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After 7 years

Alvarez in the pen

By Mike McLaughlin
School of Journalism

It was Sept. 14, 1966. In Lincoln Mrs. Carl Rohman hurried into the home of Edward M. O'Shea after her son told her a strange man was in the O'Shea home.

Mrs. Rohman found the body of Mrs. Mary O'Shea lying in the bedroom.

Police said there were signs of a struggle and rape was suspected. They found the murder weapon, a draw cord from a curtain which had been used to strangle Mrs. O'Shea.

A man was apprehended a few hours later near a downtown bus terminal. The man was Thomas Alvarez.

Alvarez was sentenced to death in the electric chair by Judge Bartlett E. Boyle in March, 1967, for the rape-strangulation of Mrs. O'Shea.

He is the first man in Nebraska history to be given the death sentence after pleading guilty to first-degree

murder, even though the prosecuting attorney had not asked for death.

He began to cry

Newspapers reported that Alvarez began to cry when the sentence was read.

However, Alvarez was not to die in the electric chair. He was given six stays of execution, some of which came days before his execution date.

He appealed to the United States Supreme Court twice, but his first appeal was turned down. His second appeal never was heard because the Court declared the death penalty unconstitutional.

Alvarez's death sentence was changed to life imprisonment.

Alvarez spoke freely about the crime in a recent interview at the Nebraska State Penal Complex.

Can't understand

"The thing I can't understand," Alvarez said, "is that I confessed to the murder and they (the police and the courts) believed me, but when I said I'd been invited in by Mrs. O'Shea they said I was lying. Why would I admit to murder and then lie about that? I know I was wrong and have to serve my time, but they made me seem like an animal and they made her an angel."

Alvarez is appealing his case in the district courts on the grounds that one of his lawyers in the original trial was legally incompetent. He also would like to withdraw his original guilty plea.

Alvarez sat quietly with his hands folded on his lap during most of the interview. No guard was present.

Alvarez is distinguishable by his tattoos, a skunk on his right

arm with "Cindy" written under it and a flag on his left arm.

Old girlfriend

Cindy is an old girlfriend from Commerce City, Colo., where Alvarez used to live. After she decided she didn't like the skunk on Alvarez's right arm, he named it Cindy in her honor.

Alvarez said he never has been convicted of anything except the O'Shea murder. He was picked up in Commerce City in June, 1966, three months before the murder, when police there were investigating the rape-strangulation of a 14-year-old baby-sitter. He later was released.

Before the O'Shea trial, a 23-year-old Denver woman identified him as her rape-assailant. Colorado has not decided whether to ask for extradition, if he is paroled.

Alvarez said that there are three ways out of the penitentiary: escape, parole and death.

Chances 1 in 100

Escape is next to impossible, he said. "I've got a chance for parole in 20 years or so, if you consider 1 in a 100 to be a chance," he said.

He said that the only way for him to get out is "in a pine box."

Alvarez is glad to be off death row despite the life sentence. Living at the "jail", the convict's term for the adjustment center where death row was located, wasn't living, he said.

As for the death penalty being a deterrent to crime, he said, "If you kill someone, you're going to get a life sentence regardless if it's first- or second-degree murder.

You're not going to have to worry about that now. Whether or not it was ever a deterrent is debatable."

At the time of his conviction and during the early days in prison, Alvarez said he was indignant. "I didn't want to take anything from anyone, but I soon learned that this (prison) was a give-and-take situation," he said.

He gets along

He said he now gets along with other prisoners. "They don't give me any grief and I don't give them any grief," he said.

At the time of his arrest he weighed 161 pounds, according to newspapers. He said he now weighs 195 pounds.

"Prison food may not be good," Alvarez said, "but when that's all there is, you eat it." Alvarez is 26 years old. He was 19 at the time of the murder, a fact few newspapers got right, Alvarez said.

"Another thing, the papers made me out to be a Golden Gloves boxing champion, but I just boxed a few exhibition matches in the Navy. I was never a champion," he said. He joined the Navy one year before the murder. He was discharged nine months later for several attempted suicides, according to newspaper reports.

Keeps in shape

He said he keeps himself in shape by participating in prison sports including baseball. He said he hoped to box in prison this year, but was hit by a baseball which shattered the left lens of his glasses and cut his eyebrow.

The penitentiary sets aside hours in the afternoon for prisoner visitation but Alvarez said few people come to visit him. Even his lawyers don't always come when he asks them to, he said.

He has three lawyers. Two are court appointed since Alvarez didn't have money to hire a lawyer. The third is from the American Civil Liberties Union.

His mother lives in Denver, Colo., and can save enough money to visit him only twice a year.

"My crime has probably been harder on her than on me," Alvarez said. "People find out that her son is a convicted murderer and she's out of work. She can hardly make both ends meet."

He has a sister who lives (or lived) in Lincoln. He said the last time he saw her was at his trial in 1966.

(Continued on page 4)

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June 25

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Newsreels of the 20's, 30's and 40's will be shown with all the films.

The Summer Film Series is being presented for the summer University community. Students, faculty, staff and their spouses and families are all welcome. All showings will be at 7:00 pm in the Small Auditorium of the Nebraska Union. Admission is 75 cents per person.

summer nebraskan

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