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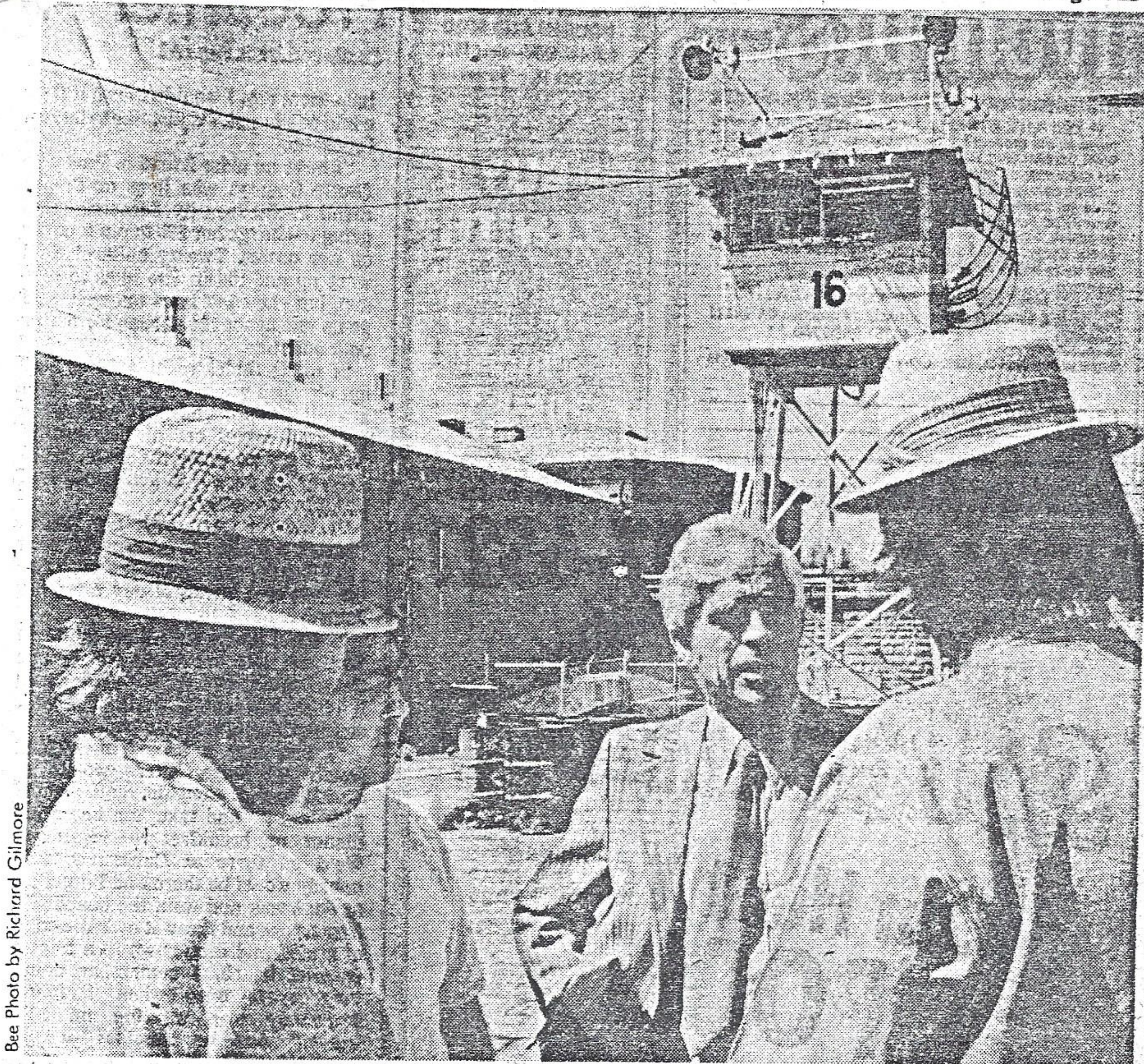

Bee Photo by Richard Gilmore

Procunier, center, talks with Folsom inmates about new parole policies.

Procunier's Beachcomber Soul Under Tough Facade

Raymond Procunier, controversial former state prison director who is Gov. Brown's choice to head the state parole board, soon will face a stiff fight in the State Senate over his confirmation. His was the only Brown nomination last year which failed to win approval from the Senate Rules Committee. To avoid a Senate floor fight the first time around, Brown appointed Procunier on an interim one-year basis. The governor reappointed him last month, so now Procunier must again go before Senate Rules.

