisoners themselves.

On September 3, 1948, at pre-trial proceedings, the cases of the stockade guards were decided differently. David Turner’s request for a jury trial was denied. Turner’s lawyer, Randall Evans Jr., was a candidate for governor in 1948.⁸⁰ He had run on a platform calling for a 100%

⁷⁹ *Id.*

⁸⁰ *6 File In Governor’s Race As Campaign Turns On Heat, Atlanta Daily World (1932-2003); Jul 13, 1948*

white primary, prohibition, and aid to veterans.⁸¹ The state was represented by Solicitor Wilmer D. Lanfer.⁸²

In a State Prison Board Report, Turner had been immediately absolved of blame for the death of Crawford.⁸³ The state corrections director, C.A. Williams also claimed, in a report on the matter, that Turner was not responsible for Crawford's death.⁸⁴ The same report urged the Commission to discharge Wingard for striking Frank Sullivan, a white prisoner who was serving a short term for a misdemeanor.⁸⁵ Williams supported this report and recommended the removal of Wingard from his position.⁸⁶

What is striking here is the contrast between the punishment thought appropriate in connection with the beating of Crawford and that of Sullivan, the white prisoner. Crawford reported that he could not work in a ditch with a rattlesnake. Sullivan, on the other hand, sought to organize other prisoners to protest their forced labor, and was, for this reason, beaten.⁸⁷ In neither instance was the beating of the prisoner justified. Yet the contrast in the disposition of the two cases by the state board speaks ultimately to the devaluing of the life of a black prisoner. Turner was spared any disciplinary action by the State Board of Corrections not because he was not responsible for the beating, but because of the operation of white supremacy.

During Wingard's trial, his attorney was able to gather several affidavits from nine white prisoners vouching for the guard's good character.⁸⁸ No one within the system vouched for Turner, although he did have character witnesses from the larger community who appeared on

⁸¹ *Id.*

⁸² *Turner and Jones Fined and Paroled In Stockade Case*, Augusta Chronicle, December 10, 1948, at 1.

⁸³ *Grand Jury Will Probe Crawford Death Monday*, Augusta Herald, June 16, 1948, at 11.

⁸⁴ *Stockade Guard's Firing Is Urged; Beating Alleged*, Augusta Chronicle, June 16, 1948, at 1.

⁸⁵ *Grand Jury Will Probe Crawford Death Monday*, Augusta Herald, June 16, 1948, at 11.

⁸⁶ *Stockade Guard's Firing Is Urged; Beating Alleged*, Augusta Chronicle, June 16, 1948, at 1.

⁸⁷ *Id.*

⁸⁸ *9 White Convicts Rally to Defense of Guard Wingard*, Augusta Chronicle, June 20, 1948, at 1.

his behalf.⁸⁹ Wingard pleaded “nolo contendere” to the charges of assault and battery in before Augusta City Court Judge Gordon W. Chambers.⁹⁰ The accused admitted to striking former white prisoner, Frank Sullivan because “he heard that [Sullivan] was shirking his work while cleaning ditches in the county.”⁹¹ However, he also argued that he had not meant to hurt Sullivan, stating that he “always found that if you treat men good you get more work out of them.”⁹² Several individuals including the chairman of the county commission’s public works’ committee, David Franklin; stockade superintendent, Robert L. Chavous; and stockade prisoner, James Smith testified to Wingard’s good character.⁹³ On December 2, 1948, a deferred sentence of one month on parole was given to Horace Wingard.⁹⁴

On December 8, 1948, Turner’s non-jury trial opened before City Court Judge Gordon W. Chambers.⁹⁵ Dozens of witnesses presented contentious testimony.⁹⁶ Some of the witnesses were former prisoners and some were still prisoners at the stockade.⁹⁷ Several of these prisoners declared that they had seen Turner beat Crawford although they could not agree on the weapon.⁹⁸ For all prisoners who swore that Turner not only beat Crawford but many other stockade inmates, there were others that were “just as emphatic” that Turner had never beat anyone and was always a considerate officer.⁹⁹ The prosecutor, Lanfer contended that Turner had beat Crawford about the head and shoulders, but conceded that the man’s eye injury could have been

⁸⁹ *Turner Trial Enters 2nd Day In City Court*, Augusta Chronicle, December 9, 1948, at 1.

⁹⁰ *Wingard Facing Assault Sentence In Stockade Case*, Augusta Chronicle, September 4, 1948, at 1.

