FREEDOM WITHIN A PRISON MEMOIR

JAMES R MOORE PHD

THE LONGEST-SERVING INMATE IN NEW YORK STATE

James R. Moore and his wife Joyce Smith-Moore, Auburn Correctional Facility, NY, August 1994

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freedomwithinbook.com

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Page 219: Photograph by unknown inmate at Cayuga Correctional Facility, New York.

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PREFACE: A DIAMOND IN A DUNG PILE

NEW YORK STATE'S LONGEST-SERVING INMATE

James R. Moore has served fifty-six years in New York State prisons and is currently the longest-serving inmate in that system. He was 29 years of age when he was convicted. He is now 85.

Jim was convicted in 1963 and given a sentence of forty years-to-life for the 1962 murder of a 14-year-old girl in Rochester, New York. He had committed the crime during one of a series of episodes of mania for which he was under psychiatric care.

Jim didn't have a trial. Through the passage of a law by the New York State Legislature in 1963, designed specifically in Jim's case, he was allowed to forfeit his right to a trial by jury and undergo a hearing before a judge, John P. Lomenzo, to deal only with questions of sanity and sentencing. Jim agreed to this because of his feelings of remorse. From the outset,

Jim has always believed that, despite the mitigating circumstances, “if you do the crime, you do the time.”

The treating psychiatrist, Dr. Liebertson, told the judge at the sentencing hearing that Jim “will not improve to the point where he will be eligible for parole.”

As soon as he entered Attica Correctional Facility, in July 1963, Jim was placed under psychiatric care to be studied. He agreed to this because of Liebertson’s assessment and hoped that studying his case might help others.

However, within a matter of months, Jim no longer experienced episodes of mania. If nothing else, Jim was relieved that Liebertson had been wrong: Jim’s illness was not incurable. At this stage, however, he had no idea why he had experienced these episodes of mania and why, now, they had stopped.

Years later, in 1980, he was given a copy of the ground-breaking book, *Silent Spring*, published in late 1962, in which the author, Dr. Rachel Carson, writes about her research that revealed that “organic phosphates . . . have the power to

produce lasting physical damage to nerve tissues and, according to recent findings, to induce mental disorders." In particular, she found that the chemical dieldrin "can have long-delayed effects ranging from loss of memory, insomnia, and nightmares to mania."

This was a revelation for Jim! He had worked as a landscaper for five years prior to his crime and had handled insecticides, including dieldrin. It was a huge relief to him to realize that his close contact with this chemical was a cause of his episodes of mania, including the episode during which he killed his victim.

Rachel Carson had woken up the world to the dangers of these widely-used chemicals. As she says in her book, "Confusion, delusions, loss of memory, mania – a heavy price to pay for the temporary destruction of a few insects, but a price that will continue to be exacted as long as we insist upon using chemicals that strike directly at the nervous system."

DENIED PAROLE TWENTY TIMES SINCE 1982

Jim was sentenced under 1932-era sentencing laws that state that his sentence would be forty years-to-life with good time earned. However, a 1974 change in the sentencing law had an ameliorative effect, in that release would be considered after twenty years and eight months in situations such as Jim's.

As a result of this change of the law, hundreds of inmates with good records who'd already served twenty years and eight months were released. This gave Jim hope. However, after his first parole hearing in 1982, having served twenty years, he was not released.

His next parole board appearance was set for 1984, although, according to the newer law, he should have been scheduled for a re-appearance in eight months because of his good record. He was again denied parole.

Since 1982, Jim has gone in front of the parole board twenty times. On each occasion the commissioners have been unwilling to consider him for release based on the "horrific nature of the crime"

– and on their insistent belief that he has "made no efforts to rehabilitate himself" and thus "poses a danger to society."

Neither could be further from the truth!

EVIDENCE OF JIM'S IMPECCABLE RECORD AND ACCOMPLISHMENTS MISSING FROM HIS PRISON FILES

When he came to prison, Jim was woefully lacking in coordination – mental and physical – and he had no self-confidence. He was born with clubbed feet, dislocated hips and had undergone sixteen surgeries before he was 16 years old. He spent most of these years in casts, braces and on crutches. He remembers "only the loneliness, rejection, and always the discomfort in his legs."

Jim realized that prison was his wake-up call. In order to survive, he had no choice but to change and re-program himself.

For most of his years in prison Jim has been employed in positions of responsibility (see page 27). He also undertook other challenges to enhance his physical and mental condition: painting,

chess, weights, handball, and volleyball. And he's been devoted to Buddhist practice since 1975, having run the Buddhist Zendo at Auburn Correctional Facility after the Supreme Court allowed prisoners to study religions other than Christianity, and having studied Tibetan Buddhism since the early 1990s.

Jim received five university degrees during his incarceration (see chapter 7). He completed his associate degree in business administration in 1980; his bachelor's degree in business administration in 1982; his master's degree in American studies in 1984; his master's degree in business administration in 1988; and his doctorate in business management in 1991.

Jim completed the dissertation for his doctorate with the approval of the New York State Department of Corrections, because DOCS benefited from his findings. He was the first inmate in New York state prisons to be awarded a doctorate and the only one to have completed five college degrees. Most of the costs of his education were met by the sale of his own artwork.

And not only that. Despite Jim's no longer experiencing episodes of mania, he continued with psychotherapy sessions for years in prison. Over the past four decades the opinions of over forty mental health professionals who have evaluated him have been favorable, clearly showing that Jim is no longer a danger to society. A recent COMPAS Risk and Needs Assessment System test also revealed a favorable outcome as to his mental health.

Shockingly, it was only in 2016 that Jim discovered that all proof of his exemplary record throughout his fifty-plus years in prison had been missing from his service file since at least 1999.

In reading his appeal of the 2014 parole denial, the Superior Court judge, Lisa M. Fisher, did something that had never been done by any previous judge at any parole hearing: she requested a listing of all the documents in Jim's file that was in front of the parole board – and that Jim receive a copy of the listing of exhibits as well.

Upon reviewing the listing, Jim discovered that none of the favorable exhibits had been included: not the findings of the forty mental health

professionals; nor his excellent record from years and years of employment in prison; nor his five university degrees.

Missing, too, was a letter to the parole board from Mr. Lee Jewett, who'd served as the industrial superintendent at both Auburn and Eastern NY Correctional Facility, whom Jim had worked for as head clerk for fifteen years – one of the most responsible jobs in the New York prison system. This was, Jewett said, "the only letter [he'd] ever written on behalf of an inmate."

Also missing was a letter to the parole board in 2001 from the sentencing judge, John P. Lomenzo, in which he said, "[S]eeing Mr. Moore's record, his academic achievements, his mental health reports and what parole board commissioner Greenberg stated in August 1988 by calling Mr. Moore's record 'exemplary,' I now retract what I stated back in 1963" – that he did not believe that Jim would make a recovery or be qualified to be safely put back in society – "and without hesitation would recommend Mr. Moore for release."

At Judge Fisher's request, all missing documents were returned to Jim's file.

We can assume that these documents were in the file earlier, because not only was commissioner Greenberg impressed in 1988 by Jim's record, but so also was the Cayuga County Supreme Court judge, Robert Contigugulia, at Jim's first appeal of his parole denial, in 1990, who upon seeing his exemplary inside record recommended that he appear in front of the parole board the following year, rather than having to wait the usual two years. But again, he was denied parole.

HOSTILITY FOR FIFTY YEARS

Over the years, in spite of Jim's efforts, there has been huge resistance in the local area to his release, much of it as a result of the intervention of the district attorney, backed up by the Monroe County media. For example, a Rochester *Democrat & Chronicle* newspaper article dated July 21, 2004 said that Jim had failed to make any efforts to rehabilitate himself. In that same article it was also stated that every two years, prior to his appearance before parole boards, sheriff's deputies in

uniform would gather signatures on petitions to keep “a killer” in prison.

Indeed, as Jim’s lawyer, David Elkovitch, wrote in a letter to George B. Alexander, chairman of the New York State Division of Parole, in May 2008, “What gives parole boards the right to make fraudulent statements to both the district attorney and the news media . . . by telling them the state’s efforts to rehabilitate him have failed.”

This has occurred since his first parole hearing, in 1982. At each hearing the now-foot-high stack of thousands of signed letters, gathered over the decades, is on the table right in front of Jim; and on the other side are the parole commissioners. For them, the signatures are enough to again and again deny Jim his hard-earned and justifiable release. At the most recent hearing, in 2018, the parole board indicated that “the discretionary release at this time would not be compatible with the welfare of society.”

UNFOUNDED ACCUSATIONS

Over the years, not only was he continually reported as not having made any effort to rehabilitate, at least three other false accusations have been repeatedly asserted in the local media and taken as established truth.

The first is that Jim raped the girl he killed. It's clearly stated in the minutes of his sentencing hearing of July 11, 1963 that he was indicted for, and pled guilty to, ". . .the crime of Murder in the first degree in violation of Section 1044 of the penal Law of the State of New York. . . ." There was no rape.

The second accusation is Jim had been arrested earlier for having molested two girls. In fact, Jim had been brought in for questioning in relation to an incident involving two girls in Buffalo in November 1960. He was never charged because one of the girls stated that she did not recognize him as the man involved in the alleged incident.

It was nearly forty years later that this matter was cleared up by an attorney, Mr. Tharp, who received a copy of Jim's confidential record in February 2000,

sent by the New York State's Division of Criminal Justice Services, that shows there was only ever one arrest – for the crime that Jim is serving a sentence for.

What had begun as a reason to be brought in for questioning resulted in his being required to undergo a psychological evaluation. It was his admission of having episodes of unexplained manic behavior that resulted in a court ordering a three-year period of psychiatric counseling. It was then that he was assigned to psychiatrist Dr. Liebertson.

The third accusation is that he had confessed to molesting "seventeen girls." In fact, he had not molested anyone. In his many interviews with the psychiatrist, he had talked openly about his troubled relationship with his mother and women in general, including dealing with his fantasies – which he never actually acted out.

In the face of such hostility, what chance does Jim have? And over the years I myself have faced fierce hostility, to0 – for being Jim's wife and for the voluntary work I've done inside the prisons since the 1970s to support the rights of

prisoners, to give them hope, to provide programs to help them to develop their self-esteem and prepare them for re-entry into society.

A SYMBOL OF HOPE

In spite of all this, all indications are that Jim has more than succeeded in rehabilitating himself within a corrections system that is not conducive to human growth. He has become a symbol of hope for many of the inmates, many corrections workers and administrators, and indeed, those who have the ability to truly see who he has become.

In 1988, in a rare case of support, as mentioned above, parole board commissioner Greenberg said, “You are a model for other inmates to aspire to! If every inmate inside could reach the heights you have reached . . . this would be a fantastic criminal justice system.”

As Thomas Mott Osborne, the state legislator who was instrumental in introducing legislation to abolish capital punishment in New York in the early 1920s, said: “The real miracle is when men who have been treated for many

years like beasts persist in retaining their manhood."

AND THE APPEALS CONTINUE

On top of all this, since 1998 Jim has been caught in a tragic Catch-22 with the "every two years" appeals. First, he must appeal the denial of parole to the parole board. When they do not reply in the required 120 days, he files an Article 78 petition, appealing the parole board's decision in the county in which his prison is located. Five to six months can pass before there's a response from the court. When his appeal is denied at that level, he takes it to the Appellate Court and then to the NY State Court of Appeals. Each lower court typically continues to rubber-stamp the parole board's decisions.

By the time that Jim's case is pending in the Court of Appeals, two years may have passed, and he is again in front of the parole board. This makes his previous parole board appeal moot. Catch-22. The timelines in the court system make it impossible for a parole denial to be heard by the highest court in the state.

His most recent parole hearing was July 17, 2018. Although the three parole board commissioners applauded the 2001 letter of support from the sentencing judge – which they'd only now finally seen! – and agreed that further incarceration will serve no purpose, they still denied Jim's release. His release was deemed to be "not compatible with the welfare of society" as a result of "the emerging poor disturbing behavior, as well as the significant concern of two disciplinary violations since he last appeared before the parole board."

The violations were two "Tier Two tickets" in 2016 – absurdly minor infractions: (1) "hanging a wet coat over the back of a chair," even though there was no hook to hang it on! Others in the dormitory who hung their coats on the back of chairs were not written up; and (2) "an unhygienic act": he had urinated in a disposable cup because after he'd returned to the prison from a five-hour medical trip, with no stop on the way, he was kept in a holding cell with no access to a toilet. Jim was 83 years old!

A LETHAL OVERDOSE OF MORPHINE

On June 28, 2015, Jim was incorrectly given morphine instead of his usual medicines. On the way back to his dormitory in a wheelchair, he passed out. Eventually he was taken to an outside hospital and, miraculously, survived – it was later determined to have been a lethal overdose. Eventually he was transferred to the medical unit at Coxsackie Correctional Facility, where, four and a half years later, he is still recovering.

There is now a claim against DOCS, being handled by attorney David Elkovitch of Auburn, who's been helping Jim with his appeals, that there was gross negligence on the part of the registered nurse, first in administering the wrong medication and, second, in waiting nearly eight hours before sending Jim to the emergency room of an outside hospital rather than immediately calling an ambulance, which is the proper procedure in such cases. As a result of these wrong decisions, Jim very nearly died.

And then on October 11, 2017, Jim fell and broke his left hip, which was repaired

at Albany Medical Center. There've also been other complications that have him traveling back and forth to the AMC. His health continues to be frail, but he manages to do his daily Buddhist practices and to enjoy daily phone conversations with me.

We are hopeful that the judge's decision, perhaps this year, will be favorable so that Jim can be released to an outside nursing home close to where I live.

A DIAMOND IN A DUNG PILE

Jim and I met while I was the unpaid coordinator of professional volunteers doing programs in Auburn Correctional Facility from 1973 to 1977 (see chapter 4). We have been married since 1989. I am now 84. When I am asked why I've waited for him for so long, I reply, "Because I found a diamond in a dung pile!"

You're not supposed to fall in love
with someone doing time,
And certainly not with someone
who's committed murder,

Which is considered by many to
be the very worst crime.

It's especially true in a prison
city,
Where you're continually
reminded
Every day that you're growing up
Of what you're supposed to not
do!

But despite all the warnings,
And knowing oh-so-well
The shame I'd be putting myself
through,
I went ahead and did it anyway
And became the town folks' fair
game.

The tongues began to wag
In every section of the town.
I was openly criticized on the
streets
And sometimes chided in the
press
For doing what is frowned upon –
Marrying a "sentenced-to-life"
con.

Constantly reminded also by my
entire family
And my friends that I was
“A grown woman and not some
crazy kid!”
And even my best friend told me
It was crazy what I did.

