

“Serving Time: Perspectives from the Free World”

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The dolphins on the front of this morning’s Order of Service were drawn by someone I’ve known for a few years. Scott enjoys drawing and he’s quite talented, as you can see. He used to build race cars which were works of art in tooled steel. Now, the only materials he has available are pencil and paper. He sent me this dolphin picture to congratulate me when I told him I was moving to San Diego, to give me a gift with an ocean theme. Scott likes the ocean, and though he lives on the San Francisco Bay, he actually hasn’t seen a dolphin, or the ocean, in over 20 years.

When I considered my calling to this profession, I realized there were many options for ministry. I questioned whether I would work in religious education or parish ministry. I thought perhaps I’d do hospital or prison chaplaincy. Frankly, considering prison ministry scared me to death. Yet, I realize that it is entirely possible that I will encounter ex-felons during the course of my work in ministry. At some point, I may have to visit a member of my church who is in jail. I don’t want to be paralyzed by my own fear. I realized I needed to do some personal work on this issue.

In talking with chaplains and others involved in prison ministry, I met to the Rev. Patty Franz. Called “Chaplain Pat,” she the director of the Church of the Larger Fellowship’s Prison Ministry program. As you may know, CLF is our Unitarian Universalist outreach congregation offering a liberal religious presence to its members through resources online and by mail.

My letter-writing relationship with Scott started when I became a free world contact in CLF’s Prison Letter-Writing ministry, which is designed to reach out to imprisoned Unitarian Universalists and others wanting to know more about our faith, offering them a connection to the larger UU community.

Scott’s address has been Death Row at San Quentin State Prison since the mid-1980s. While the legal system grinds slowly through his mandated appeals process, Scott calls the Row his home. Scott’s cell is about 4 feet by 10 feet. If you want to get a feel for how big that is, I’ve marked a “cell-sized” space with tape here at the front of the sanctuary.

Because he’s on Death Row, Scott gets this space to himself. If he were in the general prison population, because of over-crowding in California’s prison system, he’d have to share this space with at least one other man. San Quentin has a stated capacity of 3317. The current census is around 5222.

In this space are a small desk and chair, a bed (which is attached to the wall), a stainless steel toilet and sink. Scott has one small trunk in which to store his belongings – a strictly limited number of clothes and personal items. His quarters are searched every

week to make sure he only has what's been authorized. If he happens to irritate someone, he'll be searched more often and his possessions may be confiscated.

At most, he's allowed out of his cell for up to an hour a day. He goes outside to the yard a couple of times a week, if he's lucky, and then for only a few minutes. On days when he's taken out of his cell, he first must strip and submit to a full-body search for weapons or drugs. If there are any problems in the prison, or one of the guards doesn't show up for work on the day he's scheduled to be out of his cell, he stays put and waits until it's his turn again.

Like many who are incarcerated, his family has cut him off. He has few contacts with the free world and his financial resources are limited. When you're on Death Row, you can't work in any of the prison's furniture or mattress manufacturing operations, so there's no way to make any spending money. One Christmas, my seminarian colleagues took up a collection to send to Scott. Scott was thrilled to receive our very modest money order, excitedly telling me that he was going to purchase a small coffee maker.

From the perspective of my comfortable life, I thought that perhaps he just enjoyed having a nice, hot cup of coffee in his cell on chilly afternoons. San Quentin is notoriously out-of-date and over-crowded. Scott lives in a section constructed in 1927. Heating and cooling are unpredictable. It's crumbling, and there's constant noise and dampness.

But in his next letter, Scott told me the true purpose of the electric pot. San Quentin's 619 condemned men are not allowed contact with the prison's general population, so they don't go to the cafeteria to eat. Rather, their two "hot" meals a day are delivered individually to their cells. Scott's cell is at the end of the delivery route. He told me the macaroni and cheese isn't great to begin with, but it's almost inedible when it's served cold and congealed from the cart. That coffee pot allowed him to have his first warm meal in years.

Recently, Scott was taken to a local hospital for a series of medical tests that couldn't be conducted at the prison's outdated medical facility. Fully shackled, he was escorted by armed guards for the 10 mile journey. Scott told me in a letter I received afterward that being outdoors was over-whelming for him. He had not been off of the prison grounds in 5 years. He said that the colors were so bright, the experience of being hit by the sun's rays so intense, he almost couldn't open his eyes. Yet he opened them, because he didn't want to miss seeing trees and birds, even cars speeding by on the freeway. He doesn't know when he'll see them again.

