Episode Six: Something Positive the Universe Gains

Anthony: So I walked into the courtroom, seeing a group of people that I'd never seen before. Kinda got a little nervous, because one of them was in a tank top and was kinda buff. I thought maybe he was gonna swing on me.

As we learned in episode one, Anthony committed murder when he was 15. His case dragged out for three years, so he was 18 when he entered a courtroom to receive his sentence.

Anthony: They stood up, where they ask the victim's family if they had anything to say. And the first thing that came out of their mouth was they forgive me. They understand that I did something stupid. They understand that I did something wrong. The uncle who did most of the speaking, he at one time worked in the Department of Corrections in Washington. And so he said, "I've worked in prison, so I know exactly what you're about to go through." And he was saying, "But my family forgives you for what you did. We don't feel like you should get the amount of time that you're getting, because we feel like we're killing two birds with one stone. My nephew's never coming back, and essentially they're giving you 25 to life. But there's nothing we can do about that at this point. And so you have to walk this road yourself, and you have to figure it out yourself. And hopefully at some point, you come to reason and grapple with what you did and you grow from it."

Herbert: How did you, or how do you now understand their decision to forgive you?

Anthony: I didn't at all then.

Herbert: It made no sense –

Anthony: No, I went in there and like I said, my first reaction, I seen him, big buff dude and I'm like "He's gonna hit me." He didn't. And I was like, okay, this is weird. And then when he was talking, it was confusing, because I didn't understand it. I didn't understand it until maybe 12 years later. And I don't even know that I can say I understood it 12 years later. It started to resonate, and it started to make me feel like, "Well, if they can do that, then what is my response? Ultimately, what is my response to their mercy?" Because that's what it was.

Cameron also struggles with how he should respond to the harm he caused his victims.

Cameron: I'm in for commercial robberies, right? So I went into a business and took it and insurance covered it and no-one got hurt. No victims gave impact statements or none of them showed up to any of my court hearings. I struggled with a long time to even realize I had, like, personal victims, you know, that I may have caused these people damage. And one time, we did an exercise where we told the harm we had committed from the perspective of the victim. And it gave me an anxiety attack. My heart started beating really fast and I started to, like, think maybe I do have personal victims out there. But even if they weren't all that effected, which I think they probably were, considering even I was affected by telling the story, I think they probably were effected. But no matter what, no

matter how much they're effected, I owe something back to the community. And what does that look like? What is that gonna look like? How am I gonna make that right, you know?

Cameron's questions are good ones. What kind of debt does he owe? To use his words, how can we make things right?

In our last episode, we explored how it is that many prisoners try to make amends by doing good works within the prison community. They mentor younger prisoners, they work with those who struggle with mental illness, they resolve disputes to reduce prison violence.

But what debts do they have outside the prison community? Can they atone to the particular individuals that they harmed with their crimes? And if they have done damage to the wider social fabric, can that damage be repaired?

This is "Making Amends." I'm Steve Herbert. I used a rare degree of access to the Oregon State Penitentiary to explore how many prisoners deal with the past and how they search for a way to atone.

In this episode, we will explore where prisoners are actually headed on their journeys toward atonement. We'll try to understand what it can mean for them to recognize the impact of their actions, and how they try to work toward living a life of repentance.

Episode Six: Something Positive the Universe Gains

Herbert: So in terms of the conversations that we're having in the classroom, what's been striking to you or what do you think you find yourself thinking about?

Steve is in prison for a murder he committed at the age of 18. He killed a young woman who he believed had been part of an earlier attempt to shoot at him.

Steve: I really, really wonder -- and it, it keeps me up at night sometimes afterwards -- what it is, is that I wonder -- my victim, their family is who I'm talking about really, if I'm really to read it for what's going on here, and my impact on the world. Her family are real life people. I don't know anything about them or what they got going on in life since then. But I start to, like, really feel bad, I guess you could say. I be thinking about like man, that you know, would an apology I guess not be enough, but in some ways I want to be like, "Hey, you know, I understand that that was messed up, you know." So I guess that, those questions start to rise in my mind lately.

Herbert: And they weren't there before or..?

Steve: I kind of had them before, but I'm going deeper now because of these readings. I have to question what it is and then obviously when you question something, you got to question yourself with that same exact principle, and that's what I think opening these up.

Herbert: That can't be easy.