At the outset, and even many
times thereafter,
I’ll admit I did sometimes wonder
why
I would take a chance
To fall in love with this marked
guy.

But there was something very
different
And I could not explain what it
was –
Not to myself nor to anyone –
Except there was an underlying
need
To find out if change is possible
And if forgiveness can be done.

Sure, it took a long time

To come to recognize that the
impossible is possible,
Because what I witnessed was
someone
Who, despite a system that
thwarts
Every attempt to improve,
Proves instead it can be done,
And over time becomes
One of the exceptions to the rule
Among those who are most
condemned.

I've also come to realize
That for anyone to prove oneself
It may take a very long while.
And now, after five decades,
I'm more than just convinced
I've actually found a diamond in a
dung pile!

Joyce Smith-Moore, ND
Wife of James R. Moore
June 17, 2019

ACCOMPLISHMENTS: JAMES MOORE'S HISTORY OF EMPLOYMENT, EDUCATION, AWARDS, AND OTHER ACHIEVEMENTS

Jim has worked diligently during his fifty-six years of incarceration to achieve self-actualization and rehabilitation.

1963–1973
ATTICA CORRECTIONAL FACILITY
Employment
Head Clerk in the Dental Office (1963–1965)
Head Clerk in the Hospital (1965–1968)
Head Clerk in the Maintenance Department (1968–1971)
Head Clerk and Teacher in the School for three years and Inmate Liaison for one term (1971–1973)

1973–1994
AUBURN CORRECTIONAL FACILITY

Employment
Head Clerk in Industry (1973–1981)
Clerk/Teacher, Hobby Shop (1981–1985)
Machinist, Cabinet Shop (1985–1986)
Operator of table saw, Cabinet Shop (1986, 6 months)
Belt Sander and Planer, Cabinet Shop (1987, 6 months)
Production Control Clerk (1987–1994)

Activities
Inmate Advisor, Auburn Community College (1975–1978)
Secretary, Logan Jaycees (1975–1978)
Chairman, Art Appreciation Class (1975–1978)
Inside Coordinator for the Buddhist Zendo (1975–1992)
Lifers' Chairman, Legislative Action Committee (1978–1980)

1994–1995
GREAT MEADOW CORRECTIONAL FACILITY
Employment
Wrapper/Chemist, Soap Mixing Department

1995–1999
EASTERN NEW YORK CORRECTIONAL FACILITY
Employment
Production Control and Runner in Industry

2000–2001
COLLINS CORRECTIONAL FACILITY
Activities
Required Programs/Classes

2001–2002
GOWANDA CORRECTIONAL FACILITY
Activities
Required Programs/Classes

2002–2012
CAYUGA CORRECTIONAL FACILITY
Employment
Inmate Grievance Clerk (three terms)
Teaching Assistant (thirteen years)

ACADEMIC DEGREES

June 1980: Cayuga Community College, Auburn, New York
Associate Degree (AA) Business Administration

May 1982: State University of New York's Empire State College
Bachelor's Degree (BS) Business Administration

June 1984: State University of New York at Buffalo
Master of Arts (MA), American Studies

March 1988: California Coast University, Santa Ana, California
Master of Business Administration (MBA)

November 1991: California Coast University, Santa Ana, California
Doctor of Philosophy (PhD), Business Management

AWARDS

1978: Auburn Correctional Facility "Artist of the Month" from *The Auburn Citizen* newspaper. His art was displayed

at the newspaper's offices during the entire summer of 1978.

CERTIFICATES OF ACHIEVEMENT AWARDED FOR
INMATE PROGRAMS COMPLETED

March 17, 1997: Eastern NY Correctional Facility
Aggression Replacement Training Program

August 3, 2000: Gowanda Correctional Facility
Sex Offender Program. Jim is one of the few inmates who successfully completed this program.

February 3, 200o: Gowanda Correctional Facility
Pre-Release Phase III Program

June 1, 2001: Orleans Correctional Facility
Fire & Safety Program

July 6, 2001: Orleans Correctional Facility
Learning Disabilities Program

July 6, 2001: Orleans Correctional Facility
General Safety Program

MILITARY SERVICE BEFORE INCARCERATION
January 1, 1951–November 10, 1954: US Navy Reserves

May 14, 1955–May 15, 1958: New York State National Guard
Supply Sergeant (768.60). Jim also qualified as a sharpshooter, holding the highest score of anyone in his Jamestown, NY unit.

He was honorably discharged from both the Navy and the National Guard and his service was noted to be “excellent.”

PROLOGUE: TRANSFORMING PROBLEMS INTO HAPPINESS

ONLY VIOLENCE AND DESPAIR

I was the oldest of four children, born in 1933 in Erie, Pennsylvania. We moved to Lakeside, NY, and from the age of three until I was 16 I underwent sixteen surgeries to help correct my dislocated hips and clubbed feet. I was always in pain and lived in braces or in a wheelchair. Often tormented by other children, I was a loner. I spend most of my time reading.

As well as the pain and the loneliness, I also remember the violence. I was raped by a boy at school when I was seven years old. My parents would fight every day, hitting each other and screaming. When my father left the house, my enraged mother would throw dishes and beat us with a stick. My younger brother, so afraid, would run away to his friend's house, staying for days.

She was sent to a mental hospital at Gowanda, twenty miles south, where she

spent months receiving shock treatment, typical in those days. She'd be quiet after that, and always depressed. But at least the beatings would stop.

My father was remote, always gone; we had almost no interaction with him. Eventually they divorced, and each moved away with another partner, leaving us children to fend for ourselves. By then I was 15 and I looked after my younger siblings, took care of the house and the grounds, paid the bills – my mother had married a man with money, in Florida, so she'd send the funds.

I graduated from high school when I was 17. I remember being able to walk unaided for the first time – across the stage to accept my diploma.

I entered into a loveless marriage when I was 23 and had three children. I worked as a landscaper and eventually started my own business, working in this field until I was arrested. I tried my best to be a good father, but as time progressed I became more and more depressed. I had little if any patience and had gotten to a point where I was unable to control my emotions. I'd be overwhelmed by waves of

anxiety, and often I'd have to stop in my truck and wait for the episodes to pass. Sometimes I'd have no memory of what had happened. I couldn't sleep well. I had no self-confidence. I saw only the negative all around me.

I ATTEMPTED SUICIDE

Shortly after my arrest, in September 1962, I attempted suicide at the Monroe County Jail by swallowing 100 barbiturate pills that left me in a coma and caused partial paralysis. My attempt to kill myself followed a private meeting with a psychiatrist. The doctor told me yet again how hopeless my mental condition was and that the pills on the table in front of me were there for the taking.

When I came out of my coma, I was told that I had been unconscious for over three days and had even been given the last rites several times; everyone was sure I would not make it.

As consciousness returned, my mental state was manic – crying one moment and non-stop talking the next. I discovered that I was paralyzed on my right side as I tried to use the urinal and poured its

contents all over myself, including my face. And I had double vision for weeks.

The sergeant in charge of the county jail eventually came for me. He chained me and dragged me down the hall, all the while growling, “I’ll teach you, I’ll teach you!” This would be the beginning of years of verbal abuse – which I would expect, given my crime, and which I would learn to endure. I was in a constant state of depression and wanted to die. I was under suicide watch at all times.

Because I was thirty-five pounds underweight, they fed me off the sheriff’s table to fatten me up in readiness for my sanity and sentencing hearing, after which they’d either send me to the electric chair or to prison for life.

I was sentenced to forty years-to-life. I would have been the last person put to death in New York because the death penalty was taken off the books in September 1963.

DISCOVERING MYSELF

Until I went to prison, I was so overwhelmed by my own negativity and suffering that I had no idea that anyone

else had problems. But I soon discovered that I wasn't the only person with no positive feelings, who felt cold, even dead, inside, who was filled with anger, depression, and no self-esteem. Prisons were full of them.

After I was sentenced, I was sent to Attica Correctional Facility, an hour southwest of Rochester. I told my counselor there that I realized I couldn't go any lower unless I died – and I'd been denied that privilege. So, I told him there was only one way to go, and that was up.

We are completely and unavoidably influenced by our surroundings, the unique structure in which we live. The structure of a prison and its population forces a person to conform his conduct to a certain set pattern. The countless tough, ugly, painful experiences of the past fifty-six years have forced me to stop being negative – the consequences inside prison, such as solitary confinement, are too much to bear. Suffering can bring achievement and accomplishment.

Also, one can derive from guilt the opportunity to change oneself for the better and develop an incentive to act

responsibly. I did not understand why I should suffer so severely, in so many ways, when I was young. I now see these experiences as opportunities for inner growth.

I did not begin to understand any of this until after coming to prison.

I knew I needed to prove myself if ever I was to get out of prison. And I knew I needed to stay busy. In fact, I loved to be busy. Whenever the opportunity arose for a job, I always accepted it. Whatever I was shown to do, I was easily able to accomplish it. It wasn't the pay that motivated me – and that was just a few cents an hour; it was proving to myself that I could do it. Of course, the good evaluations I received helped me move upwards towards better jobs.

I got myself an education, receiving five college degrees, including a doctorate in business management. I discovered Buddhism. And I became a painter. This was my greatest escape. Over the years I spent hundreds of hours painting.

My experience has been that we indeed have a choice of action, even in terrible conditions of psychic and physical stress.

Viktor E. Frankel said, “Everything can be taken from a person but one thing, the last of the human freedoms, to choose one’s attitude in any given set of circumstances, to choose one’s own way.”

And, as Lama Zopa Rinpoche, my Buddhist teacher says, “We can learn to transform problems into happiness.”

I’ve found that as a prison inmate it is possible to retain human dignity, to bear sufferings as a genuine inner achievement. It is this spiritual freedom that cannot be taken away that makes life meaningful and purposeful.

By going within, I have discovered who I really am. I have never denied my crime. I deeply regret the intense pain I caused for others – and the hell I created for myself. It is precisely because I have taken responsibility for all of this that I have changed.

I’ve been transformed, and no matter what happens I am at peace.

GRATITUDE

I could not be accomplishing my journey towards enlightenment without the help of two remarkable women in my life: my

soul-mate, Joyce Smith-Moore, and my other Buddhist teacher, Venerable Robina Courtin.

I'm not sure I could have survived these fixty-six years in prison without Joyce Ann. As I said to her in a letter to celebrate one of our anniversaries – we were married in 1989 – "There is no way that I could have survived this long, either physically or mentally, without your love, concern and kindness."

Since the late 1970s she has not stopped giving me her constant loving support, her financial support, her encouragement, her hundreds of visits, her life-saving food packages, and her thousands of hours of dedicated legal work over the years in her attempts to get me paroled. She has never given up on me.

As I said in the same letter, "I had never known real love and friendship until you came into my life."

She is the one who encouraged me to write, to tell my stories. She compiled them, typed them, edited them, and then handed them over to Ven. Robina Courtin, who, besides being a Buddhist teacher is also a book editor. She, in turn, spent

hundreds of hours editing, researching, checking, rewriting, and creating the final book.

Many thanks also to Tara Baltazar for her careful proof-reading and John Castelloe and Arnoud Smits for creating the website freedomwithinbook.com.

1. THE ONLY WAY IS UP: ATTICA: 1963–73

July 11, 1963 was like any other day at Monroe County Jail, where I'd been since my arrest in September the year before – or so I thought. I woke up to the smell of human feces, urine, and the vermin scampering among the debris inside my cell.

As soon as we were served the first meal of the day, an officer told us to be ready for a transfer. He didn't tell us to pack up because we had nothing to pack except for the prison rags we were wearing. All I had was some toothpaste, soap, a ripped washcloth, and a partial roll of toilet paper. I was being sent to Attica Correctional Facility, an hour away.

During the 50-mile journey to Attica in the van, I was sitting shackled in the back with another inmate. The driver kept swerving the car, watching me instead of the road. The other person in the front was a detective who was turned so he could watch us. He placed his gun in plain sight where I could have easily reached it.

His expression was one of complete contempt. Things settled down eventually and the trip was uneventful.

Attica's gray stacked-stone wall is thirty-five feet high topped by menacing gun turrets. It looks like something out of a Dracula movie! All the buildings are of brick and have red roofs.

Still, there were marigolds in bloom, everywhere.

We were led into the back gate. The front gate is the truck trap on the other side of the prison. At the reception building, which was also where the SHU was (Security Housing Unit, or, as we called it, the box), we were stripped, showered, and given special clothes. We were sent to A Block and locked in on Reception Company.

I went to bed and cried myself to sleep, thinking about what may or may not be ahead.

MY FIRST MEAL

After being locked up in one of those filthy hell-holes in the county jail, I was half-starved. The food at Attica looked and smelled good.

Saturday noon arrived, and the pea soup looked so-o-o good. I took a bowl and proceeded back to the table and chair assigned to me. When I glanced at the soup, while spooning some butter on top of the home-baked bread, the soup had turned, with a white covering over it. I looked closer at the grease floating on top. It tasted terrible. What do I do now? I can't pour the soup out. I can't leave my seat without permission from the police. If I leave anything on my tray, I will be written up and locked up, so I made several pea soup sandwiches, and stuffed them in my pockets. So much for creativity.

REVILED

When I first arrived, because of the publicity and notoriety of my case, a lot of men wanted to try me. I was constantly jeered, threatened, and cursed. The white inmates – mostly – kept away from me. I was not one to be seen with. Gradually, as some realized I could be trusted, we got to know each other. I was naïve, and one officer tried to recruit me as a snitch. That nearly got me into serious trouble!

MY FIRST JOB

Eventually, as things seemed to be a little less threatening to me, I was summoned to the hearing room. There I was seated in front of a very gruff, gray-haired man. "What do you want to do while you're here?" he asked me. He was the superintendent of security.

I thought for a minute before answering because the question was so unexpected. Finally, I said, "I want meaningful work and to be allowed to see someone who can help me understand what has happened to me."

Eventually they assigned me as a dental technician in the hospital. I guess nobody bothered to check my records, which would have shown that I'd just recovered from a suicide attempt and I was still very weak, physically.

I ignored the bullying and name-calling and concentrated on doing my work to the best of my ability.

I did not get along with the clerk who worked in the dental office. He constantly harassed and teased me. He was a little skinny guy, with a big ego, a comedian extrovert. He used to walk around the

yard with dental tools, giving examinations and selling treatments.

Some months passed, and security came to me, accusing me of trying to poison the guy. We were both fired and put in the unemployed ranks.

A KIND PSYCHIATRIST

For my first three years at Attica, part of every weekday was spent with Dr. Reynolds, a psychiatrist. We developed a good relationship and I had a feeling of comfort and security in his presence. It was not like that with Dr. Babigian when I was at Monroe. He had passed judgment, never spoke to me, and seemed only interested in getting the session over as soon as possible. He released me from court-ordered therapy when he should not have.

