
Prisoners With Mental Disabilities in 1692 Salem and Today

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On January 14, 1697, citizens in Salem Village, Massachusetts, held "A Day of Contrition" for all the individuals who had been falsely accused, imprisoned, and executed during the Witch Trials that were held 4 years earlier. As Roberts (1997) noted:

The New England Puritans, now horrified by their actions, fasted and prayed for forgiveness, and the prosecutors and judges prostrated themselves before the people. (p. A12)

Now, 300 years later, on January 14, 1997, a group known as The Justice Committee held a day of contrition not only for the falsely accused prisoners of Salem but for those in the present as well. The event was energized by the recent film *The Crucible*, which was written by Arthur Miller, who also participated in the convocation.

Three hundred persons with a wide range of types of involvement in present day cases were invited: writers, scholars, prosecutors, defense lawyers, citizen advocates, innocent prisoners who are now free, and the relatives and friends of prisoners who, according to latter day evidence and common sense, should be freed. During the memorial, the following statement was delivered on behalf of innocent prisoners with mental disabilities.

People with mental disabilities often serve the same purpose as canaries in coal mines. They become the first alarm when the oxygen of sanity in a neighborhood is about to be used up (Williams, 1995). That is why the first four arrests in hysterical 1692 Salem Village were of "unusual" persons: a slave vocalizing wild beliefs and visions based on her experiences in her native Barbados; a slovenly, wild-talking, female pipe-smoking beggar; an elderly, thrice-wedded "cripple"; and an older woman who, earlier, had given birth to a half-breed son (Robbins, 1966).

Later, after sanity returns to a neighborhood, the unusual people are often the last to be welcomed back and embraced again. For example, in January 1693, the "spectral evidence" used by the Salem Village girls to get innocent

people hung, was suddenly rejected by the judges. Heretofore, this handful of maidens—mostly teenagers—could state that they saw a neighbor flying through the air—something that folks thought only witches could do—and that so-called spectral evidence was quickly believed, but this was no longer the case.

Then—even though the rules of evidence were changed—Chief Justice Stoughton went ahead with one last attempt to "cleanse" the neighborhood. He signed death warrants for five individuals who had been convicted earlier. One was Elizabeth Proctor who would have been hung with her husband John on August 19, 1692, if she had not been pregnant. Then, almost as an afterthought, Stoughton threw in three "feeble-minded citizens"! Fortunately, Governor William Phips overruled Stoughton, and all eight people were reprieved.

After reading about the three condemned "feeble-minded" citizens in Robbins' (1966) history of witchcraft and demonology, I searched other histories for their names, but I have yet to find them. Evidently, their names did not seem to matter as much as did the others. However, because I have many good friends who cannot read, write, compute, or speak well, they are important to me. I am still looking for their names.

I focus on people with mental disabilities who have been forced to confess to heinous crimes, and whose confessions are accepted even though there is no physical evidence to back up their admissions. By heinous crimes, I mean cases that rip up the tranquility of a town. I mean cases that police departments hate to close without an arrest. I mean cases that get politicians screaming for the death penalty.

Like the Salem of old, some communities (but I hope not all) can still get caught up in an overwhelming urge to cleanse themselves by finding and killing a scapegoat. When that happens, people with mental disabilities can become

- the easiest to bear false witness against,

- the easiest from whom to coerce a confession,
- the easiest to demonize in the press, and
- the easiest to ignore when it come to fighting for their Constitutional rights.

Remember the famous Boston murder of Carol Stuart on October 24, 1989? Loving husband Charles Stuart, lost in the city, frantically called for help on a cellular phone in his car. He said that an African American had just killed his wife and shot him. Remember how he kept talking on the cellular phone until a police dispatcher pinpointed his location? Remember the national uproar? The police and press quickly zeroed in on Willie Bennett, who lived in Boston's Mission District, as their prime suspect. The Stuarts were described by the media as "the Camelot couple," and Bennett was labeled an "urban savage." Much was made of Willie's public school records that listed him as a "mental defective." Three testings resulted in reported IQs of 64, 65, and 62. The whole country seemed to want Willie dead—until husband Charles, the real killer, suddenly committed suicide by jumping off the Tobin Bridge (Perske, 1991).

Remember the 1990 mutilation murders of five University of Florida at Gainesville students? The police quickly focused on a freshman named Edward Humphrey because he was arrested for fighting with his grandmother, and records showed that at one time he had been labeled "manic depressive." After long hours of intense interrogation, Edward confessed that his "alter ego, John" was the killer. One cannot help wondering whether this confession might have led to a conviction if DNA testing had not cleared Edward—and connected the crimes to Danny Harold Rolling (Rohter, 1994).

Remember the 1996 Daytona Beach "Spring Break" murder? On a Friday in March, Canadian student Mark Fyke was fatally shot in the back of the head. On Saturday, the police picked up odd, loquacious, happy-go-lucky, beach-loving, 18-year-old Donnie Shoup. Police said that they received a full confession from Donnie at 3 a.m. on Sunday morning. On Sunday afternoon, the police gave Shoup's confession to the press. They also added that he had an IQ of 52 (Ditzler, 1996). Three weeks later, the real shooter and two accomplices were charged, but Shoup was not released until August (Holland, 1996, p. 1A).