Steve: It's not. It's a little bit, yeah, nobody wants to look in the mirror and say, "That's a bad guy right there." So, it's kind of like, alright you know, I've done some bad things, but here's what I am.

Unlike many of his classmates, Steve is at a somewhat early point in his journey toward atonement. But he makes clear that what troubles him most is the thought that his debt to his victim's family remains unpaid. How can he try to reconcile his desire to see himself as a good person with his need to deal with the fact that he committed murder? The first step, as he acknowledged in class one morning, is to see the world from the victim's perspective.

Herbert: I'm just curious your thoughts about repentance, uh, as a response to wrongdoing. Is it something that should be valued, encouraged, recognized? Kind of, what are your general thoughts about, if you've done wrong, is repentance a valuable strategy for repair?

Steve: Mm, I think step one on the road to repentance, because I think almost everyone can justify why they've done what they've done. Almost everybody in here, you ask them what they did or whatever, they'll give you their spiel on it. I think that step one is to identify with your victim or the person you've harmed. Kind of understand their perspective from it, before you can actually truly feel, or like, feel repentant about it.

This theme of repentance was one the class was eager to engage.

Moustafa: I mean the textbook definition that we have here is, one rebalances the scales by proactively changing some aspect of oneself. And, you look around here in this room, and this is where we're at. I mean, we're here because at one point, we took a look at ourselves and we ask why we're here, and then we reached some agreements and conclusions that led us to say, "Okay, now something needs to change. Now I need to do something differently. Okay, the past is past, I cannot change that, but I cannot spend my present lamenting on the past and waste my future." You know, so there are, honestly, people in this place that are living a life of repentance. From the moment they wake, they are giving something to the community. Inside community and out, whether that be in a job inside the facility, involvement in community service or activities, functions, education, and mentoring people, formally and informally. That's giving back, that's changing something about yourself, that's repentance.

Cameron: I think the biggest value to repentance is with the victim, you know. Um, they—I think that goes a long way to them feeling validated, is you recognizing the harm that you caused. Repentance is, like, a self-imposed punishment, almost. Like you recognize the harm that you did and you do everything you can to pay for that. And I think, from a victim standpoint, that's the most powerful thing.

Moustafa: I knew that by being sentenced to 15 years is not going to tip the balance of justice. I'm paying a debt, alright. I acknowledge that, but I'm paying an abstract debt to society. And my actual debt is to be paid to the people that I hurt. And repentance is in line with what the victims need because, first of all, they want to know that you acknowledge that what you did is wrong. And they want to know that you're not going to cause them that sort of pain again. They want to know that you're not going to cause anybody else that

sort of pain again. And they also want to know how much—what you're doing with the time that you've been given.

Herbert: So, what I think I hear you all saying is that repentance is the best way that you can pay back your debt.

Moustafa: Absolutely. The most meaningful way. I can personally take a person's life, do 20 years in prison, live life comfortably, you know, as much as I can, and get out and still live life. But how did that make right in respect of the family who lost their son? How did the criminal justice system help in balancing the scale that way? But if there is repentance, if you repent, you realize that you violated. If you violated, you acknowledge that you have to, you're obligated to make change within yourself and around you.

Herbert: So what does that look like? What does it look like to do repentance? Or what can it look like?

Anthony: Fundamentally, I have always understood repentance as a turn away from one thing and a turn to something else. So what does it look like? It looks like you've changed, like you're pursuing a completely different path from the past of your offense or the offenses that was in your past. And you're moving towards a better, more positive, moral way in life that's also reverberating to other people. You can't take somebody's life, and then, all of a sudden, tip the scale of justice by any amount of time served. But, hopefully, you can operate a life of repentance and help other people not continue to do those things that you did, while you're not doing them, as well. Even then, as far as scale of justice, it's not going to change. Like, my victim's family forgave me, but I can live the best life in the world, change all of the people that I come in contact with, but that still—to me--doesn't tip the scale of justice. I don't think anything does.

But Anthony still attempts to try to balance the scales of justice, as best he can. And others notice, like Terrence.

Terrence: If you see Anthony walking the yard and we can tell that he has his head on straight, you know, he's making the right moves in life for him to better himself so he can be successful when he gets out. Then the young person coming in will see that, and he might be drawn to that. So, for now, you might think, "Why is Anthony walking the track with this young dude?" Well, 'cause now the young dude's hungry. You know, he's searching for some type of mentorship or guidance or the right way, you know what I mean? He's looking for something. So, I mean, it comes from within. I mean, you could see people who's shining and who is glowing, and you are attracted to that.