It took over three years of regular weekly therapy sessions with Dr. Reynolds to talk about all that had happened in my life and what might have led up to that horrible day.

Most of the jobs were done by inmates. The guards handled the keys and locking system on galleries. Sometimes the count was even done by the gallery or company clerks, who were inmates. Except in certain special cases, everyone moved through the facility in company route-step formation. It was tall men in front, double rows, shut up, button up, and move when the guard rapped the wall with his stick.

There was no talking after 4pm The guards patrolled to catch those who broke the rules. Two sharp taps with their key on the back wall of your cell and you knew you would be kept locked in for several days.

At 10pm sharp, the lights went out, windows hit the floor – which means they were wide open! – and the heat went off. Everyone slept with newspapers between their blankets to keep warm. On cold nights, snow came into the galleries.

The bell rang promptly at 6am for wake up, and the heat was turned on, lights went on, and windows were closed. In about five minutes the gallery was toasty. A gallery porter brought hot water to each

cell. Everyone had one five-gallon bucket to wash dishes, clothes, and their bodies.

A single clothesline was allowed and a shelf over the front door was also allowed. Many had tanks for their tropical fish. We had no TVs and so all we had to watch was guppies.

Each cell was also equipped with headphones and we had three wall plugs to listen to white, black, and sports radio stations.

We got one shower a week, on Saturday, and the whole company had to go in regardless. There was no such thing as deodorant, hair grease, microwaves, hot pots, radios or TVs. Even magazines such as Playboy and Buttman were banned.

We all wore gray clothes. The coats were made along with everything else in a section of the prison called Industry. Nothing was waterproofed. Our shoes, if you could not afford street shoes, were hand-made. First thing you had to do with state shoes was to pound down the nails sticking up from the soles and then insert cardboard for insoles to prevent your feet from getting cut.

Punishment was severe if you broke any rules. If you had even a sheet of legal paper with no writing on it, it meant a trip to the box. Possessing someone else's legal papers was tantamount to a new charge and box action.

Being sent to SHU was terrible. The beatings started on the elevator. Then you were placed in a cell. The toilet was a honey bucket. Mattresses were taken from you at about 5am and returned to you at 10pm You were naked with the windows open. If an inmate became unruly, they would gas him or then hose everything down. (Lawsuits finally stopped some of this.)

The law library was a closet with a sign "Law Library" on the door. Inside were books with pages ripped out – there was no use in trying to research anything.

Religious books were limited to the Bible, the Koran, and a few Christian periodicals. It was not until 1975, when I introduced a book on Buddhism to the media review supervisor, that they began to let other religious literature into maximum security prisons in New York State.

Recreation had to be taken in your cell or on the yard. There were no late hours, gymnasium, or mess-hall recreation.

THE GRADING GANG

I was moved to A Block – grading gang – and my job, along with many men who were there on probation from the box, was lawn maintenance. I was tending the gardens – food was pretty good in those days; I talk about this in chapter 12 – processing tomato sauce, corn, and cabbage for the kitchen. That tomato sauce was the best I ever tasted! Sometimes when it spilled on the floor, we simply shoveled it up and put it back into the cookers.

Fifteen of us would process and crush two hundred and ten bushels per day in about three hours. For our efforts, we were not paid more than 10 cents per day, but we were called to the mess hall at about 1pm for an extra meal. Later on, as things got worse food-wise, most men in Attica went to bed hungry, except for those of us with key jobs.

I did six months on that gang and was then moved to 27 Company D Block, facing into the yard.

STAYING OUT OF TROUBLE

One man who had just come from SHU and had only five days to go before going home, handed me a shank.

"What am I gonna do with this?" I asked.

All kinds of thoughts bounced around in my head. The answer to this dilemma came to me suddenly. Walking close by was the company clerk who walked around with lead rolled up in a sock and two toughs watching his back. I called him over.

"What am I gonna do with this?" I asked.

"Don't worry, I'll take care of it," he replied.

I never saw that shank again.

HEAD CLERK IN THE HOSPITAL

My next job was in the hospital. Sick call was held on Saturday mornings. Everyone went there because it was the only way

you could see your buddies from other blocks.

When you were called for your turn, if the doctor thought you were not sick, he'd turn to a large five-gallon water container that held castor oil. He would pour out a cup full, hand it to you and tell you to drink it. If you did not, you were locked up. If you drank it, you were praying that you made it back to your cell before you shit your britches.

If you came down with the flu, it spread like wildfire, from inmate to inmate. You were confined to your cell for five days or until you were well again. Sometimes whole galleries were locked down at the same time. Medical rounds were made several times, aspirin and cold tablets were dispensed.

SETTING MYSELF GOALS

During the period 1969-1970 I still experienced anger, despite the therapy sessions with my psychiatrist. I tried all kinds of things to develop myself. I took up weights in the yard. There was no gymnasium at that time; most worked out in the yard, no matter the weather. At

first, I could do nothing. If I picked up a 35-lb. bar, everyone scattered, not knowing where it would land if it slipped from my hands. Right from the first I'd tell my inmate instructor, "I can't do it!" He did everything to get me to do the exercise, swearing and cursing at me. He wouldn't give up on me.

Gradually I improved and got to the point that I did 285 max. on the bench, 265 reps, 450 dead lift and squat, 185 clean and jerk, dips with 85 lbs. on back during pull-ups. I was also doing pull-overs with 125 lbs. All we ate was wheat germ and mess hall food. After I tore my right shoulder and over-stressed my hernia, I decided that weights were not for me.

Next, I went to volleyball, handball, and short sprints running. I continued on, gaining more and more confidence as each goal I set for myself was reached.

SPORTS

Every Saturday during football season, no matter the weather, we would go to the yard to watch the murder and mayhem. To keep warm, we could use only a

blanket and put on several layers of clothing. Rules were not closely followed and by the half-time, many of the players were in the hospital. Sometimes the opposing team called the game over because they could not get enough players for a team.

A game I played was volleyball: I was the roving back for the D Block Whips. We had only seven guys on our roster. Three tall black forwards, one roving Hispanic middle man who could jump higher than he was tall, and three white roving backs that rotated, and that included me. I was used because of my nasty serve. We played a tournament of twenty-three games, best of three, each Saturday, and lost only three games that season.

We played in the snow, using coffee grounds for lines. Front men wore baseball cleats, the rest wore two buckle ankle arctics for traction. We were never retired but the team broke up as members moved away.

PLAYING CHESS CONSUMED ME

I first became involved with the game of chess in the county jail. I had no board so made one out of cardboard and molded the pieces from bread. Someone handed me some old weather-beaten books in German. I could not read the words but could understand the math notations. My game was so bad that no one would play me. It was months before I could even figure out combinations to gain material in exchanges.

My first regular opponent was G.C. He wore glasses as thick as milk bottles. One day, while playing the combination out, it came to me and I captured his rook. He picked up the board and threw the pieces onto the ground. Everyone around us at the other tables stopped what they were doing to watch. They were expecting us to fight. I looked at the mess scattered about, got up and picked everything up and said to G.C., “I think that is the last game we will ever play!” It was!

I was fascinated with chess. After I became pretty good at it, some of us started a chess club in Attica, sponsored by the local Rochester Chess Club. We

played against players using clock and score sheet, a rated tournament. I went from 1325 to 1854 in about six games. The Rochester people were losing so many points to us that they wanted us to play each other instead. They called us the giant killers! (It takes twenty rated games for a player to get a permanent rating for lifetime except when you play and your score changes.) They brought men in from Buffalo to play us. I discovered that outsiders cheat as much as the men inside! I started paying closer attention after being cheated on two separate occasions.

MAD EGGHEAD

My next opponent was a German guy we called Egghead. He had a big ego and hated to have me win. We would play games in the yard in all types of weather. (The guards hated it because if there were only two of us in the yard, they had to sit out there with us!) Sometimes we would have to stop to sweep away the snow in order to play some more.

On sunny days, Egghead would wear a large cowboy hat he'd gotten from

someone working on the farm. He would grease the board and then set it so that the sun reflected off it in my face. He would often pull out a large Cuban cigar and blow the smoke in my face. But what really infuriated me was the arrogant way he would flick my pieces off the board when he captured them. He sure had a low opinion of me and my chess game! Despite all of this and me trying to keep my cool and concentrate, I could still beat him.

As my game improved and I won more games, one day he handed me his ornate set and said, “I will not play any more chess,” and stormed off. I kept his set under my bed and after realizing I did not need two sets, I sold his set for a carton of cigarettes. When he found out, he went to the man and bought his set back for two cartons and sent his chess set home.

In the years I’ve been inside, he has come in and out five times. I knew that his family had money and influence. Despite his going out and making a mess, coming back in and making another mess, his family stood by him. Each time he came back in he was more unhinged than

before. His family bought him anything he wanted but I think they were happiest when he was inside. He even took a contract out on me one time, but then came to me, confessed it, and asked forgiveness. If ever there was someone who needed mental health help, he was the one! Despite this, he was a person who tried in his twisted ways to be my friend.

THE ASSASSINATION OF JFK

November 22, 1963: I remember the day well. We had no TVs then, only loud speakers in the yards. Music was played and announcements made at intervals. The music was suddenly interrupted by a very somber announcement: “President John Fitzgerald Kennedy has been assassinated!” People were so affected, many men even cried. On the day of JFK’s funeral, we heard over the loudspeaker the sound of drums as his caisson was drawn in the funeral procession. (In my opinion, there was never a more beloved president in the United States, except for President Abraham Lincoln.)

NEW YEAR'S EVE AT ATTICA

December was always a dark, stressful time. Many men expressed it with anger and rage while others kept their loneliness and depression to themselves.

One New Year's Eve, at about 4pm, the custom was for a thunder of wall-pounding to begin. One man had a garbage can in the front of his cell where he could reach it with a length of wood or a heavy mop handle and he would proceed to beat on it as hard as he could. Others would throw lighted paper down off the tiers. Some threw glass jars filled with excrement and/or paint. Some got drunk. The officers merely stood well away under a plexiglass shield, watching to be sure no cells were being torched. This would go on until the early hours of the New Year's Day. Forget about sleep for anyone! The lower levels would be littered, and it took days to get all the oil paint off walls and the debris cleaned up. It always took me several days to calm my nerves.

AN EARTHQUAKE

We had several quakes while I was in Attica. It was discovered that they occurred because the local salt miners were using water to mine. The water acted like lubricant, causing the rocks to slip together. As soon as they stopped wet mining and went to dry mining, the quakes stopped.

I was in the school office on New Year's Day one year. Some of us were allowed to work in the school rather than stay in our cells. One of my daily tasks as head clerk was feeding the guppies in a 15-gallon tank.

As I leaned over the tank, there was a strange far-off sound, like a hammer striking metal. The sound came closer and everything began to vibrate and rock. This was mixed with falling plaster, glass light fixtures breaking, metal doors clanging, and people shouting. I nearly fell into the tank trying to maintain my balance.

It seems we were experiencing an earthquake. When the vibrations stopped, I walked out into the hallway and noticed one guy lying on the floor unconscious. He was not injured, only in shock. All the

laws of physics are changed during earthquakes, water puddles jump up without splashing, the ground looks like a rug being rippled and shaken, people running in sync, in step, like ballet dancers trying to get away when there is no place to hide.

And then, as soon as it stops, glass, stone, and shingles still falling, everyone is strangely quiet. Suddenly a variety of sounds, people shouting, calling each other.

THE RADICALS WERE SENT TO ATTICA

For several years, whenever there was trouble in the other state facilities, the political activists were sent to Attica. Instead of placing them in segregation, they would put them right into the general population. Earlier in 1971, after an uprising at Auburn, many of the radicalized inmates were brought here.

Warden Mancusi was known to stand in the center of A Block yard, surrounded by guards, and announce, “No man can escape from Attica.”

Black Panthers, Weathermen, Hells Angels, Pagans, Muslims, Mafioso – they were all listening.

ONE WHO ESCAPED

One inmate made it out with the help of the inmate population. J.J. made it all the way to New York City before getting caught.

There was another escape. Mancusi's chauffeur and two convict yard porters stole the warden's car. They drove toward Mexico, then called back for more money from a relative, but they were intercepted and arrested.

THE WHITE REVOLUTIONARY, SAM MELVILLE

Sam Melville was one of the Weathermen – a group of white revolutionaries – and was constantly in trouble. He was well known on the streets as "The Mad Bomber" because he'd put explosives in government buildings in protest against the Vietnam war. He was sent to segregation constantly. One time I sent him a note in which I said, "He who fights and runs away lives to fight another day,

so, come on back down! Get a job in the kitchen so you can get better food."

Much to my surprise, Sam listened to me and a week later, he was working in the kitchen. He was a vegetarian, which makes it harder to get any good nutrition inside.

I stayed out of the way, was not involved with revolutionary activities.

Sam spoke to me about joining and I told him they watched me like a hawk because I worked in the school, both in the classroom and the office. Because I had access to a typewriter – computers were not around yet – they read everything that I wrote and/or typed in the school. And, because manifestos were constantly being posted by the revolutionaries, Mr. Dickinson, the education supervisor, and my boss, was constantly on the alert.

Whenever Sam wanted to confer with someone, I made myself scarce. He respected this. His ability to convince people to join his revolution was amazing. He could not entice me, though.

Sam was obsessed with playing chess when he was not revolutionizing. I played

him numerous times. I soon learned something important about him. Sam was a pure Marxist. He would play the whole game in his head before moving a single piece. All I would do was wait until about the twelfth move, then make my move. His whole plan would disintegrate! Then he'd go off into the center of the yard and proceed to practice yoga to get his mind back under control.

2. TERRIBLE DAYS AT ATTICA: SEPTEMBER 9–13, 1971

An uprising of inmates occurred at the Attica Correctional Facility in Attica, New York, in September 1971. In June there had already been an uprising, coming from the demands of black inmates at Auburn Correctional Facility for better living conditions, more humane treatment, and political rights. With the huge movement for civil rights and the resistance to the Vietnam war sweeping the country since the 1960s came tough-on-crime policies, and the prisons in New York State were at bursting point. A disproportionate number of black Americans were incarcerated, and the racism was appalling.

Political awareness was growing, especially among black prisoners, inspired by the growth of the Black Panthers, which began in California. The frustration and outrage exploded when renowned black author and political

activist George Jackson, one of the Soledad Brothers, was killed by guards at San Quentin in San Francisco.

On September 9, 1971, two weeks after the killing, some 1,300 of the Attica prison's 2,200 inmates took control of the prison, taking forty-two staff hostage. Two-thirds of them were black, a quarter white, and ten percent were Puerto Rican.