During his year as chairman of the Adult Authority — the men's parole board — Procunier established a system of setting parole dates for prisoners soon after incarceration, giving even most long-term prisoners a date to look forward to. Under the new procedures, more than 10,000 prisoners — part of a logjam created under the law-and-order administration of Ronald Reagan — have been released.

Procunier's administrative reform of the controversial indeterminate sentencing system has since been declared illegal by the courts, although the wisdom of the policies was not questioned. He now supports legislation to give the policies the force of law — support critics say may be too late for meaningful legislative change.

Bee Staff Writer Sigrid Bathen spent the past month interviewing Procunier, his friends and critics, and accompanied him on some of his prison rounds.

By SIGRID BATHEN
Bee Staff Writer

Ray Procunier settles his glasses on the end of his nose and peers over them at the young man in faded denim.

"Did you hurt the victims?" he asks.

"No, sir," the young man replies quietly.

"You threatened to kill them?"

'Yes, sir, there were implied threats."

There is a long silence as Procunier reads the fat, frayed file on this earnest-looking 29-year-old who has spent more than seven years in state prison for robbery and kidnaping.

Toward the back of the file Procunier stops, reads more intently, then asks:

"Is this about the time you were messing up?" he asks, using a different verb which is immediately understood behind bars but resented in a family newspaper.

"Yes."

"What happened?"

"I'm a carpenter, and I couldn't find work. I was on barbiturates. It was me, but it was the drugs too."

He has been a model prisoner, is married and the father of an 11-year-old child, is a journeyman carpenter with solid job offers on the outside. His crime history is limited to that one kidnaping, and recommendations for his parole include one from the warden. His psychiatric and conduct reports are clean. Based on all professional standards of "rehabilitation," he seems an ideal candidate for a successful parole.

The decision will not be Procunier's alone, and this impromptu session — requested by the warden while the parole board chairman was touring the prison will be followed by a formal hearing. But the discussion is typical of how Procunier operates. And, if he believes in a man — as he apparently does in this one — then he will work for him.

The 52-year-old Procunier has been in California prison work for nearly 30 years, starting as a guard at the California Institution for Men in Chino, and working his way up.

Wherever he goes, controversy follows. He inspires great extremes of loyalty and animosity.

Complex and mercurial, he defies description.

His home address and phone number have been listed in the phone book for years — a fact which, it is said, drove state security officers up the wall in times of prison turmoil or revolutionary death threats. Especially when he decided — as he frequently did — to work in his garage at night under a bright light, with the door open.

But Procunier is an intensely private person, and woe to the unthinking employe or reporter who called him at home when it wasn't really important.

Procunier's image — or the one, at least, in newspaper adjectives — is of a hard-nosed, no-nonsense anti-bureaucrat who defies the usual rules and always speaks his mind, even when it's a political liability.

And all that is true, but there's more.

He smokes, but rarely drinks, keeps regular hours and rigidly guards his private time with his family. He is an inveterate tinkerer, fix-it man, gardener, craftsman and north coast beachcomber. He prides himself on the huge crenshaw melons he grows in his garden, on the tables he makes out of driftwood. He picks up hitchikers and takes them home for dinner.

Not your standard hard-nosed, "tough-talking" prison boss.

The floor of the superintendent's office at Soledad State Prison is made of intricately carved, dark wood. It is a beautiful floor, laid by prisoners. Procunier is alternately looking at it, gazing out the window, sipping coffee and smoking a cigarette.

Like many California prisons, Soledad is in an incongruously spectacular setting — nestled against the rolling coastal hills near Monterey, in the rich Salinas Valley. This day is biting cold, with wind like a sharp silver knife. Dark gray storm clouds are scudding on the wind, bumping and sliding across the rim of the hills encircling this huge, ominous place.

Procunier has spent the day talking with prisoners and staff, walking the grounds of the 1,000-acre prison.

A short, silver-topped man in a black suit, he mingles with prisoners like an old con who's been there many times before. They cluster around him in groups. The conversation is intense, full of gestures, occasionally punctuated by laughter.

As he strolls through the prison, there are shouts and catcalls. "Hey, Pro, how you doin'? Looks like you lost some weight!" "Hey Pro, don't let 'em drive you out. You never ran before!"