So, the value of repentance is that it provides a potential way to make amends. To recognize one's harms in the past can provoke an intense desire to atone through better deeds in the present. In this way, perhaps, one's actions can form something of an apology for one's mistakes. This theme – of trying to apologize – was another one the men were eager to discuss.

Herbert: So assuming that, if you've committed a wrong, you're able to take responsibility for it or recognize that you've done it and you're able to empathize with the victim, then, in an ideal circumstance, many people would argue, the repair of the harm or the repair of the

relationship would involve an apology. So I'm curious to hear your all's thoughts about, you know, do you think an apology is important in terms of repairing wrongs or repairing a relationship? If so, why? What needs to be a part of an apology?

Terrence: I think an apology opens up the door. It opens up the door for each party to start to communicate and to start to heal and what not. Because I know just saying sorry and meaning it and everything else -- it's not gonna be enough. I don't think there's anything, me personally, that I can do that will be enough to heal that situation. But I mean, just being able to apologize from a genuine place, and have them listen to me, listen to them and everything else, I believe that's the starting point. I think in order to apologize, you have to understand what you did was wrong.

Theron: I think an apology is necessary and, like you said, Terrence, it's the opener. But I think it should be done with the intent to pursue some type of action. Because we can apologize -- "I'm sorry, I'm sorry, I'm sorry, I'm sorry" -- but what are we doing to give that apology credibility? Because I think the very crimes that we commit discredit us. So we have to ask ourselves, "Okay, well, who are we apologizing to? Ourselves? Our victims, obviously. The community? Our families? And what are we gonna do?" Like, my victim is dead. He had 33 aliases, he ran drugs, he didn't even have a family, according to the court records. So I don't even know if I can apologize to his family. But my own family, I can apologize to them. Apologize to my adult self for allowing my youth self to caging me for a bad decision. And then the action. Again, I don't know the families, but I can start becoming a better man, start thinking about my actions--like my nieces, my nephews, my mother, and things of that nature. Then the community--I battle with this question. I took a life, so how can I repair that. How can I do that?

Mustafa: I think being genuine comes after recognizing that you did wrong and then recognizing the moral worth of the person that you hurt. And then comes the apology aspect. And words by itself, no matter how sincere they are, in my experience, are not gonna cut it. There's gotta be some follow-up action. If you say sorry and you're willing to take some steps to repair the harm that you did, then you need to physically take those steps. And those steps can be in the form of doing something positive around you. So there's something positive that the universe gains from a person who offended to recognize the wrong in their ways and being sorry for their actions. It might not be necessarily directed to the person that you hurt, but it's gonna be felt by those around you. Because there's a mental and paradigm shift within yourself that causes you to think twice and recognize the worth of people.

Of course, the broader ripple effects of a criminal wrong will extend beyond the immediate victim. Moustafa used the analogy of a spider web to try to convey this idea.

Moustafa: And that web got strings all over and if an offense is being committed, one of these strings is broken. So one of the basic trust in a relationship between the members of the community is broken. So in order to heal from that, we have to repair that relationship and we have to repair that web. And eventually, since we are all linked in that web, something that happens in one corner of the web is going to affect everybody in the community. But it's more than just you against that person. It's his family involved, our family involved, the community's involved, you know, and all are affected by our actions.

But we don't see that at the very beginning. Then we open our eyes and we start to realize that what we did was bigger than everybody, you know.

Anthony: I think the web analogy is a good one. We had a victims' impact group in here several months ago. And a police officer had came in, and one of the things he spoke about was the trauma he suffered from dealing with crime and criminals. That would have been something I never would have thought of or even raised any issue about. So hearing him say that made me think about when I committed my crime, which was murder, there was a kid that saw it. And so when he said that, my mind automatically shifted to that kid and like what did that do to him traumatically or mentally to this day, which was you know 23 years ago. I don't know, but that web, that fabric web within society, I think that's a good analogy

The moral philosopher Linda Radzik would accept this line of reasoning about a web. For Professor Radzik, who's at Texas A&M University, criminal acts are best understood, essentially, as moral wrongs. To commit a crime is to damage our relationships with other people. As with any time when we commit a wrong, criminal or not, we possess a moral obligation to repair the damage we've created.