During the following four days of negotiations, authorities agreed to twenty-eight of the prisoners' demands, but would not agree to demands for complete amnesty from criminal prosecution for the prison takeover or for the removal of Attica's superintendent.

In spite of all efforts of those involved in negotiations, by the order of Governor Nelson Rockefeller, on September 13 state police took back control of the prison. The aftermath was terrible. When the shooting was over, at least forty-three people were dead, including thirty-three inmates, ten correctional officers and civilian employees – only five of them killed by prisoners; the rest died at the hands of the police.

None of the authorities were ever even charged with crimes.

OMINOUS WEATHER – AND THE OWLS

During the summer before the uprising we had some really strange weather.

There was one week in particular that the days and nights were really hot, not a breath of air stirring. Men would lie in their bunks, sweating and wearing only their shorts. Some took wet towels and placed them on the floor. They would then lie on them to get some relief.

On one dark night, with the moon glowing through the clouds, suddenly lightning started, off in the distance, dancing from cloud to cloud. There were so many strikes that I had to put on my sunglasses to watch the awesome display. It went on for hours, coming closer and closer. Some men actually hid under their beds. There was not a breath of air to relieve our discomfort that entire night.

Several nights later, it happened again. It was the same type of quiet, hot night with no breeze. But this time there was no lightning; instead, more than a hundred

horned owls came to visit. After they swooped around the yard for several minutes, they started landing on the roof above us, talking back and forth to one another in their distinctive loud hoots. Then they started to come down to where we were, trying to perch on the windows and even trying to get inside with us.

Our lights were out, except for the security lights in the yards. The owls were so close you could see their eyes, and you could sometimes catch a little sparkle on their wings as they tried to push on the bars to come in. This went on for several hours. It was as if they were trying to tell us something.

I felt a deep sense of foreboding about the whole incident. A Native American inmate in the cell at the end of the tier later told me that their belief is that owls behaving in the manner he'd witnessed is a sign of an impending disaster.

INVOLVED IN A LOCKDOWN

I was involved in a lockdown. A prisoner had been caught with pills. Every cell in the block was checked, ransacked, and personal property was destroyed. Fish

tanks were smashed, water and fish covering the floor. Food was dumped in the toilets. Paint spattered on clothes. Legal work, strewn everywhere. Beds were dismantled and scattered. It usually took at least three days to gain any semblance of order, putting everything back and throwing away destroyed items.

Another lockdown occurred before the riot when an inmate got control of a gas gun. He was cornered in B Block and dispatched – transferred – after being beaten.

SEPTEMBER 9, 1971

Beatings were almost a daily occurrence at Attica, despite what has been reported. A catalyst for the uprising, it seems, was an incident that occurred the day before. One young black man was badly beaten for not obeying orders, raising the tension to unbearable levels.

In the early morning of September 9, some 1,300 of the 2,000-plus prisoners at Attica had taken control of the prison. I was not among them. After breakfast we hospital workers were at work. My job was to get the area ready for sick call. We

had no idea, of course, of what was going on in A Block, but we heard soon enough. It seems that the inmates had the place in twenty minutes. Those of us who were trapped and isolated in the mess hall, laundry, school, and hospital were evacuated at gun point by guards to the empty garden area between the hospital and reception buildings. We were made to sit on the ground under the watchful eyes of guards on roof tops. There we sat all day, until it was dark.

One man sat apart from the rest of us. The guards evidently felt he was somehow involved with the chaos going on around the corner. They treated him very harshly and when we left he was taken to an isolated area.

BACK TO OUR CELLS

At 8pm we got into company formation and marched around reception to the front lawn, up the walk into C Block. As we rounded the corner, there were men in gray and yellow State Police uniforms armed with every type of gun imaginable. They were in loose formation, waiting for orders.

That's when I think the enormity and seriousness of the situation hit home. All I could do was stare straight ahead as we advanced across the open area, littered with paper napkins and cups.

We proceeded into C Block and began to climb the stairs. When we reached the second floor, the sergeant ordered us to proceed to the third-floor area.

"But we were told that if we proceeded inside to C Block in formation, we could go to our cells," I said.

The sergeant looked at me and I could tell he was tired, and if he shot me, he would have to shoot everyone else. He turned and spoke to the officer further down the gallery, who was working on the locking system. "Can you lock up these cells?" The answer was "yes." The sergeant gave the order, "All right, you guys, go."

Out of the blue, someone struck my right temple with what I do not know, probably a rifle butt. I found myself on the floor, next to my cell door. I got back on my feet as resentment welled up in me. I felt helplessness, and for a brief moment I wanted to strike back at whoever it was

who had done this to me. I was not involved. I had stayed neutral, so “why take it out on me,” I growled. For several days, blood came out of my right ear and my hearing was never right after that, and even now there remains a scar over my right eye.

After we got into our cells, we were locked in. Then we discovered that all the water and electricity had been turned off. I immediately called to my neighbor, offering to trade cigarettes in exchange for canned food.

There was very little sleep in C Block. Prison guards were manning a gun placement at the edge of the catwalk inside. The windows had been knocked out and a camera was mounted to catch all activity in the inner yards. Another camera was mounted near the top of A Block for the same purpose.

Three days went by without water or food being brought to us. Some inmates continued to call out for help, in hopes of getting some attention. Water is needed in order to flush toilets and it was because the administration had turned the water off, toilets and sinks did not work. Despite

the fact that the toilets were useless, many tried anyway. It was a nasty, smelly mess.

A person can go without food for over fifty days whereas we can't go more than seven days without water.

I tried another way and got really good at doing it, in a jar and/or on a newspaper. I then tossed it out the window and after that, we had some of the greenest lawns ever seen. The old timers who experienced this realized that you would have to improvise, which meant that if you got any water, it would have to be stored. (Hot water was only possible if you had materials that you could burn and/or heat a can or jar for coffee with.)

Electricity was shut off as well. To stay warm, I used newspapers between blankets, also extra rags and/or castoff clothes. I also wrapped myself in sheets and sat behind a mattress to insulate myself from any cold draft of air.

On the third day, men were calling for water.

As one guard passed my cell that day, I asked for help. He pretended to not hear

me; however, he returned with milk cans full of water taken from fire trucks. I didn't care if it came from some pasture. Everyone on 28 and 27 Company received that water.

On day three, a young State Police officer was patrolling the gallery. His .357 was cocked out on his hip and he kept calling – every 20 minutes – for a count. Every man had to stand close to the gate. His actions reminded me of "Billy the Kid." Everyone stayed on edge. We were using our mirrors to make sure we were not being sneaked up on.

The officer would call out, "Put away the mirrors!" But we ignored him.

"Put away the mirrors!" he yelled again.

One inmate called out, "We heard you the first time, prick!" The officer pulled out his gun and was about to fire down the gallery. Two other police grabbed him, wrestled him to the floor, disarmed him, and dragged him away.

The tension was high.

MAYHEM

On the morning of the 13th, just before daylight, a helicopter was seen circling

over Warden Mancusi's residence, which was at the edge of the prison grounds. I saw on one of the skids a large black box. The chopper circled for some time, then moved right over A Block. The sound of a plane could also be heard, and right behind it, another.

Then I heard a deafening noise. It drowned out all the other sounds, and a gas cloud suddenly appeared, engulfing everything. This was followed by a tremendous rattle of gunfire coming from the rooftops. All gunfire was directed into the yards. Those who were able had dropped to the ground, trying to protect themselves from the continuous rain of bullets.

As we learned later, forty-three people were dead, including thirty-three inmates, ten correctional officers and civilian employees – all except five were killed by the police.

AGAINST THE GENEVA CONVENTIONS

Later it was established that over three thousand rounds were fired by the New York State Police with weapons that can

kill at 600 yards. The targets they were shooting at were closer than fifty to 150 yards. Shotguns with 00 shells/charges – buckshot – were used. The State Police had their own weapons. Guards brought in their shotguns and handguns. National Guardsmen were there right after but only allowed to act as stretcher-bearers.

What has never been mentioned in any reports given to the public – until very recently – is that some of the ammunition used by the state police was against the Geneva Conventions.

Also not mentioned in any of the state's accounts is the fact that a Thompson machine gun was used, and I saw it. A five-man-squad was used so that after each firing, the squad members took turns handling the weapon so no one member of the squad could be singled out as a sole operator. It was always in the mess hall to be used mainly as crowd control if necessary.

AFTERMATH

When it had all ended, I truly sensed the presence of those who had been killed. The walls of my cell sweated worse than

they ever had! For months I had nightmares about it. And, talking about it or thinking about it still causes too much anguish for me.

It had taken years for the conditions at Attica to become abysmal. And, because I had been there almost ten years, I could see that things were about as bad as they could get. What happened at Attica was murder in the retaking.

I can honestly say that I had no fear of anything from the first day I came into prison, nor did I have any throughout the entire rebellion. After the Attica experience, I realized that I had changed. I was not the same person.

I am fortunate to have gotten through the experience without having too many after-effects. Although if I talk about the uprising, or think about it, I'll have bad dreams that night and maybe the next night. Only those in wartime who experienced being close to death can understand what that feels like. The suffering that many of the men experienced at the hands of the authorities was unspeakable.

I've always had a feeling that I was there to help. Whenever someone was injured, for example, I never had any qualms about getting the attention of a guard to get him do something, get a stretcher, etc.

RACISM

The biggest reason for the uprising was blatant racism. Blacks suffered horribly! They were sixty percent of the population at Attica. Racism by the administration and the guards was about as bad as it could get. We white inmates were often chastised if we interacted at all with them. Later – after the riot – it reversed almost immediately among the inmates. We got along well.

There were no programs for inmates, no incentives or any way to improve oneself. Mainly whites got the jobs. The situation at Attica was as inhumane as it could get. The "riot" was inevitable.

SAM MELVILLE IS DEAD

Two weeks before the uprising jumped off, Sam had come to me. He handed me a small, neatly wrapped package. I opened

it and found two books. “I won’t need these anymore,” he said. The two books were: Mao’s *Little Red Book* and *Soul on Ice* by the well-known Black Panther Eldridge Cleaver.

At the time I did not know what he meant, not until the guards were shooting into the yard. When I heard the shooting that day, I instantly knew Sam was dead, and I felt guilty because I had asked him to come out of solitary. He came out to start his revolution. And, now he was dead.

Official reports of the event say that Sam was holding a Molotov cocktail in his hand. In fact, there was no evidence to support this. He was seen to have had his hands in the air in surrender, and he was shot.

PRISONERS’ JOBS ARE NOW DONE BY CIVILIANS

Prisoners were trained to do all kinds of jobs that included carpentry, plumbing, electrical work, dental assistants, teachers, x-ray technicians, etc. But that has all stopped. After the uprising the hundreds of jobs once done by inmates

have been taken by civilian personnel, who get paid big salaries – even more than their counterparts are paid out in the community.

With a few exceptions, those of us who were considered exceptional were able to keep our jobs, which paid $30 a month.

I WAS SENT TO THE BOX

Soon after things had settled down and programs resumed, one of the hospital nurses was laid off. Mrs. K. was very popular among us and was very outspoken about the inadequate medical treatment and abuses to inmates. Word spread and soon it was decided we'd sit down in unison. Everyone would stay in their cells, no privileges, including mess hall. Of the 1,200 remaining inmates at Attica – hundreds had been transferred – 900 of us sat down to keep Mrs. K. in the hospital.

On the second day of the sit-down, two officers came to my cell and arrested me and threw me into the box. As a member of the inmate liaison committee – which I'd recently joined in a futile attempt to change things for the better at Attica – I

had been charged with being a ring-leader for 27 and 28 Companies in C Block.

I was in isolation for five days. For the entire time I refused to eat, and I drank only water. They kept bringing me food and I would not accept it.

With me in the cell – all of us on the floor because there was nowhere else to sit – was the minister of the Puerto Rican group the Young Lords, a man who had two bullets still lodged in his legs, and another guy who continually argued with himself and was eventually placed in the mental health unit. When they offered me the chance to exercise, I refused unless the others could too.

Eventually my service unit counselor ordered my release. I was back to my job in the hospital. I later found out that half of the population was trying to help me. They kept telling me that I was “a shoot-from-the-hip/stand-up guy.” This surprised me because I did not side with groups, only tried to tell it like it is. And I discovered that the strike only lasted three days because Mrs. K. was told she could keep her job after all.

By this time, it crossed my mind that I should move on to other things.

BLOOD IN THE WATER

Now I'm thankful for Heather Ann Thompson's 2016 book, *Blood in the Water*, the first definitive history of the Attica rebellion, for which she was awarded a Pulitzer Prize in History. It's a book that needs to be read.

Here's a review of it, written by Larry Getlen in the *New York Post* edition of August 20, 2016.

> When a helicopter flew over the yard at Attica Correctional Facility on Sept. 13, 1971, five days into a takeover of the prison by 1,300 inmates, some of the prisoners thought it held New York Gov. Nelson Rockefeller, come to help negotiate an end to the standoff.
>
> They realized their error when the gas dropped.
>
> The combination of CS and CN gas created a "thick, powdery fog" in the yard "that quickly enveloped,

sickened and felled every man it touched."

But while the gas subdued the prisoners, it was merely the opening salvo in a full-on sadistic assault that set the stage for days of death and bloodshed, weeks of torture, years of pain and decades of lawsuits, investigations and recriminations.

For her new book *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy,* Heather Ann Thompson tracked down long-hidden files related to the tragedy at Attica — some of which have since disappeared — to tell the saga in its full horror.

The book's many revelations include how police had removed their identification prior to the raid and how prisoners were misled into believing negotiations were ongoing at the time. Thompson reveals that the state took its actions knowing its own employees, then being held hostage, would likely be killed. She lays out how officials as high up as

President Richard Nixon supported many of these actions and how in the years following the riots, the state went to extraordinary lengths to try to obscure facts and protect offenders.

"I found a great deal of what the state knew, and when it knew it," she writes, "not the least of which was what evidence it thought it had against members of law enforcement who were never indicted."

The Attica riot was the culmination of a growing frustration at the time with conditions in America's prisons, including severe overcrowding, virtual starvation, and an often complete absence of medical care.

Early in the summer of 1971, the commissioner of prisons received a list of demands from a prisoner group calling themselves the "Attica Liberation Faction." The letter cited how the administration and prison officials "no longer consider or respect us as human beings," and

demanded 28 reforms including "improvements in the working and living conditions and a change in medical procedure." The state's reaction was to punish anyone found in possession of this manifesto with 60 days in solitary and to tighten prisoner conditions overall.