Remember Barry Fairchild, who was executed in Arkansas on August 31, 1995? Did you know that there were 13 affidavits signed by African Americans who swore that Sheriff Tommy Robinson and his men brutally beat them in an attempt to get a confession for the 1983 rape—murder of Air Force nurse Greta Mason? Barry Fairchild was the 14th to be beaten (ABC TV, 1991). Barry Fairchild had mental retardation. Barry Fairchild, with his head wrapped in bandages, finally "confessed." By 1995, judicial authorities claimed that all of Fairchild's Constitutional protections were exhausted, and he was executed as an *accomplice* to the murder of Ms. Mason—even though the real shooter has never even been identified (Perske, 1991).

Do you remember how Johnny Lee Wilson was pardoned on September 29, 1995, in Missouri? Johnny, a 20-year-old recent graduate of special education classes in the Aurora public schools, was intensely interrogated for the 1986 murder of 79-year-old Pauline Martz. Police officers at headquarters who talked freely in the hall about Johnny being a "f_____ retard," questioned him repeatedly until he confessed. Later, the trial judge warned Johnny that if he pled innocent and went through a trial, he could get death. Scared, Johnny quickly pled guilty and the judge quickly sentenced him to life without parole. Later, the real killer, Chris Brownfield, from a prison cell in Kansas, confessed to the murder. Even so, Johnny continued to lose all his legal appeals (Perske, 1994). Finally, Governor Carnahan, after studying his case for better than a year, found Johnny's confession to be totally coerced—and he pardoned him. Do you know that governors in some states like Connecticut do not have pardoning powers? One cannot help but wonder about what might have happened to Johnny if he had lived in one of those states.

Remember the Wenatchee, Washington, sex-abuse-of-children cases? Detective Robert Perez came to believe that a wide-spread sex ring was at work in the town. In a 2-year campaign, he arrested 40 adults on sex charges. Twenty were convicted on the basis of accusations that young children were coerced to make, many of which were later recanted. Reverend Robert Roberson and his wife, Connie, were arrested and convicted after the pastor publicly criticized Perez. On Friday, December 8, 1995, a jury acquitted the couple during a retrial. Even

so, at least 20 less-popular persons remain in prison and "most of them are poor and mentally retarded" (Egan, 1995, p. A4).

So, like Salem of old, some communities intent on cleansing themselves of evil may find less resistance when they accuse a vulnerable person with mental disabilities of a crime. For example, the bewitched maidens of Salem began to enjoy a heady power when they saw what happened to the people whom they cried out against, people who were poor, or elderly, or had disabilities. Later, however, when they accused the famous John Alden of witchcraft, their boldness began to boomerang. Alden was quietly helped by friends to escape from prison and leave the territory. The same happened to other rich and competent defendants. Then the girls' hysterical scam really began to unravel when they dared to present spectral evidence that Lady Mary Phips, the wife of the governor, was a practicing witch. Earlier, she had obtained the release of a woman the girls had accused, and they responded by crying out against her (Starkey, 1949).

These facts raise some interesting test questions for today. For example, if Barry Fairchild had been a former All-American fullback for the University of Arkansas Razorbacks, would Sheriff Tommy Robinson and his men have interrogated him the way they did? If Edward Humphrey had been the president of the University of Florida at Gainesville, would his interrogation have been different or would he have even been brought in for questioning? If the interrogators of Johnny Lee Wilson saw him as the mayor of Aurora, Missouri, instead of as a "f_____ retard," would they have pushed him into confessing to the murder of Pauline Martz the way they did? If Willie Bennett were general manager of the Boston Red Sox, would the police and the media have been able to vilify him as easily as they did before Charles Stuart

killed himself? And if Donnie Shoup had been the city planner of Daytona Beach, would the police even have approached him?

I wish it were not so, but like Salem Village of old, some neighborhoods still can become hysterical too quickly and mindlessly jump too swiftly at the chance to find a community-cleansing scapegoat.

Suppose it happens in your community, and suppose you are arrested as the suspect. If you are rich and competent, you have a better chance to beat the rap or make a deal. But if you are poor and not so smart or are "mentally mixed up," you have a greater chance of being arrested, convicted, and even killed.

References

- ABC TV. (1991, March 29). Confession at gunpoint. *20/20*.
- Ditzler, J. (1996, March 18). Man admits killing breaker during robbery. *The Daytona Beach News Journal*, p. 1A.
- Egan, T. (1995, December 12). Couple acquitted of sex charges. *Kalamazoo Gazette*, p. A4.
- Holland, J. (1996, August 1). Former spring break murder suspect freed. *The Daytona Beach News Journal*, p. 1A.
- Perske, R. (1991). *Unequal justice?* Nashville: Abingdon Press.
- Perske, R. (1994, February 20). Johnny shouldn't be in jail. *Kansas City Star*.
- Robbins, R. H. (1966). *The encyclopedia of witchcraft and demonology*. New York: Crown.
- Roberts, P. C. (1997, January 14). Parents in the crucible. *The Washington Times*, p. A12.
- Rohter, L. (1994, February 16). Suspect offers surprise guilty plea in Florida student killings. *New York Times*, p. A10.
- Starkey, M. L. (1949). *The devil in Massachusetts*. New York: Time Books.

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