Later, in the superintendent's office, the lines in Procunier's face show deep fatigue, and he talks in some rare unguarded moments about what it's like to live in the pressure cooker of prison administration and how he longs sometimes to leave it all behind. Maybe just spend some time with his sons on the north coast, play with his 4-year-old granddaughter or walk on the river looking for wood to build his tables.

"If I left this job," he sighs, "I'd have to do something." His face brightens and the lines ease. "I'd like to put all my tools in my pickup and start a fix-it shop. I really have empathy for old people, and I'd like to

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help them out. I wouldn't care if they could pay or not. I'd just like to have a fixit shop.

"I have an older friend in Paradise (Butte County) who lives on $135 a month Social Security. Somebody was going to charge her $20 to put a cover on her cooler. Twenty dollars! So I went up and did it. She likes to garden, but she can't bend too well, so I go up and spade the garden for her or pour concrete.

"I make tables worth $500 or $600 out of scrap wood. I take planks that are all warped and split and make beautiful tables out of the natural wood I gather along the river. But I can't bring myself to sell them, so I just give 'em away.

"I like to work with my hands. There's a feeling of accomplishment ... I like the changing weather. I like the feel of a beautiful day after it's rained....

"I fixed up an old school house in Westport (on the north coast) one time. I sold it for $10,000, and they sold it for $25,000 a short time later. I can't sell anything to save my soul.

"I ran into a lot of interesting people up there. There would be hitchhikers all along the road, and I'd pick 'em up and take 'em home for dinner or breakfast or whatever. We'd go there at Christmas, and nobody would be there and I'd get up at daybreak and walk the beach. I'd take a rope and throw it over the edge of a cliff and drop down to a totally isolated beach. I remember being very upset once when I found somebody else walking on MY beach." And he chuckles at the recollection. The fatigue is easing.

Characteristically, it's not long before he's back to prisons. What are they like, a reporter asks.

"Horrible. You spend all your time in a very small geographic space. There's no privacy."

What about power? How do you feel about power?

"When you're powerful, you have to be careful. Power corrupts because people get mesmerized by it and don't listen. You have to have a lot of checks on power.

"The public doesn't want us to make any mistakes, and that's ridiculous. I have 20-20 hindsight like everyone else...

"We have the awesome responsibility of not releasing someone who might not be ready or keeping him so long that he's sure to go out and hurt somebody. It's a very delicate balance. We've changed the system so that much of the inconsistency and the ambiguity are removed. You can

'I'd like to put all my tools in my pickup truck and start a fixit shop.'

get people so anxious they're catatonic.

"Everyone wants to develop a criminal justice system that is infallible. But they don't close down General Motors when they have to recall some cars. And human behavior is much more complicated than automobiles.

"I'd give anything if people who criticize us could understand the magnitude of the problem. They need to spend three hours in one of these places . . . I remember getting a call from some editor somewhere who was bitching about us being too easy. I'd been agonizing over the same issues he was talking about and had just denied 16 out of 19 guys. I told him to come down and sit in on a hearing. The son of a bitch never showed.

"People don't want to know what's wrong. They just want to criticize. There aren't simplistic answers to any of this. I can really empathize with someone who gets hit over the head and their purse stolen and the guy who did it gets 18 months. They ought to see what 18 months in one of these places is like. I'm as tough as anybody when it's necessary, but you don't have to destroy a guy.

"It looks simple. A guy does something wrong, and you take away his liberty for as long as it takes to rehabilitate him. But it's not that simple"

What about the relationship between poverty and crime?

"We have two criminal justice systems in this country — one for the rich and one for the poor . . . When this country becomes totally equal, there will be real impact on crime. 'Judges aren't tough, police are lax, prisons are corrupt' — those are bogus issues. Inequality and social injustice make people lash out in very vicious ways."

How do you respond to your critics, State Sen. H.L. "Bill" Richardson, R-Arcadia, for example?

"All I know is Sen. Richardson is against sin and in favor of motherhood. He sees only good guys and bad guys . . . I wish I could think as simply as he does . . .

"At least the extreme left makes more sense today. They've discovered burning and bombing doesn't accomplish anything."

How did you get into this business?