Soon, prison officials realized that traditional factions among racial and religious lines were breaking down, the men instead forging a new solidarity. On Aug. 22, the day after a prisoner in California was murdered, "most of the prisoners were wearing a strip of black cloth as an armband," and ate their breakfast in unnerving silence. Attica's officers began expressing fears to their families; some began "leaving their wallets at home in case anything 'jumped off' at the prison."

A violent confrontation on Sept. 8, 1971, led prisoners to believe, incorrectly, that one of their own had been killed when they saw

guards carrying his limp body to his cell.

The tension exploded on Sept. 9. After a prisoner in lockdown was released when a fellow inmate managed to flip the switch to his cell door, a group of convicts were locked in a passageway, known as A Tunnel, on the way back from breakfast. Believing they were about to suffer a fate similar to the prisoner from the day before, one attacked a guard, and several others immediately joined in.

“All of a sudden, it seemed to dawn on [the prisoners] that they were little more than sitting ducks locked in the tight confines of this ill-lit tunnel,” Thompson writes. “As prisoner Richard X Clark put it, ‘We expected the goon squad any minute’."

Now petrified they were about to face harsh reprisals, the prisoners “began grabbing anything they could find to protect themselves.”

Some inmates hid in fear, while others saw a chance for revenge

against guards or prisoners who had done them wrong. “Within mere minutes,” Thompson writes, “A Tunnel had disintegrated into a blur of flying fists, breaking windows, and screaming men.”

Many in other sections of the prison could see the melee, and others still could hear it. Word spread quickly, and throughout the prison, men were grabbing any potential weapon they could find and stripping guards of their keys. A guard named William Quinn, after surrendering his keys and nightstick, was “hit on the head with tremendous force by someone wielding what was later described as either a two-by-four or a ‘heavy stick.’ Quinn fell to the ground, where others set upon him and trampled him.”

Many prisoners went out of their way to protect guards who had treated them well. When one group of prisoners forced a guard named G.B. Smith to strip, another grabbed him, screaming “that this was his

‘motherf—ing hostage.’” As he whisked Smith away, he told him, “Don’t worry, I’m going to try to get you to the yard as easy as possible.” Meanwhile, more than 30 guards were held captive in the prison yard.

The events of the next four days, which Thompson relays in visceral detail, included strained negotiations that found a team of observers, including famed attorney William Kunstler and *New York Times* reporter Tom Wicker, attempt to assist negotiations between the prisoners and the state, and Rockefeller refused to make an appearance that many later believed might have quelled the entire incident.

Despite Quinn’s treatment — he soon died of his injuries — the prisoners made attempts at good faith negotiations. But in the end, their greatest demand was for amnesty for their actions during the riot. Quinn’s death made this impossible.

State police and others in law enforcement arrived at the prison en masse on day one, hoping to retake it by force. On day five, Rockefeller gave the order, with President Nixon's support, to overtake the prison. But it was clear to all, Thompson writes, that the retaking would almost certainly result in the deaths of at least some of the guards being held hostage.

The force that stormed the prison consisted of 550 uniformed members of the New York State Police plus hundreds of sheriffs, deputies and police from neighboring counties, many brandishing their personal weapons, eager to take a shot at prisoners who killed one of their own. State officials later said these officers arrived of their own accord, but the officers claimed they were invited.

One officer, Technical Sgt. F.D. Smith, later commented that, "an attitude of disgust was apparent among troopers and guards . . . a number of our people were heard

wishing for ‘something to happen even if it’s the wrong thing.’”

As such, many of the officers removed their identification before entering the prison, allowing them to act with impunity. One officer, who arrived with his rifle, said he was told by a member of the state police to “‘pick a target’ and shoot to kill.” Many of the officers used “.270 caliber rifles, which utilized unjacked bullets, a kind of ammunition that causes such enormous damage to human flesh that it was banned by the Geneva Convention.” While the plan called for officers to clear one section of the prison after the gas was dispersed, there was little set in stone after that.

Once the gas was dropped, recapturing Attica was quick and easy. What happened after that was something else altogether.

“It was instantly clear that troopers and COs were no longer merely trying to regain control of the facility. This was already done,”

Thompson writes. “They now seemed determined to make Attica’s prisoners pay a high price for their rebellion.”

What followed were acts of brutality so heinous they beggar the imagination. Officers were shooting indiscriminately, smashing in convicts’ heads with the butts of their guns and shooting them, then sticking gun barrels in their mouths for laughs. One prisoner was shot seven times, then handed a knife by a trooper and ordered to stab a fellow prisoner. (He refused, and the officer moved on.) Another was shot in the abdomen and leg, then ordered to walk. When he couldn’t, he was shot in the head.

Some of the black prisoners heard the N-word screamed at them as they were shot, or taunts of, “White power!”

As this was happening, a group of prisoners formed a circle of protection around the hostages but were soon gunned down. Several guards found themselves staring

into a fellow officer's barrel, seconds from death, saved only by a last minute scream of, "He's one of ours!" But in the chaos and savagery, both hostages and members of the rescue force fell victim to their fellow officers.

A half-hour after the operation began, 128 men had been shot; 29 prisoners and nine hostages had been killed. And the real chaos had just begun.

In the hours and days following the retaking, while Rockefeller touted the mission as a great success and the public was told the dead hostages had been killed by prisoners, Attica became a chamber of horrors.

Naked prisoners were forced to run gauntlets, beaten with batons as they ran. One 21-year-old inmate shot four times heard troopers debating "whether to kill him or let him bleed to death . . . as they discussed this the troopers had fun jamming their rifle butts into his injuries and dumping lime on his

face and injured legs until he fell unconscious." Prisoners were made to crawl naked on concrete through blood and broken glass, subjected to Russian roulette and even forced to drink officers' urine.

For the victims of this abuse, no medical care was made available, in some cases for days or even weeks. One doctor was ordered not to treat a shooting victim with blood running down his face, and a guardsman was literally ordered to rub salt in another prisoner's wounds.

Even Attica's official physicians got in on the act. According to Thompson, when presented with an injured prisoner with a swollen neck, Attica's Dr. Paul Sternberg "laughed and said, 'Ha, ha, you swallowed your teeth.' "Either Sternberg or the prison's other doctor, Selden Williams, was reportedly overheard saying of a prisoner, "That n—-r is a f—-r and he should have died in the yard so we won't treat him."

Meanwhile, thanks to a pliant press, the nation was initially convinced that all the savagery had come at the hands of the prisoners.

Investigations that followed found police visiting many of the same prisoners who endured this torture, threatening them with abuse or indictments if they didn't testify against their fellow inmates.

In 1976, Gov. Hugh Carey, overwhelmed by the complexities and the political minefield of it all, announced clemency and pardons for every Attica prisoner for cases related to the riots.

In 2000, a class action of prisoners won $12 million from the state and, perhaps more meaningfully, got to tell their tales of abuse on the record.

The judge's order included a 200-page summary detailing the atrocities these men had faced. But even with this, their story feels something less than complete.

"Even though they had settled with the state, the state still would

not admit to wrongdoing at Attica," writes Thompson. "It wasn't even close to justice. But it was the closest thing to justice that these men would ever get."

3. AUBURN: 1973–1994

LEAVING ATTICA

In 1973 I asked for a transfer to Auburn. In my mind, the administration in Attica had not learned anything since the uprising; it was all about more training, more security, and a lot more repression.

The rumor was that Auburn was a place to get an education, and there was more opportunity there to make money in Industry.

There were seven of us together with one driver and one gunner and we did the ninety-minute drive to Auburn without stopping. I rode facing to the back. I was not too smart and had drunk a lot of water before leaving, so I was in agony until I was able to relieve myself.

Most maximum facilities are surrounded by four walls, but Auburn is unique in that the fourth wall was the administration building. The other three walls were towered and built right on the streets. Large metal-staked fences were brought from Sing Sing Prison and mounted so they acted as a barrier

between the administration building and a narrow parking lot, adjacent to the actual street.

If anyone was able to get on the roof from D or E buildings, they could have rappelled right off the front of the administration building. The last time anyone had tried to leave was during the 1929 riot. Nine men were shot down making the attempt out the front door.

SO MANY HANDBALL COURTS!

The atmosphere in Auburn seemed free of tension. It was a big change from Attica. Attica was more military, shorter hair, no facial hair – and no handball courts.

Auburn seemed more like a minimum prison. In the yard, I was amazed at the fly haircuts and wild shirts, and inmates running around in sweatshirts, the white guys with long hair, people carrying tennis balls and wearing wrist- and head-bands. There were fifteen handball courts, a bocci court, a tennis court, and huge weight yards.

The tables were arranged semi-squared and were owned by different gangs. One capo, Carmine, had set up a throne in the

weight yard. His soldiers would position themselves on either side of him. Other inmates, upon invitation, would approach the capo, kiss his ring, asking for favors.

FIRST THE LAUNDRY

The six inmates who came from Attica on the van with me were sent to the assignment committee and got good jobs. My first choice would have been carpentry if I had had the opportunity offered to me. Instead, they assigned me to the laundry. When I arrived the officer said, “Oh, you’re the new porter!”

Remembering my family motto, “Patience and Perseverance,” I went to work. The place was filthy! The shower room was full of fungus and moss. Maggots were everywhere. I started cleaning from the outside in. I worked and waited, hoping a job that I liked would come along.

I researched the institution’s rule books and found that they were “to call all new inmates for an interview within 15 days upon arrival at the facility.” I continued working in the laundry for two months.

I sent my complaint to the warden on a Thursday, by way of his messenger, with copies also to the educational supervisor, the industrial superintendent, the service unit and, by mail, to the commissioner of DOCS.

The following day, at noon, I was called to the Industrial Central Office and told by Mr. Austin Donovan, the central office principal account clerk, that I was hired. I was also told that I was enrolled in the Cayuga Community College's evening program.

Even the inspector general in Albany wrote to me that his responsibility was to check out complaints about violations of the Department of Corrections rules and that he was "sending someone down to meet with me personally." I immediately responded with a letter, thanking him for his assistance and considerations but that "all had been taken care of and settled."

THEN THE INDUSTRY CENTRAL OFFICE

I was one of thirteen inmates who worked in Industry Central Office.

The industrial superintendent, Mr. Lee Jewett, as well as other supervisors in Industry that included Mr. Tezets, Mr. Donovan, and Mr. Ruschack, all found me to be “one of their best and most accurate workers” as noted in the numerous work evaluations given to me during the years I worked for them.

I worked in Central Office on the day shift and attended Cayuga Community College at night.

My assigned duties included: the posting of daily productions for the fifteen shops, data for the payroll clerk of the over four-hundred inmates’ increases and decreases of their pay, as well as their assignments and/or drops, the recording of operation costs, etc., to name a few of my job responsibilities. Most clerks had one unit. I had two-and-a-half units, and sometimes more.

The posting of all out-of-state orders for the License Plate Shop was also my responsibility. This included the recording of completed orders, their delivery and the billing for the states of Illinois, New Hampshire, Texas, and, of course, New York State. We handled only

prestige special orders for Texas. They handled their straight plate run.

When the foreman in shipping had processed over one-and-a-half-million dollars in license plate orders incorrectly, Mr. Jewett asked me personally to research every order and with copies proving manufacturing, inspection, and shipping on a daily basis, and I was to resubmit them for payment as soon as possible to DOCS.

When the project was completed, an auditor came into the office from Albany, expecting he would have several weeks' work to do. I handed him the entire log, item by item. He rolled it up, put it in his briefcase and left.

The final decision came down that my figure for total cost of orders disagreed with their totals by $3.48, which equals three pairs of license plates.

I later received a letter from Mr. Jewett, recommending parole for me and pointing out my exemplary work record within his department. Apparently, it was the one and only time he ever wrote a letter on behalf of an inmate.

While I worked in Industry I was promoted to a Grade 5, which was sixty-five cents an hour plus 150% incentive, so my average pay was a hundred dollars a month. I was the only inmate in Auburn with a Grade 5.

Needless to say, whenever they had a project no one wanted to handle, it was always given to me. My ten years of work experience in Industry came in handy when I later pursued my PhD in business management/human resources.

I worked in this job for eight years. After I left Auburn, two full-time civilians were hired to do my job at a GS-15 salary level.

SEEING MEN DIE

I was on a thirty-eight-man gallery at Auburn. During the twenty years I was there, there were incidents of cells being torched, numerous stabbings, pipings, industrial accidents, and also a very high incident of death from HIV, hepatitis, and strokes, as well as suicides. During the first year that I was there, I saw five men die of AIDS and three from smoking three packs of cigarettes each day.

I remember one guy who insisted he wanted to die. His first attempt was to cut meat and tendons from his wrist all the way to the bone. They sent him out to Meyer Memorial Hospital in Buffalo where they performed surgery to repair the damage. As soon as the restraints were taken off, he destroyed their handiwork. He was on suicide watch, but the officers became careless and left him unattended. He hanged himself with a bed sheet after barricading the door to his room.

Another inmate who killed himself had collected about a gallon of lacquer thinner from the shops, placed his mattress and blankets across the front of his cell, set the cell on fire, with himself inside. The flames were so intense they had to pour water into both cells on either side to keep others from dying with him.

One time a man who'd moved into the cell next to my old cell was burned to death. He was burned over his entire body, except for his feet. Apparently, he had been an informer and when he moved to Auburn from another facility, he was unaware that two of the men he had

snitched on were there also. The two arsonists got caught because the flashback burned their arms and they needed medical treatment.

Until this guy got torched, the administration had ignored warnings about how easy it was for the end gates on galleries to be opened. It was simple, you inserted your plastic ID card under the door latch and lifted it. All the inmates knew this and would enter our galleries after work, before the officer arrived. We could then run down the gallery, reach our cells, change clothes, and be off the gallery before everyone else, getting first choice of handball courts. Right after the incident with the two arsonists – they'd gotten into the gallery this way – a plate of steel was welded over the locking system, so that was the end of our access to the galleries.

THE GUARDS GO ON STRIKE

The whispers and gossip in Auburn were that something was coming down, a strike by the guards. How could that be? How could they maintain control and order, keep the prison from being burned down?

Well, we soon found out. Several days later, at the time to get up and be ready for breakfast, only silence prevailed. No bells, jingling of key chains, no clanging of doors. And no food.

The fear was that a lot of guys were going to get hurt or killed as anarchy would prevail. But then we heard that the governor was ordering the National Guard to come in to the state's prisons. We also heard that the guards had formed themselves into a large group at the outside front gate and were going to stop them.

There were rumors that fights were breaking out at some prisons around the state between the guards and the state police. And that people on the streets were getting arrested. News reports said that vehicles and equipment that belonged to the National Guard were being damaged.

The civilian personnel who'd come into work began to circulate around the buildings, telling the general population to be cool and cause no trouble because the National Guard was coming in.

