

Author revisits Texas prisons brutality case

Book looks at inmate who exposed system

By ALLAN TURNER, HOUSTON CHRONICLE

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Michael Berryhill wrote *The Trials of Eroy Brown* and says the prisoner feels he is being retaliated against for events in 1981. Photo: Johnny Hanson / © 2011

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In April 1981, convicted burglar and armed robber [Eroy Brown](#) drowned Ellis Unit Warden Wallace Pack and fatally shot [Billy Moore](#), the unit's farm manager, launching a high-profile series of trials that illustrated the level of brutality then existing in the state's prison system. Represented by Houston legislator-lawyer [Craig Washington](#), Brown successfully claimed self-defense, contending the men, fearful he would expose a prison theft racket, planned to kill him. Released, then returned to prison for a 1984 Waco robbery, Brown is serving a 90-year sentence as a habitual criminal.

*Houston journalist [Michael Berryhill](#) explores Brown's case in his new book, *The Trials of Eroy Brown: The Murder Case That Shook the Texas Prison System*. Brown next will be considered for parole in February; his mandatory release is set for Christmas Day 2017. Following are excerpts from an interview of Berryhill by [Houston Chronicle](#) reporter [Allan Turner](#).*

Q: Why did you find the case of Brown intriguing?

A: The story of Eroy Brown may seem to be a true crime story and, in a sense, it is. Really, it's a story of the tragedy of Texas prisons going back to the 1950s, the tragedy of how they were run with a plantation mentality with state officials denying

what they were doing.

Q: The killing of Pack and Moore came just four months after federal Judge [William Justice](#) released his landmark Ruiz decision, blasting the prison system for crowding, questionable medical practices and brutality. Describe what the Ellis Unit was like at the time of the killings.

A: Ellis Unit was designed by [George Beto](#), the earlier prisons director, and continued by [Jim Estelle](#), as the toughest in the system. You had the toughest convicts, and the general philosophy was you needed the toughest warden. Wallace Pack was assigned to keep the lid on Ellis. The inmates in the prison were restless. There were work stoppages and strikes, and with Judge Justice's opinion, there was an air of expectancy that the brutality and terrible conditions would end.

Q: Brown's problems began when Pack and Moore escorted him to the "bottoms." What did that mean?

A: The "bottoms" was a generic term for a remote place on a prison farm where discipline could be given. It was a "tune-up" or "attitude adjustment." A trip to the bottoms meant you were going to be disciplined corporally.

Q: What motive would Pack and Moore have for punishing Brown?

A: Brown had said rather loudly to another inmate that he was angry because he hadn't gotten a furlough "after all I did for Billy Moore." Brown had helped Moore and another prison official steal tires and automotive equipment from the farm shop and they thought he was going to snitch about their theft. Ordinarily, it wouldn't matter what a convict threatened to do, but [FBI and Justice Department](#) officials were crawling all over Texas prisons. Inmate testimony had played a critical role in Judge Justice's ruling ... and inmates were being heard and believed. Pack had just been assigned to take on the toughest prison in the system. Here it was his third week on the job ... it was important to back up his farm manager.

Q: Did Brown have a history of violence?

A: No. The simple truth is Eroy was a heroin addict, an incompetent thief, an armed robber. He never hurt anybody. He was not violent in prison, although he once defended himself against an inmate. He was a model trusty. Eroy succeeded in prison much better than in the outside world.

Q: Brown's first trial ended in a mistrial, then two later trials, one for each killing, ended in acquittals. Brown was released, but returned to prison in 1985 on

a 90-year habitual sentence stemming from a Waco convenience store robbery. Since then, he has been denied parole seven times. In your book, you suggest the state is retaliating for the Pack and Moore killings. How so?

A: Brown feels like he's being retaliated against, and his parole attorney feels that he's been retaliated against. In the convenience store robbery, the two other participants had all charges dropped in exchange for testifying against Brown. They had records as complicated as Brown's. It's a supposition, but I think it's reasonable that (at age 60), he ought to be pretty well "timed out" on crime, especially if he's given some help.

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