Linda Radzik: So the wrongdoer's obligation is to do everything he or she can to make things up to the victim. To improve herself, right? To make things right with the community. And maybe some of the things the wrongdoer has to do in order to repair those relationships will involve pain, will involve suffering. The suffering isn't the goal. It's repairing the relationship. It's showing your victim and your community that you can be trusted again. It's showing yourself that you can be trusted again. It's repairing what other particular kinds of harms you may have created.

Of course, inside prison and detached from society, it can sometimes be hard to recognize the damage one has done. Here's Tim in class one morning making this point.

Tim: It's hard to look at the victim of what you're in here for and all that, when you're living. It's easier in here just to focus on what level of victimization I'm going through. This is my shit. Look what I'm living. My life sucks because of this. The cops are doing this to me. Blah, blah, blah. And to be able to take yourself outside of that limited scope and to take an honest look and be like: I hurt these people. What are they going through right now because of what I did? It's really difficult to step outside of these walls and everything that comes in it and the oppressive nature of being in this system. Because it oppresses. It keeps you contained. You have to go past that oppression, and that's not an easy decision in here.

As Tim notes, it is not always easy for prisoners to look outside the walls, and to remind themselves of the web of interconnected ties in which they, like all of us, are enmeshed. Cameron is lucky to be able to do this through his connection with his girlfriend. She was an old friend from his teen years, but they reconnected a few years ago. As he's grown closer to her, his world view has expanded considerably.

Cameron: So a big part is, I feel like I am accountable to someone other than myself, you know. Because for so long, I was accountable to myself and my buddies on the yard, you

know. That's the only people I felt accountable to. My family was there, but they had their own life. I felt we were peripheral to each other, you know. I was on the outskirts of their lives, they were on the outskirts of mine. I didn't feel accountable to them. But having this central figure in my life, you know, was suddenly, you know -- I gotta explain to her the decisions I'm making and rationalize them to her. I may be able to rationalize punching this dude in the face to my buddies like, "Yeah of course he did." Doing that to her is a whole 'nother thing, you know. And, you know, it's actually my relationship with her has made my relationship with my family better, because now I've -- I'm more able to have the family connections, you know? It's just a lot of times, it hurts having those connections with people on the street when you're in here, for many reasons. But I've kinda broken that barrier. And now I feel like accountable to my nephew and my sister and my dad, you know. I'm also feeling accountable to them now. I think it's just, you know, so many ways she's helped me grow as a person.

Herbert: So it sounds like a lot of what you're doing is looking at yourself through her eyes.

Cameron: Yeah, that's a good way to put it.

Herbert: And asking yourself, to go back to the language of morality, what's the moral worldview that she's inhabiting and what does the world look like to her and how does that differ from how the world looks to you.

Cameron: Absolutely. Like I said, when I'm accountable to other guys in this twisted world, you know, it's much easier to make those decisions than when I'm suddenly seeing them through her eyes or seeing them through my nephew's eyes or, you know, these people that I love and care about. What do I look like to them?

For his part, Anthony tries to live up to the grace that his victim's family bestowed upon him at his sentencing hearing.

Anthony: You can't repair victimization on any level. That's my belief, whether it's murder, whether its rape, whether it's robbery. That, you don't change that. I believe that our obligation is to change ourselves, so that we no longer victimize other people. Because what happened in history always happened. But what do you do going forward? And I believe that, for the majority of victims that's -- even if they don't realize it -- that's their hope, is that, yeah, this situation happened but hopefully you do something with yourself so that you don't do this again to somebody else or even me. Because 9 times of 10, all of us never see our victims again. So there is no repair from that point. You have to repair self, and then repairing self, you prevent yourself. And then hopefully, that out working spills over to others, that you teach others not to do the same thing.

So the attempt to repent can be one key marker on the journey toward making amends. To recognize fully that one has done wrong, will usually impel a desire to do right. To recognize the pain of one's victims is to accept the challenge to better oneself and to make good.

This challenge to be accountable for one's harms is difficult if all that prison accomplishes is to warehouse people. In our system of mass incarceration, this warehousing is all too common.

Terrence: There's a bunch of us in here. We don't have to take responsibility for our actions and what not, because we're not forced to look at them. So therefore, we can spend all the time we want on the yard just messing around or just not thinking about it, because we're not forced to think about it. So, it's like, yeah, you do something, now you're stuck in prison, alright, that's the end of it. No longer are we thinking about why are we here.

How best to hold people accountable for criminal wrongs – that's next time on Making Amends.