I took my bed sheet and using black ink wrote on it, in big letters: “Welcome National Guard.” I stretched a clothesline from my cell across to the pipes that hold the windows open. I then draped the sheet on the line so it could be seen from the front of the gallery.

As soon as one of one of the NYNG sergeants arrived in E Block and saw my sign, he relaxed. He set up a canvas cot at the end of the tier to sleep on. He designated some of us to help get things done. I was designated as the gallery barber. Men were allowed to shower. We ate field rations that were doled out in rotation. And we were even allowed to have night recreation.

When the walk-out ended, the commanding officers of every National Guard unit that had come inside got on the intercoms of every prison in the state and thanked the inmates for remaining cool during their occupancy.

Again, here was proof of what Thomas Mott Osborne had asserted, that if you treat men like men and not like animals, you can have a much safer prison.

After the strike, the guards who'd walked out were fined and most said they would never participate in a strike again.

PLAYING PADDLEBALL WITH THE CAPO

The groups in the yard are separated by culture, race, and politics. Every week the guards took pictures from rooftops of the various groups to see who was aligned with what group. And, to keep from being swallowed up in it, I sat at the chess table and ran in the gym upstairs. The racquetball and paddle ball courts were also my hang-out, no matter the weather.

I used to play paddle ball every day, and over time, my game improved. A lot of the guys liked doubles rather than singles because it meant running less. One of the would-be players was Carmine, the capo from the city. No one wanted to be his partner because his game was terrible. Just serve him the ball high and he could not return it with any speed or accuracy. And, who do you think always ended up his partner? You guessed it, good old me.

Carmine was widely respected by all. His word was golden. If the ball was

outside the court and Carmine said it was good, it was good. One day I argued with him. I looked around and there were three of his soldiers with arms folded. “Hey fellas, this is just a friendly discussion,” I told them, “I’m not gonna hurt him.” I turned to Carmine and said, “Okay, you said it was fair, and you are right.” After all, I was outnumbered – parole-violators from Little Italy made up at least half of the population!

Postscript: I won two singles and two doubles championships there. My partners were Easy W. and Pittsburgh.

A HAWK AND A STARLING

I was gazing out the second story window in the Cabinet Shop one afternoon. The sun was shining, and the sky was clear. Snow had begun to melt into dirty puddles in the parking lot below. It was so quiet I could hear my heart beating. Suddenly, right before my eyes, there was a starling. It looked a little confused, its wings beating irrationally. Then, right alongside it, flying in the same direction, was a hawk. The hawk’s gaze was upon the starling. The hawk increased its speed

and pulled up right in front of the poor starling, which seemed mesmerized by what was happening. Then, faster than my eyes could follow, it turned and slammed into the little bird with a sound of lightning striking. The starling fell into a mud puddle below, and the raptor swooped and grasped the stricken creature in its talons and flew off unhurriedly to a nearby tree. I had never seen combat such as this close up before – and I was left stunned by its intensity.

MICE EVERYWHERE, THEN CAME THE ROACHES

Mice were everywhere at Auburn. I would be working at my desk in Central Office and while the forklifts were moving skids of materials next door, the mice would run around frantically, across my feet, to get to the hollow wall behind my desk. We tried trapping them, but I got so tired of emptying smelly box trays that one day I just dumped the whole mess into the garbage.

In A Block, an inmate called Little John befriended a mouse. He made a little house for it so that when the guards were

nearby, it could run up inside, out of sight, until the coast was clear. At night, Little John, who was a big deep-chested guy, let the mouse sleep between his pecs. When he got ready to go home, he re-trained the mouse to be able to live with his next-door neighbor, who had promised to take care of it.

As suddenly as we had mice, they disappeared, and the new infestation was roaches. They came in from Green Haven in boxes of supplies that were stored under E Block. No one ever opened the boxes up to see what was inside. The feed-up crew in E Block would throw food scraps down in the tunnel instead of disposing of it in the garbage cans. Because of the food, the explosion of roaches multiplied ten-fold. Within months, there were millions of them.

THE BIG FIRE IN DOWNTOWN AUBURN

It happened a year after I arrived from Attica. I had just been moved to E Block where I was able to see across to the wall that faces the outlet. That particular night, I was awakened by a flickering

brightness in my cell. I got up and looked out the window and was amazed to see a large building, a short distance away, completely engulfed in flames.

Apparently, it was once the largest opera house between Chicago and New York City, where some of the great performers of their day, like George M. Cohen, Sarah Bernhardt, Mark Twain, and many others had performed. For the past several decades, the building had been a furniture warehouse.

Several small explosions came from the adjacent bus station, apparently from propane tanks. It was a spectacular sight. Over the months that followed, I witnessed a number of major fires in the downtown area of Auburn, right from my window. Some called it “urban renewal.” After all, the insurance coverage on the buildings was a far greater amount than what the city, in its efforts at urban renewal, was willing to pay the owners of the properties. Of course, no one knows what actually happened. . . .

LOTS OF FIGHTS

There were always lots of fights, arson, sneak attacks, etc.

One day, as I was working in the Hobby Shop, I noticed the officer in the library acting nervous as he glanced out the door towards the yard. There were two inmates fighting and one was down on his back. He had been stabbed many times.

An officer separated the two of them and dragged the stabbed man into the doorway of the Hobby Shop. He was bleeding from his nose and mouth. “I’m gonna die!” he gasped.

I grabbed some cloth strips and raced to his side. I told him, “Don’t try to get up. You’re not going to die. Just do as I say. Help is coming. Where are you hurt?” He pointed to his side. I placed some rags on the open wound, using pressure to stop the bleeding. I hollered to several men standing by, “Go get a stretcher.” The other assailant was lying nearby, his head was smashed and he was going into shock.

The officer came to me later. “We got you on camera. We can enter what you did on the accident report but not mention it in your personal files.” I later

learned that the guards on the towers above us didn't see anything until it was almost over.

It was two weeks after the fight that my future wife, Joyce, was visiting me. A woman approached our table and, as cross-visiting is not allowed, quickly indicated to Joyce to meet her in the ladies' room. She told her that she was the mother of the boy who'd had been stabbed and to "please thank Jim for saving my son's life." They talked briefly and then hugged and left. She smiled at me when she walked past our table. I did not know the young man, nor have I seen him since.

A CLOSE CALL

I had one serious confrontation while in Auburn. While I was head clerk in the Hobby Shop, an inmate demanded I steal something from the shop for him, an X-Acto set. He was very upset when I refused. He kept after me. I guess he thought he could muscle me.

When closing time came, as I was leaving the shop, he tried to trip me. I ignored him, continued into the main

yard and walked on into the tunnel between A and E Blocks. He followed me. I walked halfway down South Yard, next to the TV. It was 2:35 p.m. I stopped and turned, waiting for him. When he got up close, I could see he was carrying a shank in his hand. Showing it to me, he ordered me to do as he said. I looked at him for a long moment and then I spread my arms real wide. “You want it, take it,” I told him, “it is no good to me. You are not going to make me get you the X-Acto set and that’s final.” He looked confused, threw up his hands, put the knife away and walked back into the other yard. The next day in the Hobby Shop he called me Sir. He never bothered me again.

A FIGHT I GOT AWAY WITH

I don’t recall now the reason why I had another fight, outside Central Office, when I worked as head clerk for the industrial superintendent, except that I was aware that the guy could fight. After he hit me, I recall charging him, but he side-stepped and hit me under my right ear. I remember coming down on my back, then someone I didn’t know picked

me up. “We gotta get out of here,” he said, “the brass are coming.” I bled for about a week from my ear.

ALMOST GOT MYSELF A TICKET

During these early years there were many times when I was depressed or angry. Over time, I developed and used numerous ways to vent it without harming someone, myself, or getting into some kind of a pinch. After lunch in the mess hall one day, taking with me a loaf of bread, as I stepped down the stairs into the main yard in front of the officers’ mess, I felt a surge of rage and pitched the whole loaf onto the ground in front of me. The seagulls were happy!

Across the yard, two officers stood up and started over toward me. I went to the sergeants’ booth in front of C Block knowing I was going to get chewed out.

“How long have you been in prison, Mr. Moore?” the sergeant growled. I think he expected me to answer, “Only a few months.”

“Twenty-one years, Sir.”

Everyone standing there laughed.

"Well, if I ever see you do that again, you will get time in your cell to think about it, now get out of here."

I had a feeling of relief and my stress was gone.

ANOTHER CLOSE CALL

One afternoon when the shift in the Cabinet Shop was over, we were all lined up at the back exit, waiting to be allowed to leave. I was unaware that a man had crept up behind me with a table leg in his hands. He swung it, just missing me by inches, and hit the man in front of me, opening up the whole side of the guy's head just above the ear.

The injured man fell over, flat on his face, arms and legs splayed. A huge pool of blood quickly formed. He tried to get up. I wanted to help him, but how could I, and not get blood all over me? What flashed through my mind was, "If he dies, they could blame me." I bent over, close to him and spoke, "Don't try to get up," I told him. "Help is coming." I continued to reassure him that he wasn't going to die. Officers came into the area with a stretcher, placed him onto it and headed

for the hospital. As they crossed the yard, the injured man began laughing. A month later, he was back in the shop with a huge scar on the right side of his head.

CRAZY CHIEF SKIDERS

Chief Skiders was a Mohawk from the St. Regis Reservation and he loved to carve wood. The only tools he had were a piece of glass, a nail and an X-Acto knife. He would do wood appliqué mounted on velveteen. He could not draw very well, so I did the patterns for his gargoyles, drum dancers, griffins, and other things, such as Snoopy. He used shoe polish to tint the wood.

He often worked all night, assembling it the next morning, and by afternoon it would be sold. He could not work fast enough. Everyone wanted his work.

All his front teeth had been knocked out because he loved to fight, even the bigger guys.

If he liked you, he would sneak up on you and sink his dog-teeth into your shoulder in such a way that you could not get away.

Both of his knees were dislocated from playing football. At least two or three times in every game we would help him snap his knees back into place, so he could go back out on the field to play. Sometimes he would cough up blood, but still go out there to create mayhem.

He was paroled to the St. Regis Reservation.

A CHRISTMAS PARTY

We had just been relocated from B Honor Company to E Honor Company. The whole move was done, all twenty-five of us, in one afternoon. Everyone worked in teams to move a cell's contents at one time, and it was stacked for putting away later. The place we were moving into was filthy because no one had lived in these galleries for months. Dust was thick in the air, and toilets had not been flushed or cleaned. The shower consisted of a quickly assembled metal coffin that would hold only one person at a time. Mattress covers that had been used as curtains were slimy and slippery from mildew. We started cleaning from the front hall, scrubbing everything all the way to the

back. We then painted all the walls and ceilings.

After settling in, someone got a bright idea. Since Christmas was near, why not throw ourselves a party. The idea was presented to the administration and permission was granted to have Curley's Restaurant cater it. We all pitched in to pay for it, and some volunteered to set up and serve, as well as do the cleanup. The Dellostrittos, the restaurant owners, were very gracious and generous. We had a wonderful time.

THE BIGGEST GUY IN THE PLACE CAME TO MY DEFENSE

One inmate came to me when I was working as the head clerk for the superintendent of the school. The inmate demanded I forge some papers for him. I flatly refused but he kept hounding me and following me around. I told him to get away from me. He didn't. He followed closely behind me. When I headed back to the office, he was still following me.

One time, as he came through the door, I turned and punched him in the nose, enough to make it bleed. He fell

backwards, and I closed on him, to get another good shot. Another inmate, a big guy, had come up from behind and was pulling me back by my collar. He then turned to the guy lying on the floor and said, “If you bother Moore again, you will get it from me.” My opponent got up and ran down the hall, bleeding from his nose.

The officer nearby waited until it was all over before he walked down the hall to hear my story. I got seven days keep-lock: confined to your cell. And the big guy who stopped me, well, eventually he became my best friend, and later was my best man when I married Joyce in August of 1989 (see chapter 4.)

BIG RED

There was a very tall man in Auburn who would howl like a wolf and pretend to shoot officers with his finger. He had red hair and a mixed complexion. Everyone teased him, including the officers, who gave him menial, dirty jobs to do. He was often in trouble and it was not always his fault.

Every Christmas, all the workers in the shops received a gift. This time we were

given a pair of leather gloves. But I already had good gloves. When it came time to get the gloves, I chose the largest pair.

That afternoon, I went to the gym. As I walked in, I saw Big Red arguing with the officer over something, and he looked like he wanted to kill the guard. I waited a couple of minutes until he calmed down.

I took out the gloves and handed them to him saying, “Merry Christmas, Red!”

He stared at me for a few seconds, his mouth open, speechless. I saw he was embarrassed and that it was attracting unwanted attention, so I left the gym and went on over to the C Block door, waiting to go inside. As I stood there I heard the sound of a gym door opening and Big Red’s voice singing: “Jingle Bells, Jingle Bells, Jingle all the way.”

He came to me, out of breath. “Thank you, Jim, no one ever did anything like this for me before. Thank you.”

Later the doctors sent Big Red out to be evaluated and they found he had been on the wrong medication. As soon as they corrected the situation, he had no more

spells, he was quiet, good mannered, and appeared quite well educated.

RICARDO'S BLUE JAY

Ricardo worked in the hospital. He lived in C Block. The cells there are on the outside wall and the gallery is inside. Each cell has its own window opening into an inner yard. One day, while Ricardo was sitting in his cell reading, a blue jay swooped in. The bird picked a donut from an open box of them that Ricardo had placed on his stand. From then on, when the bird showed, it would get fed. The blue jay became very tame.

When Ricardo was moved to D Block, he made a deal with the guy who took his cell that he'd supply the donuts so the bird would still get fed. But Jose ate the donuts instead and the poor blue jay probably starved to death, because it was only a few weeks after Ricardo was moved that he went home.

AWARENESS OF MY PARENTS' DEATH

It was in March 1977 that I was awakened by a stern male voice that came out of

nowhere, commanding me to, “light incense for your mother.” I arose and did a complete prayer service for her before going back to bed – by this time I had started the Buddhist Zendo. I knew she was gone. No one in my family had told me.

Two years later, on February 14, I was lying in my bed, half-awake and completely relaxed. I heard a strange sound coming over the rooftops from the direction of the outlet. It was neither bird nor animal, but the sound was coming closer. I lay there motionless as something ethereal gently pressed down on me so that I wasn’t able to move. A strong feeling of great sadness and love came over me. After several seconds, the apparition left the way it came. Without anyone telling me, I knew intuitively it was my father, Clarence William Moore. He was gone, too.