Scott and the other inmates find it hard to maintain their health in the conditions under which they live. Once a month, each is issued a small, hotel-sized bar of soap and tube of toothpaste. Unless they have money to purchase replacements from the canteen, this must last them until the next month. While inmates have access to basic health care, it is notoriously poorly delivered and sporadically available.

Despite their sentence, most of the condemned (that's what they are called) will not actually die at the hands of the executioner. For better or worse, most of them will actually die of natural causes, primarily because they will be held on Death Row for an average of 16 years before their execution is carried out. Some will take their own lives, desperate for release from the harsh emotional, physical, and psychological toll that Death Row takes.

San Quentin spokesperson Vernell Crittendon, a veteran of 30 years as an officer, has said, "I've found that living a life of inactivity and non-productivity makes some inmates desire the sweet taste of death. I've talked with several who have said they would not appeal their death sentences." Scott's told me that he, too, is tired and worn down after his 20 plus years on the Row. He says he doesn't care anymore about the outcome of his appeals. In his words, he'd just like to "get it over."

So, why am I telling you all of this? Despite the horrible realities of prison, it's not to create sympathy for Scott and others who are incarcerated. Scott was a hell-raiser and a fighter at one time in his life. He drank and used drugs and committed a variety of felonies, starting in his teens. He's on Death Row because he stands convicted of one murder, committed in a horrifying manner, and he's suspected in others. While I have never discussed his conviction with him, I don't doubt that Scott did what he's accused of doing. And though I can tell you I enjoy exchanging letters with him, I also have no desire to see him released on the streets of San Diego or anywhere else.

I know for me, probably for most of us here, it's almost impossible to imagine being imprisoned. Oh, we might be able to see ourselves arrested and spending a night in jail as a result of a protest march or some form of civil disobedience. For those offenses, an arrest record might even be a badge of honor. But committing a "real" crime? It could never happen to us or someone we know! We're Unitarian Universalists. We don't condone violence. Our Principles call us to honor each other's worth and dignity, to use compassion in our relationships to one another. UUs don't do prison, because UUs would never do things that get you locked up in prison, right?

Scott is a Unitarian Universalist and has been for over 50 years. He's a UU that is human and made really bad choices and is now paying the price for his actions. There are Unitarian Universalists and others who share our liberal religious values in prison. They are a part of our larger church family, whether we want to acknowledge them or not. They are in our congregations. Our principles call on us to affirm the worth and dignity of every person, and our sense of radical inclusivity demands we affirm all people in that honoring, even those we find challenging. Even those who have not, under certain circumstances, extended that affirmation to others.

I'm not condoning Scott's actions or his choices. I don't think we are asked to do that as Unitarian Universalists. However, as people of faith, we covenant to apply compassion in our relationships with others, to accept and encourage one another in our spiritual growth. For me, that means holding open the door for repentance and reparation. It means that I create a space for Scott in my life, in my understanding of the beloved

community of Unitarian Universalism, in the hope that his continuing involvement with our ideals and Principles will nurture his spirit and reconcile him to himself, to his community, to his sense of a higher power, and to the impact he's had on those whose lives his actions touched.

Writing to Scott is a part of my spiritual journey, too. With him in my community, I have to work to expand my sense of inclusivity and openness. I have to challenge my ability to honor the worth and dignity of another human being, one who has done things I find unthinkable and morally wrong. His letters remind me that, for me, those who are incarcerated are no longer "out of sight and out of mind."

Our justice system isn't working. The number of people incarcerated is increasing rapidly. In the United States, we have the highest rate of incarceration in the world. Over 7 million people are either in prison or involved in some aspect of the criminal justice system. We spend over \$60 billion dollars a year to maintain and support the prison industrial complex. Beyond the financial burden, the impact on individuals, and families, and communities is staggering.

As a society, we need clear boundaries about the behavior we tolerate and what constitutes a violation of the fabric of our community. There will always be people from whom we need to be protected. Yet, I don't want our fear or complacency to be the reasons that inhumane conditions, extreme sentencing, deplorable conditions, and injustice thrive within our own prisons, let alone in the other countries of the world.

