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National Museum of African American History and Culture

Pamphlet: The Cruel and Unusual Punishment of Henry Winston

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recommend that Mr. Winston be transferred to the Rehabilitation Service at the Bids S. Coler Hospital where full rehabilitation facilities he requires are available." Without these rehabilitation facilities, Henry Winston might be permanently crippled, as he was already blinded.

No such facilities as he required were available in prison. Thus, it was decided to send him back to prison.

Similar to the advice of Dr. Lowenthal were the pleas of other medical authorities. The physicians wrote numerous affidavits urging that Henry Winston be permitted to recuperate in a hospital equipped to treat him and offer him the hope of rehabilitation.

Ignoring this medical advice the government made immediate preparations to ship the sick, blind prisoner to the Federal Prisons' "snake pit."

3. The Snake Pit

In the midst of the green fields and blue skies of Missouri there lies an outpost of Hell.

Shrieks echo in its halls. Men are locked in rooms with bars for walls. In the dim corridors the senile old men squat. Young men rot. Urine, and worse, stains the floors. The inmates wander insanely and aimlessly with nowhere to go and going there. Lost men and hopeless men - these are the twice imprisoned and the doubly damned.

This is "the snake pit"!

It is a tomb for the living. It is the Federal Prison "Medical Center," in Springfield, Missouri, to which psychotics are sent.

"Sixty to seventy per cent of the Medical Center's population are patients in the psychiatric service," and Annual Report of the Bureau of Prisons (1958) states and it goes on to say that there is a "concentration of assaultive, paranoid, and litigious" prisoners among them.

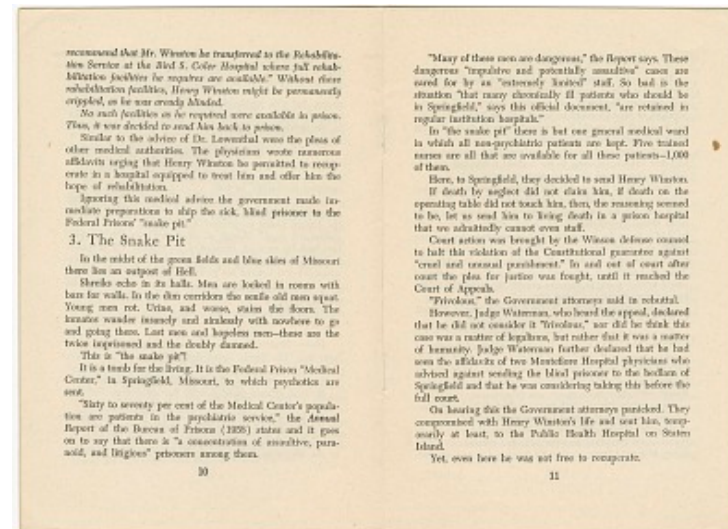
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"Many of these men are dangerous," the Report says. These dangerous "impulsive and potentially assaultive" cases are cared for by an "extremely limited" staff. So bad is the situation "that many chronically ill patients who should be in Springfield," says the official document, "are retained in regular institution hospitals."

In "the snake pit" there is but one general medical ward in which all non-psychiatric patients are kept. Five trained nurses are all that are available for these patients - 1,000 of them.

Here to Springfield, they decided to send Henry Winston.



If death by neglect did not claim him, if death on the operating table did not touch him, then, the reasoning seemed to be, let us send him to living death in a prison hospital that we admittedly cannot even staff.

Court action was brought by the Winson defense counsel to halt this violation of the Constitutional guarantee against "cruel and unusual punishment." In and out of court after court the plea for justice was fought, until it reached the Court of Appeals.

"Frivolous," the Government attorneys said in rebuttal.

However, Judge Waterman, who heard the appeal, declared that he did not consider it "frivolous," nor did he think this case was a matter of legalisms, but rather that it was a matter of humanity. Judge Waterman further declared that he had seen the affidavits of two Montefiore Hospital physicians who advised against sending the blind prisoner to the bedlam of Springfield and that he was considering taking this before the full court.

On hearing this the Government attorneys panicked. They compromised with Henry Winston's life and sent him, temporarily at least, to the Public Health Hospital on Staten Island.

Yet, even here he was not free to recuperate.



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