My DRSP story

By Barbara Cook
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All my life I've been opposed to the death penalty. I hadn't thought about it enough to have a solid argument against it but felt the death penalty was wrong, more like revenge. It didn't make much sense to me to execute a person because they were convicted of killing someone. It made me feel like the State was committing premeditated murder, especially because it isn't a deterrent to crime, nor does it teach anyone a lesson.

What influenced me to become more interested in abolishing the death penalty, the Death Row Support Project's pen pal program, and helped to solidify my opinions and beliefs was a book I read, *The True American - Murder and Mercy in Texas* by Anand Giridharadas. It's a true story about Mark Stroman, who shot and killed several immigrants in the wake of 9/11, people who had come to the United States to better their lives. One of the people he shot, Rais Bhuiyan, survived. Ten years after the shooting, Mr. Bhuiyan campaigned against the state of Texas, asking that the attacker be spared from execution. (There is a short NPR interview with Mr. Bhuiyan at https://www.npr.org/2011/06/19/137283467/9-11-hate-crime-victim-seeks-to-save-his-attacker and you can read a letter that Mr. Stroman wrote to DRSP here.)

Reading about all Mr. Bhuiyan went through, his beliefs and the amount of mercy he showed was uplifting. It was suggested in the book if a person would like to become involved, contact Death Row Support Project and inquire about their pen pal program. I contacted DSRP then, had a conversation with someone in the office, and information was mailed out to me.

Not long after inquiring I received a letter from DSRP. They enclosed information and tips to begin a friendship with a death row inmate. Along with the information was a letter from a man named James, requesting a pen pal. He had written a letter to be sent to the person who was assigned as his pen pal. His original request was from February 2. He sent a second request dated July 9. Apparently the first pen pal assigned never contacted him. It's a shame because unless that person told DSRP they changed their mind, no one knew the two weren't writing, until James wrote again. He had been waiting all that time for a pen pal.

James' introduction letter explained that he was looking for someone to write and get to know as a friend. He included a description of himself and some of his hobbies. The last line of his letter said he liked meeting new people and making them smile and laugh.

I wrote back giving him my basic information. I included that I had worked at a public defender's office. I was surprised to find out later that it concerned him. He thought I might be some kind of a spy for the State. He asked his attorney to check me out to make sure I was legitimate.

It took a couple weeks to receive an answer back. (Snail mail is slow and so is mail in and out of the prison.) He told me it would be easier if I downloaded the Securus app (at the time, that was the carrier for the prison he was in) so we could communicate online. I'm computer illiterate and wasn't too sure but said I would make an attempt. When I worked at the public defender's we used regular mail to communicate with our clients. Prison technology was all new to me. James and I exchanged several letters through the mail and finally I figured out how to download and use the app and sent a message through the system.

It was so much easier to communicate online! We started sending messages back and forth. The messages were received almost instantly. They are checked by a "computer reader" before being sent on to the inmate. If anything is "questionable," the company sends a notice to the sender stating the message was denied because it violated the prison rules.

Eventually James asked me for my phone number and I gave it to him. At that time phone calls were 15 minutes and cost $1.29. Stamps for e-messages were relatively inexpensive -- around 18 cents per message.

From there we started talking *and* messaging fairly regularly. We made a plan that he would call at 7:00 a.m. and 7:00 p.m. We messaged each other often, sometimes several times a day. Making a plan with your new pen pal is completely between him and you. Some people never provide their phone number and write as a little as once a month using regular mail. Others become very involved and write and call a lot.

I was surprised how comfortable I was talking to him. DSRP said to talk about anything I was comfortable talking about except his criminal charges. Everyone is in different stages of their appeal process. Since all phone calls are recorded, it's best not to talk about the case. It's true anything talked about can be used in court.

He was really honest with me from the beginning. His plan was to drop his appeals and request an expedited execution date. It would have already happened but there was a family emergency and his family asked him to wait until the problem was resolved. I didn't think he would do it anyway. We were starting to know each other well and he even suggested that I might want to request a different pen pal. He said his journey towards the end would be best travelled alone. We were enjoying each other so we decided we would continue for a while. But if either one of us felt like we couldn't handle it, we would discuss it and say goodbye.

We grew closer and we became a part of each other's lives. I was so surprised how easy it was to talk to him. We never ran out of conversation. He had a great sense of humor, self-deprecating, and a positive outlook, considering where he was and what he was going through. No topic was off the table except his case. Eventually, I asked if he cared if I read his transcripts and information about his case. He said he didn't mind, but I learned later that he did have concern. He said a lot of times people shy away from

being friends after reading the details of his case. At least I knew that everything that comes out in court wasn't necessarily the truth. There are always several sides to the story.