Revenge and punishment don't change what happened, bring back the murdered, or make the pain go away. They also don't make a better community. I believe, as a larger society, we have a duty to provide opportunities for treatment, training, and repatriation. I think we need to work to repair the fabric of society, our structures and systems, which create the circumstances that contribute to criminal behavior. I believe in the power of redemption and reconciliation.

As if there weren't enough uncertainty in the justice system, you also have the whims of the larger society and whether or not executions are currently allowed in your state. Public approval rate for the death penalty hovers at around 70%. Some states, such as Alaska, North Dakota, Maine, and Massachusetts currently ban executions. California, along with Texas, Mississippi, and Alabama, continues to be an executing state. We say we institute the death penalty as a deterrent to crime, but the homicide rate in states that have the death penalty is about twice that of non-death penalty states. Canada, which has long banned executions, has experienced a steady drop in their homicide rate since executions stopped.

Further, we are seeing more and more evidence that our ability to truly execute the "right" people is seriously flawed. Over 100 people have had their death sentences revoked as a result of work by groups like the Innocence Project, as a result of bringing forward DNA and other evidence that irrefutably demonstrates flawed convictions. In other words, our justice system doesn't always get the right person. And, it happens

enough of the time that I'm uncomfortable with continuing to take the chance of executing another innocent person, for any reason.

"An eye for an eye leaves the whole world blind" in the words of Gandhi.

I see the disparities in our justice system and weep for those who are disenfranchised. The vast majority of those who are executed are poor. Over 90% could not afford to hire an attorney to defend their case, and therefore were represented by court-appointed counsel. The budgets of public defenders are woefully under-funded and departments understaffed, in light of the burgeoning number of cases they are asked to undertake. A disproportionate number of those executed, or waiting on Death Row, are people of color. We know too well the role of race in determining who is not only incarcerated, but who is punished by death, to keep silence.

Mental illness should not be a criminal offense, yet estimates are that over 20% of those we incarcerate suffer some form of mental illness. Drug abuse is a problem that needs to be addressed and treated, providing people with a productive option for rejoining society and building a healthy life, not being warehoused on a lengthy mandatory sentence with limited or no access to education, treatment, or rehabilitation.

I'm a proponent of radical changes in the criminal justice system, one of which is the elimination of the death penalty. I believe people should be held accountable for their actions and choices; I just don't believe that our current system of justice truly accomplishes that task.

I'm talking about this today is because Scott and his fellow inmates live in conditions and under circumstances that frankly boggle the mind of those of us who live in the free world. I'm telling you about Scott and how he and his fellow inmates live in California's prisons because I want to see the conditions under which they live made humane and rehabilitative, not medieval and merely punitive. I want you to know about how it is to live condemned, because I want to see them all released, not from prison, but from the unspeakable fate of being condemned to death in my name, in your name, in all of our names, by the State of California.

We place people away from society when they violate the rules and we adopt a coping strategy of "out of sight, out of mind." I want them to be on our minds today, if only for a little while. I want to remind us to consider our larger community, to think of ways we can be inclusive and supportive of even our most "challenging" brothers and sisters in faith.

Sometimes, when I consider of the needs the world has for our witness and involvement in social justice, I admit I'm overwhelmed. I feel like my efforts to address these monumental tasks are like trying to stop a tidal wave with a Dixie cup. It may be a nice gesture, but it's not going to accomplish much. Sometimes, I'm tempted to just give up and focus on my own life, my own troubles.

In my darkest moments, I try to find hope again by recalling the story of the young man on the beach following a storm that deposited thousands of sea stars above the tide line. He's working diligently to throw the star fish back into the water. A passing beach walker notes his effort, and the huge number of creatures needing to be deposited into the sea. The walker comments, realistically perhaps, to the young man that his effort is futile, in light of the need. He'll never be able to make a difference. "Perhaps," says the young man. Then he picks up another sea star and flings it into the water. He turns to the walker and says, "But, it made a difference to that one."

I work to see the death penalty eliminated. I work to see the nature of our justice system change to become truly just. And, while I work to see those big picture changes become a reality, I'll keep writing to Scott.