

Frank C. Conley

The jury has been out on Montana State Prison Warden Frank C. Conley since the 1920s. Was he a progressive prison administrator or should he have been behind those walls for corrupt practices? It's still hard to say.

Frank Conley was born in Maryland in 1864, the youngest of seven children, and was orphaned as a child. In 1880, he decided to head west, following two of his brothers who were in Miles City. Like his brother Jim, 17-year-old Frank was appointed a deputy sheriff for Custer County, which then encompassed an enormous swath of southeastern and central Montana.

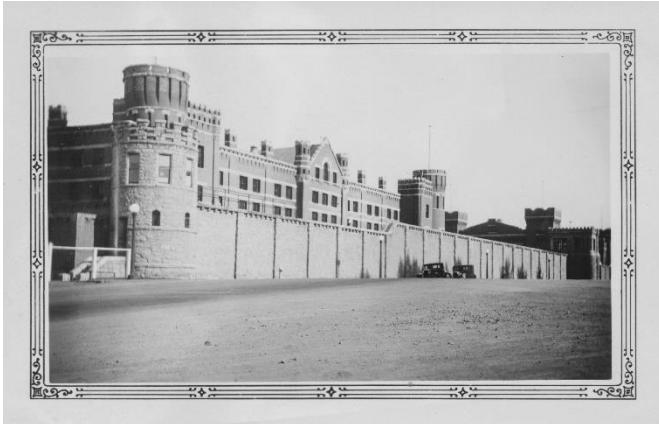


In 1886, Conley was detailed to escort prisoners to the Territorial Prison in Deer Lodge. He was offered a job as a guard, and left Miles City behind. When Montana attained statehood in 1889, the state took over the prison from the Federal government, and as was common for many states, contracted out the administration of the prison. Conley and another guard, Thomas McTague, partnered together and got the contract. From 1890-1908, the contract was renewed. McTague handled procurement, and Conley served as administrator/warden, starting at the age of 26. The state owned the land, and agreed to pay a daily rate per prisoner for the operation of the prison. The partners housed and fed the inmates, managed the prison and maintained discipline, and could handle other issues as they saw fit. Any profits were theirs.

They took over a prison that was severely overcrowded with buildings that were in poor condition. The prison was not terribly secure either, with only a board fence that was prone to fall over in high winds. Conley was determined to increase capacity with new cells and increase security. As a stop-gap, he put up a new cell block made of logs, but the ambitious Conley envisioned something much grander and set out to achieve it.

Conley embarked on a building program, and it never really stopped for decades to come, despite shifting political tides for the prison system. In 1890, he proposed a stone wall, a new cell house and a prison hospital. The Board of Prison Commission was not supportive, and was actually proposing a new prison in Billings. Those plans fell through in 1893, when a national economic crisis affected state funding. The state had no choice but to improve the inadequate facility in Deer Lodge, and agreed to the stone wall, though without means to fund it.

Conley fully exploited the manpower of the inmates. The inexperienced prisoners formed the entire construction crew except for a foreman and a superintendent. The men quarried the stone locally, the stone wall went up, and Conley was jubilant, ignoring the protests of the press and organized labor unions. From then on, the prisoners were his to use, and Conley set to upgrading the facility, building a state-of-



the-art prison building. Over the years, he continued the growth of the prison, with another new cell house, women's quarters, a power plant, central kitchens and dining, a bunkhouse for trusty convicts, an extension of the walls and even a prison theater.

The Board of Prison Commissioners were happy to be spared labor expenses, despite strong objections from labor unions. They and Conley

believed that convict labor reduced costs, and had the added benefit of improving morale and discipline. Conley went even further, providing his prisoners as construction crews to state building and highway projects across Montana. Prison crews built around 500 miles of highways, the Warm Springs facility and many others. Conley even provided an inmate crew as ranch hands for Copper King William A. Clark's ranch. Within a few years, nearly a third of the prison population worked outside of its walls, relieving overcrowding. All the monies earned by these crews until 1909 went into the hands of Conley and McTague. Some of it went to fund prison costs, and the rest was theirs.

Conley was a believer in rehabilitation of prisoners, and felt that working in construction could give them a trade and some self-esteem. He instituted a policy that those working could see a small reduction of their sentences. The convicts lived in camps with a few guards, were unrestrained, and enjoyed a measure of freedom that encouraged participation. Rulebreakers or slackers were quickly sent back behind bars. By 1916, half the prison population were living in work camps.

Two prisoners' attempted escape in 1908 nearly cost Conley his life. Murderer George Rock and horse thief William Hayes planned the break with two accomplices. Hayes had managed to steal a guard's pocket knife. The four men asked to attend Conley's daily Warden's Court, where he dealt with grievances. While in the waiting room, they overpowered the deputy warden, beating him with horse bridles. Hayes burst into Conley's office and threatened to kill him if he didn't turn them loose. Conley pulled his pistol and shot Hayes, knocking him out. Rock came in with the deputy warden as shield, but Conley was able to shoot Rock as well. Even so, both men rallied to renew their attack, stabbing Conley and slitting the throat of the deputy warden. Conley wounded Hayes again, and managed to hold Rock off with a chair until rescued by other guards. Conley sustained over fifty wounds to his neck and back, including one perilously near his jugular vein. Both inmates were hanged for the death of the deputy warden.

In 1909, another company won the contract to administer the prison, but at this point, so much was still owed to Conley and McTague for building costs and prisoner care, that

neither the state or the new contractor could afford to pay it. Instead the state took over administrative responsibility, and neatly solved that problem by reappointing Conley as its Warden.

In 1920, a reformer was elected as Governor. Joseph Dixon found Conley's management of the prison problematic. He dismissed Conley in April 1921. When Conley left, he left with all the equipment and tools he had purchased when on contract. He also left with half the staff. The new warden complained to the governor, and Conley was brought to trial on the charge of misuse of state funds, accused of defrauding the state of some \$300,000. The trial that followed was a political brouhaha, in which Conley had a great deal of popular support, and the powerful backing of W.A. Clark. It ended in an acquittal, and a finding that the state actually owed Conley \$558. But the taint of corruption, abuse of power, and self-enrichment never left him.

Beyond the walls of the prison, Conley also served as Mayor of Deer Lodge. He was elected to the office three times, and re-elected numerous times, serving a total of 31 years between 1892 and 1929, when he chose to step down. He had the record for the longest term in office in the state.

After leaving the prison, and based on his road-building crews, Conley was appointed to the state's Highway Commission. He quickly became its chair, and worked to construct the first complete highways through the state in the 20s.

Conley's legacy was a complicated one. The prison buildings were almost all his doing, and he created a prison which was held up as a model to other states. Convict labor continued in use at the prison until the Depression in the 1930s dried up funding for roadbuilding projects by the state and counties. The prison had developed few other industries in the meantime, causing great difficulties for wardens following in Conley's footsteps.

Conley's wife died in early 1939, and he followed her on March 5th of that same year. In Deer Lodge, businesses and public offices were closed in his honor for his funeral. His and his wife's ashes were scattered over Mount Powell, a landmark for the Deer Lodge valley.

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