As time progressed, I learned a lot about him and about myself. I learned how I felt deep down. It really wasn't my place to judge. I learned patience because everything happening around the system or in prison takes time. Even though I felt terrible for the victims, I believe that all the death penalty does is create more victims. It takes a toll on the families and friends of the men waiting for their dates. It's not a deterrent to crime. A lot of the victims' families don't want execution either. It was important to recognize the severity of the crime, but I didn't believe justice was served by taking another life. We need to value compassion and not retribution. The time spent talking to him (as well as to some of his friends) helped me understand my feelings even more about executions.

James taught me about prison culture. I found out that death row was much like the real world. Each person is an individual, regardless of how prison tries to convince us they are all monsters. They come from different lives, different circumstances, but the majority of the men are poor, under-educated and/or have significant mental health problems. Most come from abusive backgrounds, full of neglect. It's apparent when looking at different people's histories that most have been let down over and over again by the system that should've been protecting them.

Time passed by and eventually he told me it was time to refile to drop his appeal and request an execution date. We talked a lot about why he wanted to do that. He explained that his sentence was death and it was time his sentence was carried out. He felt like he was taking up space. He said he had no quality to his life. He believed in an eye for an eye. He felt guilty for the death of the victim. His plan had always been to not stay on death row for more than 15 years. Considering that those who run through the whole appeal process stay on the row for up to 30+ years, 15 years is a relatively short period of time. Some of the guys weren't dying through execution, but dying after being in prison for so long.

James prepared his motions, doing the paperwork on his own, and filed with the court. He had to fire his attorney, which was very difficult for him to do. The attorney had been with him for years. He cared and respected her very much, but it had to be done while going through this process. She continued on as support but couldn't represent him in court.

Eventually, he received a date for a competency hearing. That was the beginning of the end of the process. The competency hearing was an appearance in court to answer some basic questions and for the judge to decide if he was capable of making this decision. The judge found him competent. His case eventually ended up on the governor's desk, waiting for a date to be set.

That was a strange period of time. I didn't want him to die, but I supported him because it's what he wanted to have happen. A lot of his friends and family were giving him a

hard time, telling him if he loved them, he wouldn't do it. I figured if I cared about him, I would support his decision.

Eventually, a date was set and a 45-day death warrant was served. That's the time between receiving the warrant and the actual execution date. They put him on "single walk," which means he was in his cell except for showering and going to a special TV room, all by himself. When he was out of his cell, he was handcuffed and accompanied by a guard. It didn't interfere with our time. If anything we spent more time talking on the phone and messaging back-and-forth. A lot of the guys stopped by his cell and checked on him too. It really is like family on death row. Unlike general population where murders are not unusual, this particular death row has never had an inmate-to-inmate death nor an inmate-to-guard death.

During this time, besides preparing a visitors' list, James worked on a family tree for his kids, had artwork he was finishing for a few friends and family, and wrote some final letters to people he cared about. The summer before he had started an art piece for me: a 4'x 6' drawing /coloring of mountains, forests, a covered bridge, a cabin, an old mill, and a lake with him fishing off the dock. It took him six months to complete it. He finished it in December, before his competency hearing in January. It was great he finished it before things got too stressful.

We lived on opposite sides of the country and we had never met. We had talked about my making the trip in the past, but it hadn't worked out. I really felt that I needed to make this trip and say hello and goodbye all at the same time.

I am an amputee, along with living on disability, so there were challenges to making the trip. I was on a couple of different Prison Wives sites. I told my story on Prison Wives and a stranger reached out and provided me with a round-trip plane ticket. I started a GoFundMe account and received contributions, and the ACLU picked up some of my expenses. I said if I had too many roadblocks I would know that I shouldn't go. Actually, everything came together nicely. I knew I was doing the right thing. I was flying to an airport about an hour and a half drive to the prison. James' attorney offered to pick me up. She and I were booked in the same hotel so it worked out well. Even though I had talked with his attorney on many occasions, it was great to have the drive time to talk about everything that was happening. I no longer drive and she was willing to take me between the hotel and prison each day. Along with the attorney and myself, several other of his visitors were staying at the same hotel. We spent time together and were available to give each other support.

The first day we visited there were six of us. It was great to have that first day with fewer people since I was nervous about meeting him for the first time. There is a process for visiting, including getting patted down by a guard, going through a metal detector, etc. Once we were cleared, they padlocked us into the visiting room. He was brought in through an opposite door. We each had a short time for a hug and kiss. Then he sat on one side of the table with visitors on the other. It felt like some weird press conference, but it ended up being OK considering the situation. There are vending machines in the

visiting room. Each visitor is allowed up to $30 in quarters. It sounds like a lot of money but the hamburgers were $10 each so quarters went quickly. That was one thing he really enjoyed, eating the vending machine food. It was a nice change from the food he was served daily.