4. MEETING JOYCE ANN

In 1975, at Auburn, I decided to join the chapter of the Logan Jaycees, which had started a branch here the year before. The Jaycees are a leadership group for young men – and now women as well. I'd heard that professional volunteers were coming in and doing a variety of workshops on Saturdays. I was especially interested in getting into the art workshop because I wanted to benefit from the advice of the respected artists.

The week after I joined the Jaycees, they held their annual picnic on the back lawn behind the school. The day was bright and sunny. I'd worked all night to make snacks and sandwiches for the guests. I was also responsible for monitoring the food line, to make sure guests were taken care of.

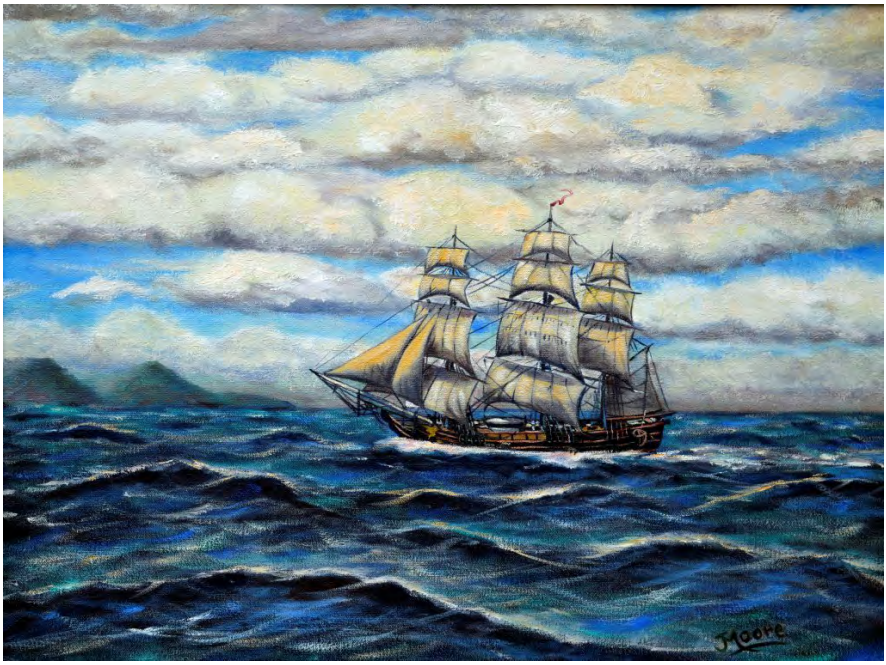
The families and friends would go out of their way to dress up for this occasion – such a gift to us inmates! Some people would dress up in costumes from other eras.

Two women in the line got my attention: they were dressed in colonial style. I was astounded at the younger one's beauty – it was as if she had stepped through the looking glass from another time. But it was the older woman who actually enthralled me: this was Joyce. The younger woman was her daughter, Cynthia.

I learned that Joyce was one of the main people behind the organizing of the workshops; the Jaycees had invited her the year before to locate the professionals for the Saturday workshops, thus developing the inmate volunteer program.

WORKING TOGETHER

Always eager to be involved, I agreed to serve as secretary of the business committee, and it was at one of its Friday meetings that I saw Joyce again. I was in charge of keeping the minutes of our meetings, tracking the workshops, organizing schedules, etc. We worked closely together in these meetings. Even though I was impressed by Joyce, there



Joyce bought this painting of HMS Bounty, an 18th century clipper, because she'd seen it in her dreams. I painted it at Auburn in 1978

were no personal interactions; it was strictly business. I was always so pleased to see her. I think my feelings for her began during this period, but I was so shy and insecure and, given my background and our different status, I would never dare be anything other than proper in my behavior. I probably couldn't even admit this to myself.

I learned so much about her during this time. She wasn't only compassionate she was also talented and intelligent. Joyce was well known in the local community.

She was a real estate broker and had also served as the president of the Cayuga County Arts Council, which she co-founded. She wrote articles in *The Auburn Citizen* – about the arts, about history – and was a prolific writer of letters to the editor, in particular on the topic of injustices in the prison system. This did not sit well with the community!

She worked so hard to make the volunteer program a success, organizing art shows of inmates' works and raising funds to hold them.

But there were not only art workshops. Joyce organized a whole range of activities, bringing in the best people: theater, poetry, how to write a budget, real estate, writing and communications – even a series on parapsychology. These programs were enriching and transformative for us inmates.

But for Joyce's genuine interest in us as human beings, we would have had no intellectual or artistic pursuits at all.

I only learned later that, in 1975, she had lost her real estate business because one of the main banks in Auburn refused to work with her as long as she

volunteered in prisons. This was such a dilemma for her. She consulted her spiritual advisor – she was training to become a minister – who said that if she really wanted to be ordained, she had to decide what was more important to her. She chose us. And she was treated so badly by some of the local community – for working so hard on behalf of inmates and, later, for marrying me.

It seems to me that there was already something connecting Joyce and me. Soon after first noticing Joyce, at the picnic, she was attracted to one of my paintings at an exhibition and bought it. She didn't know at the time that I was the artist. Apparently it had special meaning for her: it was of a clipper ship. She told me later that she'd seen it many times in her dreams as a teenager. I remember that she paid for it in two installments. I was hoping she'd commission me to paint something else. But she didn't!

THE VOLUNTEER PROGRAM WAS FORCED TO CLOSE

Out of the blue, in 1977, the inmate volunteer program was closed down. We

heard that it was the guards' union that demanded it. We were devastated. We benefited so much from the work Joyce had done. For myself, it was the feeling, yet again, of something worthwhile being taken away from me: the story of my life.

I thought about her so often during the intervening two years. I'd saved photos of us taken in the business meetings. I'd always check the papers for stories about her: her activities with the Cayuga County Arts Council, for example; or her participation in local theater productions.

JOYCE WAS BEING ACCUSED OF CONSPIRACY!

In 1979 we began reading reports in the local paper that one of the inmates, Jerome Washington, was suing the prison for unlawfully transferring him from Auburn the year before. Being transferred was a common occurrence, but it was unusual that a prisoner would attempt to contest it. I write about this in chapter 8.

I was shocked to see Joyce's name mentioned in the case. Jerome had been the editor of the inmate newsletter, *The Auburn Collective,* which he'd established

in 1974 and which had won several awards for its stories. Apparently, Joyce was a personal friend of Jerome's and helped him with the newsletter. They wrote to each other and she visited him regularly.

The newspaper reports stated that the superintendent of the prison had transferred Jerome because his writings in the newsletter were critical of the prison and could cause problems. He was accusing Joyce of conspiring with Jerome to create unrest!

Things were already difficult for Joyce in the local community, and now this. I also discovered that she had been forced to leave town. I read in the news reports that she was now working as the executive director of the Adirondack Regional Arts Council.

At least I knew where she was now. We are forbidden to initiate contact with people outside, but I took the risk of writing to Joyce and asking someone I knew and trusted in the Jaycees to mail it to her. I told her how sorry we all were about these accusations, thanked her for everything she had done for us, and that

we missed her presence here. It was close to Christmas so I also included a card.

I was so happy when I received a request-to-visit form from her!

MEETING AGAIN

At her first visit, it was apparent that she was not feeling well. This concerned me greatly. Of course, my initial concern was that she would rebuff me during the visit. My hand trembled as I reached across the table to take her hand in mine, to reassure her. I so much wanted us to be friends. She looked down at our clasped hands and smiled, “Well, that’s a start.”

She now made regular trips to see me on weekends. At the time she was working three hours from Auburn, in the Adirondack region, promoting the arts. She made the trip by bus because she had family to stay with on weekends. Later, she would drive the round-trip in one day.

I LOVE YOU

It took me more than two years to have the courage to tell Joyce that I loved her! Only at the end of the visit, when we hugged, did she respond that she loved

me, too. But I think it wasn't the same for her yet. For her, I was a good friend, no more.

Over the years we talked about everything: our childhood, our families and friends. We discovered that we shared some of the same interests. She loved camping and loved to take her kids on outings. She could pitch a tent, build a campfire, clean fish, read a compass, etc. because she'd been a life-long girl scout. I'd been a boy scout.

We loved to play games such as Scrabble. She always beat me! I tried to encourage her to learn chess, but she'd smile and say, "No, not now and not ever! I'd never be able to catch up to you!"

And, even though she was not a Buddhist, we had so much in common philosophically and spiritually. And soon she was helping me with our Zen group; I talk about this in chapter 6.

As we grew closer, it was also difficult for me. I had no confidence in myself and couldn't believe that someone could really love me. I remember during one of our visits I was so upset that I pounded the

table and shouted at her, “I don’t trust you!”

Joyce Ann is a real trooper. I have put her through some really tough times. I knew back in the beginning of our relationship that I still had a lot of growing up to do. Several times she almost walked out on me and I knew that if she did, she probably would not return. And it would certainly have been my fault.

Gradually I opened my heart. I remember she wrote in a letter in early 1981: “Never did I think it was possible that someone like you would walk into my life!”

WE WERE MARRIED IN 1989

Joyce and I were married on August 26, 1989. Reverend Carter, who was affiliated with the prison, officiated at the ceremony. Over the years, Joyce and he worked together on various projects.

It was Joyce who proposed to me! She came to visit me in July, three weeks after the news that a federal court decision had come down that lifers could marry. She blurted it out as soon as I arrived in the visiting room. And then she said, “Let's

get married!" It was a total surprise to me! I had thought about marrying Joyce but just assumed that it would be after I was released from prison. She organized everything.

It was four more months before we had our first time alone, as part of the state's family reunion program that allowed some inmates to spend private time with their families in especially-assigned housing. It was Christmas time. We were allowed two nights and nearly two full days together.

I will never forget that special first day. It was bright with snow crystals sparkling, like millions of diamonds. I was among the other inmates waiting for our loved ones. No breeze disturbed them as they walked towards us, as we sat on the dilapidated wooden porches waiting for the porter to open the front doors to our cottages.

Everyone coming in was carrying pine bough wreaths and brightly wrapped gift packages. The children were full of energy, happy to be with their moms and dads together.

You could sense the anticipation in the air, it radiated everywhere. I felt so good that even the biting cold only magnified the joy I felt. Joyce looked so beautiful, all bundled up from the nipping cold, her cheeks flushed. I fell in love with her for the umpteenth time.

I'd already spent several hours sweeping, boiling the silverware, dusting and mopping, trying to make everything fresh and bright, like a real home. All Joyce had to do was supervise me, putting the groceries away in the refrigerator and cupboards, making up our bed, stashing clothes away and turning on the television. Joyce picked a TV station that had Christmas music playing. And, except for the music, it was so quiet and refreshing, unlike the bedlam and noise of my prison abode.

I chopped the salad while Joyce prepared the Christmas meal. I sat down, looking at the table, enthralled at the beauty of the place settings and the decorations she'd put up. I could not remember the last time I had seen something like this, so simple, so homely, but so beautiful.

For me, it was an indescribable experience. Just being there with Joyce, watching her look after things. There was no need to say anything. All I could do was put my arms around her and tell how much I loved her. I'd never experienced such happiness and joy in all my fifty-six years.

As evening came upon us, everything outside looked magical. It was a full moon, with the sparkling crystals of the snow reflecting in it.

I could not sleep that first night! There was too much to take in. For both of us, that first time together – the first of twenty-two visits – was the happiest time of our lives. We will always cherish it.

A FAMILY OF KITTENS

Around midnight on the first night, hearing sounds from the bathroom, we discovered three little furry heads peering up at us from the cabinet beneath the sink: motherless kittens. They could not have been more than three or four weeks old. For me, something as simple as this was very moving. A special gift for

Christmas, adding to the warmth and love pervading our little place.

MY DECLARATION OF LOVE

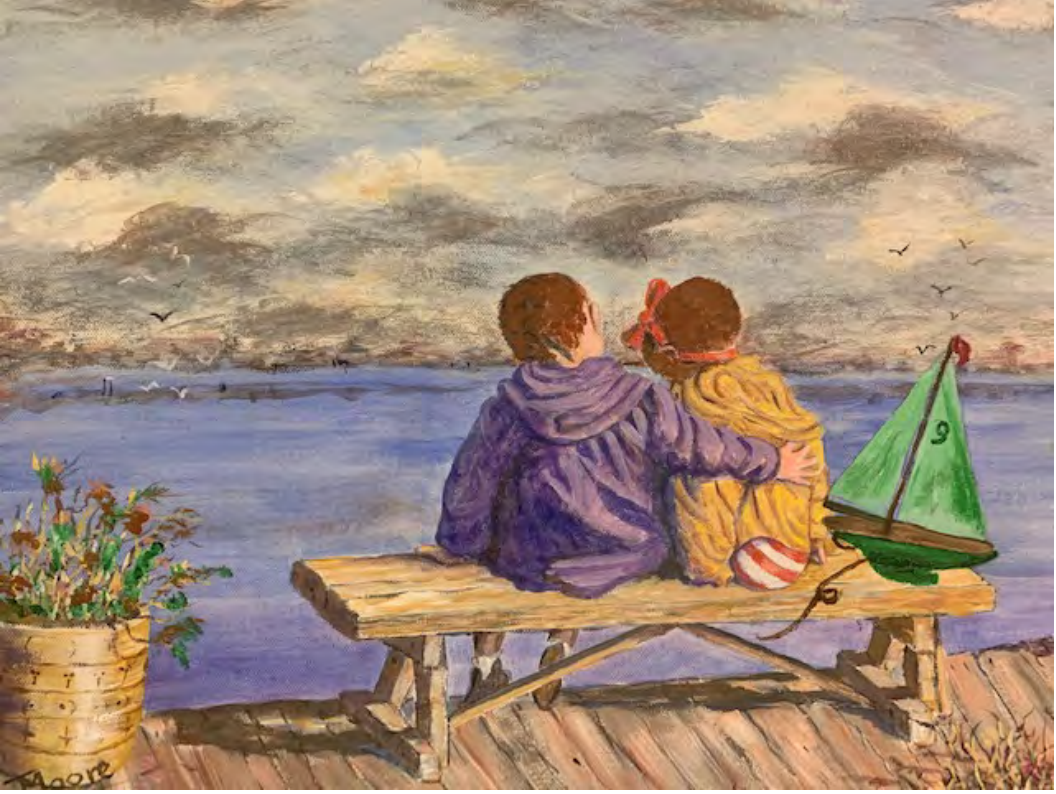
I wrote Joyce on our second anniversary.

My Sweetest,

There is so much I want to say to you, the most wonderful woman I have ever known. The sun always shines when I walk into the visiting room and see you turning and smiling at me. There is no way that I could have survived this long, either physically or mentally, without your love, concern and kindness. Then comes your warm and tender embrace.