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Wingard Facing Assault Sentence In Stockade Case*, Augusta Chronicle, September 4, 1948, at 1.

⁹⁴ *Id.*

⁹⁵ *Turner Trial Enters 2nd Day In City Court*, Augusta Chronicle, December 9, 1948, at 1.

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

caused by a shovel lick administered by someone unknown.¹⁰⁰ Defense Counsel Randall Evans argued that since the state's evidence was inconsistent, innocence should be presumed in the defendant's favor.¹⁰¹ He denied that Turner beat Crawford or hit him in the eye.¹⁰² Turner took the stand on his own behalf and testified that he had not beaten Crawford or any other prisoner, and that Crawford told him one of the other prisoners had hit him in the eye with a shovel handle.¹⁰³

On December 9, 1948, the judge found Turner guilty ten charges of assault and battery.¹⁰⁴ For the attack on Isaac Crawford, Judge Chambers imposed a \$50 fine on Turner. On the remaining nine assault and battery indictments was sentenced to six months' probation.¹⁰⁵

III. CONCLUSION

Success is measured by such factors as whether the case widens the public imagination about right and wrong, mobilizes political action behind new social arrangements, or pressures those in power to make concessions – Margaret M. Russell

Reexamining this case without considering its meaning for Isaac Crawford's descendants would add further injury to this great injustice. Crawford's death occurred more than six decades ago, yet what happened in 1948 still resonates with his family members. As I researched this case in the summer of 2012, I gleaned most of the facts from archived newspaper reports. In contrast, many of my colleagues in the CRRJ clinic were able to find family members relatively early in their investigations. I was using the same resources and strategies that they were, and

¹⁰⁰ *Turner and Jones Fines and Paroled In Stockade Case*, Augusta Chronicle, December 10, 1948, at 1.

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

therefore I had to conclude that, in part, I could not find family members because many people do not want to be associated with former prisoners, even dead ones.

Eventually, I persuaded a local reporter in Augusta to publish an article recounting strands of Isaac Crawford's life, which, I thought, might lead me to family members. To my surprise, someone did respond. The 71 year-old-niece of Isaac Crawford got in touch to say that she had seen the article and was willing to talk with me. This was an encouraging sign, for it suggested that despite the stigma around incarceration, family members of current and past prisoners still recognize the larger injustices that led to the incarceration in the first place. The Crawford relative in Augusta led me to two more nieces as well as a great-nephew of Isaac Crawford, Samuel Crawford, who lives in Baltimore.

One aspect of redress in the Crawford matter would be to correct the official record of this incident. On Crawford's death certificate, the cause of death was certified by the coroner's jury to be "acute hepatitis." But was this a false diagnosis at the time it was made? The second is whether more information has been gathered since that original coroner's jury first convened that contradicts the rationale that they used to come up with a cause of death. The facts, as set forth in this paper, strongly suggest that the cause of Crawford's death was always linked to the beating he received at the hands of David Turner, who, after all, was charged with assaulting Crawford. Secondly, the coroner's jury convened shortly after Crawford passed away at University Hospital. It seems that they solely looked at Crawford's final symptoms when surmising a cause of death instead of doing a thorough investigation of the beating that caused his hospitalization in the first place.

Further evidence contradicting the conclusion reached by the coroner's jury is seen in the reports of Sheriff Whittle that there were numerous complaints about mistreatment at the

Stockade around the time of the Crawford beating. Indeed, a grand jury considering these matters recommended changes at the stockade to better protect the prisoners. Moreover, the Richmond County Board of Commissioners and State Board of Corrections appeared to come to an understanding of their respective responsibilities related to the accountability of the wardens and guards.

The actual records from the Richmond County Stockade have been destroyed. Hence, it is difficult to discern whether the Grand Jury recommendations were ever implemented, and whether the state and county boards actually began to hold the wardens and guards of this stockade responsible for prisoner abuse. It is certainly possible that Crawford's death led solely to empty and false promises, which would ring hollow for the family members who still suffer from the violent death of their relative.

Isaac Crawford's grandnephew, Samuel Crawford, has told me that ensuring that no one else would ever have to experience what his family went through in the state of Georgia would be the most fulfilling remedy he could hope for. Yet the remedy Samuel Crawford desires is perhaps the hardest to obtain – an apology that transcends the symbolic and leads to systemic change that may even be able to address law enforcement abuses which continue into the present day. Nevertheless, this is the reparation that the family seeks.