A couple of days prior to his execution, he was moved to the “death watch” cell. He had given all his belongings away prior to being moved. At that point, he was guarded 24 hours a day. They took his tablet so there were no more messages. But they provided a free phone to him. Wednesday night we spent four hours on the phone, until his phone ran out of charge. It was great to have that time and not have the constant interruption every 15 minutes, hanging up and waiting for him to call back.

The visits continued each day until the last day when 14 of us were there (the 15th person didn’t get approved in time so she couldn’t make the visit). The last day was difficult knowing that was the last time I would see him. He talked to each one of us one on one, and then the group as a whole. We kept the mood upbeat and light even though I was having a difficult time. I never wanted to show my emotions because I wanted to be supportive all the way to the end. Unfortunately I lost it when we were saying goodbye and hugging and kissing each other for the last time. I broke down and started crying. He said for me to stop it (because he was having a difficult time not breaking down too) and tried to deflect the moment with humor. He told me I had one day to grieve. After that the only tears he’d better see were tears from laughter when thinking about the good times we had and the goofy things he’d done and said. Otherwise he was going to come back and knock me “upside my head.”

At one point, we talked about my going to the execution. He didn’t want me there and I didn’t want to be there, so I didn’t attend. Plus, I had heard that he wouldn’t be able to see his family and friends even though we would be able to see him. It was a small group that attended the execution, just his immediate family and attorney. The rest of us went back to the hotel to wait. Once he was gone, the rest of the people joined us for a celebration of his life and a send-off party.

The months after his execution have been extremely difficult considering how close I’d become to this man and how I feel about the death penalty. It only strengthened my belief the death penalty is wrong. But since this was his choice, he asked abolitionist groups to not become involved or make attempts at stopping it. One group still did the norm of scheduling vigils, preparing and gathering signatures to send to the governor and a letter writing campaign. It was all I could do to not sign the petition and write a letter to the governor. But I didn’t because I knew this was really what he wanted.

Even though this was one of the most difficult times of my life, a lot of good things came out of it. I’ve met some amazing people who I will stay connected to for the rest of my life. His sister, his attorney, the woman who paid my plane ticket, friends I’ve made from Prison Wives (I’ve had contact with four women from Prison Wives for the last few years, who have become good friends and great support), even old grade school/high

school friends who I hadn't seen in years reached out to donate money to the GoFundMe account. We stay in touch now.

I made friends with some of James' friends on death row, and I continue talking to them by phone and messaging. I've helped a couple of them connect with friends of mine, and they are now pen pals. I even reached out to a couple of men who were scheduled to be killed. I told them I had just gone through the process and if I could give support to their loved ones or even for them, I was available. I had one man communicate with me for a couple of weeks before his execution date by phone calls and messaging. It was great to give him support and let him know he wasn't alone.

Unfortunately the prison is in the process of changing their communication carrier so it's been difficult to reach out to new people whose dates have been set. Once the carrier is straightened out and messaging is an option, I intend on contacting them and offering my support.

If anything good has come out of this, it's that I realized I can help. I'd like to encourage people to become involved too. I didn't think I could contribute as far as ending the death penalty. I found there are several ways to be involved and feel like I'm doing something positive. Also, I'd like to encourage people to become pen pals to people on death row. Even if you're a little concerned about getting involved, remember you're doing something good and helping people who are cut off from the outside world. My friend told me because I was writing him he felt human again, not like the monster he was made out to be. He said he felt like a man for the first time in a long time, a better friend, and had even a better outlook. It doesn't take much to help someone feel better about themselves - a few stamps, the cost of a couple of phone calls and there's so much you will receive in return.

There are people who would like to become involved with DRSP but are afraid or concerned about getting involved with someone on death row. I had worked at a public defender's office for 15 years. I was comfortable with courts, jails, and prisons and people who had criminal charges, so I didn't feel intimidated. I'd like to encourage people who are interested but concerned about a friendship with an inmate to take a chance. If you decide to ask for a pen pal there's plenty of support through DSRP to help you start and feel comfortable.

I'm grateful I had the opportunity to become involved with James. It's hard to believe how much I learned about myself. I am much stronger than I thought I was. I've learned a lot about compassion, empathy, mercy and not judging people. In looking forward I know that I will be involved as much as I can. I recently signed up to do social media support for Death Penalty Action. I'll continue to sign petitions, write to governors, talk to anyone who will listen, have friendships with the men on death row who I met through my friend, and anything else possible.