"In Michigan, where I come from, everyone worked in the factories. My father worked in the Chevrolet factory, the assembly line. He was a very creative, artistic man, and the factory destroyed him. He told my brothers and me if we ever went to work in a factory, he'd kill us. (Procunier's brothers live in Michigan — one is a banker, one a foundation director. Neither works in a factory.)

"I worked my way through high school as a shoemaker — Heinie's Shoe Repair in Flint, Mich. I worked for the telephone company for a year, and then I went into the service for 3 ½ years. I was a Naval aviator, an instructor. Off and on, I got about three years of college — engineering, criminology, sociology.

"I didn't want to do a job I didn't like. So I decided to spend a year looking for a job I wanted to do. I was working for a lumber company in Chino in 1947 when the prison was recruiting officers.

"I decided to give it a try."

Procunier was director of corrections for eight years, beginning in 1967, during a period of unprecedented violence in California prisons — when killings of guards and prisoners occurred with chilling regularity and he was under attack from both ends of the political spectrum. Conservatives felt he was too soft on prisoners, liberals and radicals said he was too harsh. And it is that unusual right-left coalition which blocked his confirmation as parole board chairman in the Senate Rules Committee last year.

"Nobody, unless they were there at the time, can recreate the dynamics of what was happening in the prisons in the 1960s," Procunier says wearily. "There are some things I would have done differently, of course . . . But I stayed because I understood the prisons, and I felt I knew how they could be changed without bringing it all down around everyone's head.

"It wasn't pleasant."

Procunier is a political maverick who has always attracted contradictory philosophical bedfellows. His personal politics don't fit the standard molds. He supports the death penalty for certain "ultimate, execution-style murders." He fought rampant racism in the prisons, markedly improving the ratio of minorities and women in corrections staff positions and convict job assignments.

In addition to attacks from legislators and prison officers who felt Procunier was getting soft on crime during his tenure as director, there was a growing public awareness of obvious inequities in the prisons. Prison reform groups became more vocal, and attorneys concerned with prisoner rights filed numerous lawsuits challenging prison conditions.

One of Procunier's chief opponents among prison lawyers was — and is — Sacramento Legal Aid Society attorney James Smith, a recognized legal expert on prison law and a member of the board of directors of the Prisoners Union. Like many of Procunier's critics, he is personally fond of the charming, gregarious former prison director. But he testified against his confirmation at last year's Senate Rules hearing.

"Procunier is a complicated man," Smith says. "He plays the role of the benevolent despot. I know of many instances when he's gone to bat for people. But prisoners shouldn't have to depend on the favor of the emperor . . . I think he's intoxicated by power. Sometimes he does wonderful things

'Prisoners shouldn't have to depend on the favor of the emperor.'

with power, and sometimes he does bad things. That's the problem . . .

"Procunier as a private person I find interesting, fascinating. But I have a deep-seated philosophical opposition to the way he runs his shop."

On the right wing of the political spectrum, there is Sen. Richardson, Procunier's most strident and consistent critic in the legislature. Richardson describes Procunier as "very personable, very affable, a guy you'd like to play golf with . . . but an incompetent administrator."

During Procunier's direction of the prisons, the conservative Arcadia Republican — a former staff member of the John Birch Society — says the system suffered "the highest escape record, more gang fights, disorganization and the highest recidivist rate in history."

Tony Kline, Gov. Brown's legal affairs secretary, was once a Procunier opponent in court suits challenging prison conditions when Kline was managing attorney of Public Advocates in San Francisco. He says his opinion of Procunier has changed over the years.

"He's a complicated man," Kline says, "with a lot of contradictions. Basically, he's pretty honest. He's direct. He tells you what he thinks. He's up front. He's a decent and fair human being, and a sensitive man. I didn't think that two years ago. I have a greater understanding of him now.

"He has made enormous improvements in the Adult Athority, and that took a lot of courage. He's a courageous, gutsy little guy ... He has real empathy for those guys behind the walls, more so, I think, than some lawyers who purport to represent them."

Many critics and supporters alike believe the Procunier policies on the parole board — policies which require in most cases the setting of parole dates soon after a man enters prison —have substaintially reduced violence in the prisons. Talking to prisoners bears that out. Although some say their parole dates have been set too far in the future, prisoners interviewed by The Bee generally praised the new policies.

"It's keeping a lot of the madness down," said one prisoner at Soledad. "Before, we didn't have nothing to look forward to...

"A guy's not going to cause any serious trouble if he knows when he's going home."