I had never known real love and friendship until you came into my life. So much has transpired since that day I first saw you at the family picnic. I was really astounded and fascinated by you.

How many times have we been together, even for a few minutes? Each time is special and precious. . . .



Ten years later, in celebration of our marriage, I did a painting of Joyce and me together as young children – how it might have been had we been friends. She hung it on her bedroom wall the day it arrived, and it's still there. She sees it upon waking every morning.

Thanks my Joyce Ann, for everything.

Happy Anniversary, Darling!!!!

May God grant you the happiness, peace and patience as well as perseverance needed for us to complete this journey together!!!

I am forever yours forever.

5. DISCOVERING PAINTING

As a child, confined to my wheelchair, I mainly read books – I read the entire Encyclopedia Britannica! – but I also tried my hand at drawing. But it wasn't until my second year at Attica that I became serious about art. Initially my lack of self-confidence was crippling. I'd draw a few lines of a drawing and then stop, afraid to continue in case I ruined it.

One of my earlier, successful, drawings was a small pen and ink of a boat tied to a dock, which took me almost a week to finish. When it sold for $15 I was elated! It definitely gave me confidence to continue. Eventually I tried painting, using acrylics.

I got a lot of support and encouragement from a very talented artist, Larry Condon. When he was released a year later, he gave me his metal box of used oil paints and his pallet (which now hangs on Joyce's wall). Gradually I moved from acrylic paint to oils, which I ended up liking a lot more.

When I moved to Auburn and joined the Logan Jaycees, I was so happy to attend the art classes run by professionals from the outside. About twenty of us were involved. It was Joyce who was the inspirat ion for this and other programs, giving us the opportunity to develop our potential. I can't emphasize enough the importance of these activities in the dehumanizing environment of a prison.

As I mentioned earlier, she'd been involved at Auburn since 1973. Already many inmates were painting, spending their evenings and weekends dedicated to their art. In 1973, Joyce had organized for the Jaycees an exhibition of inmate art on the front lawn of the prison. The local paper, *The Auburn Citizen,* reported on it in their October 1 edition.

EXHIBITION TO CELEBRATE THE BI-CENTENNIAL

In 1975, Joyce had the idea of holding an exhibition of prisoners' art that depicted our nation's history: the next year's bi-centennial, 1776, was being planned at the time.

She approached the president of the Key Bank in Auburn and asked if the bank would donate the money for the art supplies, and the bank's president Mr. Gary Lelonde agreed.

Fifteen of us painted over thirty pieces of art, including a charcoal of Thomas Jefferson, a pen and ink drawing of Dr. Martin Luther King, and the White House. They were displayed in the Key Bank's very impressive branch in Syracuse. For a month the publicity it generated was the first of its kind.

A picture of the principal of the Dr. Martin Luther King School receiving the drawing of Dr. King from the Syracuse bank's president was included in one of the articles that appeared in the local paper, *The Post-Standard*, the week after the show closed.

Joyce would attend the various art festivals in the central part of New York State, displaying our work and selling it when she could. She never took a nickel of the proceeds; she gave us everything.

Over the years, Joyce organized many exhibitions of our work in various cities.

WE RECEIVED COMMISSIONS

During 1975 I was painting at least one piece each week. Eventually I went back to acrylics – partly because they dried much faster! We were able to sell our artwork, which, apart from the pleasure, was a real incentive to us inmates, who had virtually nothing. We began getting commissions from the outside. One man in the area wrote to me and asked me to do scenes that had "barns in them." He bought all six of them!

There are two commissions I remember well. One day, the prison dentist, who'd already bought one of my paintings, approached me in the Hobby Shop and showed me a photo of a farmhouse. He explained that it was his grandparents' place where he and his younger brother spent their summers as children. "We waded in the brook nearby and played hide and seek in the fields," he said. He asked me to do a painting of the place.

By now I'd already completed at least a hundred paintings. I was able to be so immersed in the work that time would fly: it would seem like a matter of minutes that I'd been painting. Buddhists describe

our ability to get single-point focus – perhaps it was a taste of that! Such was the case with the dentist's painting.

In the painting, the farmhouse was prominent and the brook clearly evident behind it. On a whim, I had decided to put two young boys playing in the field next to the house.

I delivered it to the dentist. As I removed the cloth from the painting the look on his face told me he was delighted with it. "It's *exactly* the way it was when we played together in the fields!" he said.

Another commission I remember well was for a friend of Joyce's, Clinton Cox, a children's-book author for Scholastic Press. He wanted me to paint a portrait of his father, who'd served in the First World War and who was the first black member of the clergy to serve during the second.

The painting was a portrait of Clinton's dad behind a podium and the background was barely noticeable; a closer look revealed World War I soldiers fighting in an open field.

Clinton offered the painting to his uncle, his father's only brother. "He choked up when he first saw it," Clinton

said in his letter to Joyce. “Please make sure you thank the artist, because it’s a perfect likeness of my father.”

I received plenty of commissions before leaving Auburn in 1994. The proceeds from those sales paid for my college education.

MY VISUAL MEMORY

Once I’d developed the skills to paint, I could execute what I vividly recalled from my earlier experiences of nature. What a pleasure it was as a teenager when I was finally able to walk in the woods after my many surgeries! The family house was situated on almost 100 acres, mostly wooded.

Even now I can vividly recall the colors of the early morning and late day sky, ever-changing. All these years it’s been a daily ritual, something very pleasing for my mind. And to observe what I can now from my prison windows. This inspires me to paint.

I remember one morning at Auburn. The sky was ablaze with streaks of bright orange and overlapping shades of hues of blue, dancing over waves of cold air that

were pushing flocks of migrating geese toward their winter home. I could not wait to get to work!

WOODWORK

I didn't only paint. When I worked in the Hobby Shop at Auburn, inmates used wood scraps to make items such as jewelry boxes. The scrap came from the Cabinet Shop, where we made furniture for the prison.

One inmate was particularly skilled in all types of woodwork and I often worked alongside of him. I eventually made a jewelry box for Joyce. She also still has the wall clock I made for her (the inner workings were ordered from outside). It still keeps perfect time, she tells me – although the pendulum needs tweaking from time to time.

Using the tools in the Hobby Shop I also created a number of sculptures. One I named "ETAMNI" ("inmate" spelled backwards) was donated to the local museum.

This work gave such pleasure to us inmates – but, sure enough, our access to the wood scraps was eventually taken

away: the authorities tended to think that we were not worthy of such enjoyments. All the scrap wood was now put through the wood chipper.

ARTIST OF THE MONTH

In 1978 I was named Artist of the Month by the local newspaper, *The Auburn Citizen*. They gave me a one-man show. Of the six paintings exhibited in their offices, four sold, and several commissions came to me as a result. I later won Best of Show in an exhibition for the public, out in front of the prison. The painting was of daisies next to a window, looking through to another window that mirrored an old windmill. It was one of the three pieces that sold in that show.

I won a prize for a painting at the Albany Art Show. It depicted in the distance the prison wall with a guard tower and, in the foreground, my cell table, a sardine can ashtray and my goose-neck lamp. When it was returned to me, I discovered that someone had slashed it beyond repair. I was so upset! A kind person said they'd buy it as it was; or perhaps I could make another painting

similar to it. But I declined. I had concentrated especially deeply while doing this painting; now my memory of that time was gone. Some of the colors I would not have been able to replicate. I really felt it was one of my best pieces; it was my Mona Lisa.

I would estimate that over 200 people now have pieces of my artwork, which includes paintings and wood crafts. My paintings are mostly of landscapes, including old barns. And at least fifty art pieces have been donated over the years to non-profit organizations.

I've also painted on canvas several Greek saints. Three of them now hang in small village churches in Greece. A priest, whom Joyce happened to meet, saw the paintings and asked about the artist. He must have been impressed. He came to see me and told me that there are churches in the small villages of Greece that have murals that are in need of restoration. He suggested that after I was released I could go to Greece and work on restoring the murals.

JOYCE'S HUGE SUPPORT OF INMATE ART

Over the years, Joyce would send me newspaper cuttings about the various exhibitions and activities she organized. Joyce's involvement in promoting the arts in her job as the executive director of the Adirondack Regional Arts Council, from 1979 to 1983, included the promotion of inmate artists at prisons in her area. She sent me articles from the Glens Falls newspaper, *The Post-Star*, about her efforts at the Great Meadow prison, and another article described the auction of donated inmate art, "a fund-raising effort to benefit the first McDonald's House in Albany."

Finger Lakes Times reported that inmate art was among the pieces sold that raised over $1,000 for the Geneva Hospital.

In May 1979 she'd accepted the position of executive director of the Finger Lakes Arts Council. The FLAC had just acquired the Smith Opera House, which was built in 1892, but had over the ensuing years deteriorated to the point that it needed to be fully restored.

But again, she lost her job because of her involvement with us, as she had in 1975, as I described in chapter 4. After successfully raising the needed funding and support for the opera house, the board of directors informed her that she had to go. There was no severance pay, no notice – nothing! Again, she proved that her commitment to helping inmates was more important than her career. She was also showing that she was committed to our relationship. That had great meaning for me.

END OF THE EXHIBITIONS

In 1995 one of the state senators canceled the annual Albany Art Show because he felt, and still does, that "prisoners deserve no benefits." The inmates didn't mind having to contribute half of the proceeds from the sale of their paintings to the crime victims fund, but the senator felt that all of the proceeds should go to the fund.

Auburn would routinely send over 250 paintings to this show, along with carvings, glass work, jewelry boxes, etc. Art does so much to calm the mind. For

most of the inmates, who didn't have anything, it was also a source of income.

The senator continued for over four decades to deny inmates opportunities that might help them rehabilitate themselves.

6. BECOMING A BUDDHIST

BUDDHISM BREAKS INTO PRISON

Prior to the Attica riot, no books on Eastern philosophy or religion were allowed in prison. When I first read a book on yoga, it was as if a bright light had gone on in my head. I could not put it down. Passed on to me surreptitiously by an inmate, it was a bundle of pages, coverless, held together with string. It provided the first missing pieces of the puzzle, the answers I so long sought. I typed the entire text on onionskin paper so I could pass copies around to others.

There were so many benefits, both mental and physical, that helped me quiet my monkey mind, to change my philosophy, my whole outlook on myself and the world around me.

I began to meditate in secret because it was a violation to practice anything other than Christianity. Yoga was considered "sexually promiscuous"! My family was Episcopalian, and I was an acolyte until I was 19. The extensive training and the time-and-energy-consuming commitment

to it were too limiting, and nor did it satisfy my curiosity. When the time came to choose between a full-time commitment to the church or a job to support myself, I left the church.

Soon we had over fifteen inmates on the gallery attempting to do the exercises and meditations. We had no mats, so cardboard, pieces of blanket, and worn-out clothes were used to sit on. The gallery, normally noisy, was quiet as the men all concentrated and struggled with their practice. We all knew that if we were caught, we would be severely reprimanded. Yet it was very important to us to practice.

The traditional posture for sitting in meditation, often referred to as the lotus position, requires the right foot on the left thigh, and the left foot on the right thigh, which I was unable to do because of all the surgery done on my feet and legs. And yet I was born in a lotus position – with my club feet pointing inwards!

ITHACA ZEN CENTER

The lawsuit allowing Buddhists and other non-Christians to practice in NY prisons

was won in 1979. The senior chaplain, a Protestant, complained that he had no money in his current budget for the things we needed – we had started a Zen Buddhist group – so I approached Joyce for help. Twenty cushions were needed, as well as meditation books and incense. The butsudan, tamar, and bell stand were all being built by the inmates.

Our first sitting was in December 1980. I'll never forget it. The feeling was so wonderful that I was literally floating on air. There was the fragrance of the incense and the sound of the bells added to my own personal happiness. I knew I was home! The terrible pain in my legs from sitting in an impossible position, unfamiliar to Westerners, did not matter.

Joyce's Mohawk friend, a first-rate seamstress, helped her sew the cushions. Her church donated funds for books and materials, in exchange for a promised donation of one of my paintings to be used as a fundraiser.

The monks from the Ithaca Zen Center came and sat zazen with us – and they did so for ten years. A visitor and friend, Crystal Forest Warren, who makes yearly

pilgrimages to India to be with the Dalai Lama, presented us with a white offering scarf from His Holiness. She draped it over the hand-made wooden altar.

Amazingly, we were fortunate to have Suzuki Roshi of the Rinzai-Ji sect of Zen, as well as Paul Reps, author of *Zen Bones, Zen Flesh* come to visit us.

Later, I led a three-day retreat. My feet even bled, but I did not feel any pain, I only felt complete solace and peace.

The sittings are only for those who are willing to truly quiet their monkey minds. And once the practice is learned, it is then possible to sit in the confinement of one's cell, amid all the noise and confusion, and be free.

After ten years of regular sittings and retreats, it came time for the monks to leave Ithaca.

I am convinced that Buddhism transcends religion, race, nationality, and gender.

CONNECTING WITH LAMA ZOPA RINPOCHE

From the earliest years of my life, I had a sense that something was there, waiting

to come into my life. I'd searched for so long and it was not revealed until meeting my wonderful soul-mate, Joyce, at Auburn in 1975.

In the mid-1990s, in pursuit of her own spiritual teachings and her wish to become ordained as a minister, which had been delayed, she went to California. One of the requirements was that she study other major religions. She visited Land of Medicine Buddha, one of the many worldwide centers of the Foundation for the Preservation of the Mahayana Tradition run by Lama Zopa Rinpoche. Seeing a statue there, on the side of a hill, of one of her favorite saints, Sant Francis, was a sign that this is where she should volunteer. She stayed for three years.

The time spent there allowed her to answer many of the questions that were never answered through her own extensive religious training. She was also able to tap into the materials to send me, helping me to further my own studies in Buddhism. We both felt at home with the Mahayana Buddhist tradition.

And it was here that she met one of our dear teachers and friends, Rinpoche's

student, Buddhist nun Robina Courtin, who ran Liberation Prison Project, which provides spiritual materials and advice to inmates.

Rinpoche has become my inspiration, giving me the direction and motivation to uplift myself.

In a matter of a short time, we both felt that the challenges and tests we were facing were much easier to overcome. Both patience and perseverance flowered within us. I even began to feel better about myself! And, I no longer said, “I cannot do it!” There were reasons that began to reveal themselves that showed, “I can do it!”

I received a profound gift from Rinpoche: one of his books and an invitation to come to live at Land of Medicine Buddha upon my release. The words in the book revealed some of the answers that I had been searching for. I have only deep respect for Rinpoche. He provides me with the directions so that I can climb the foothills that surround the mountain that I must surmount.

JOYCE MEETS RINPOCHE

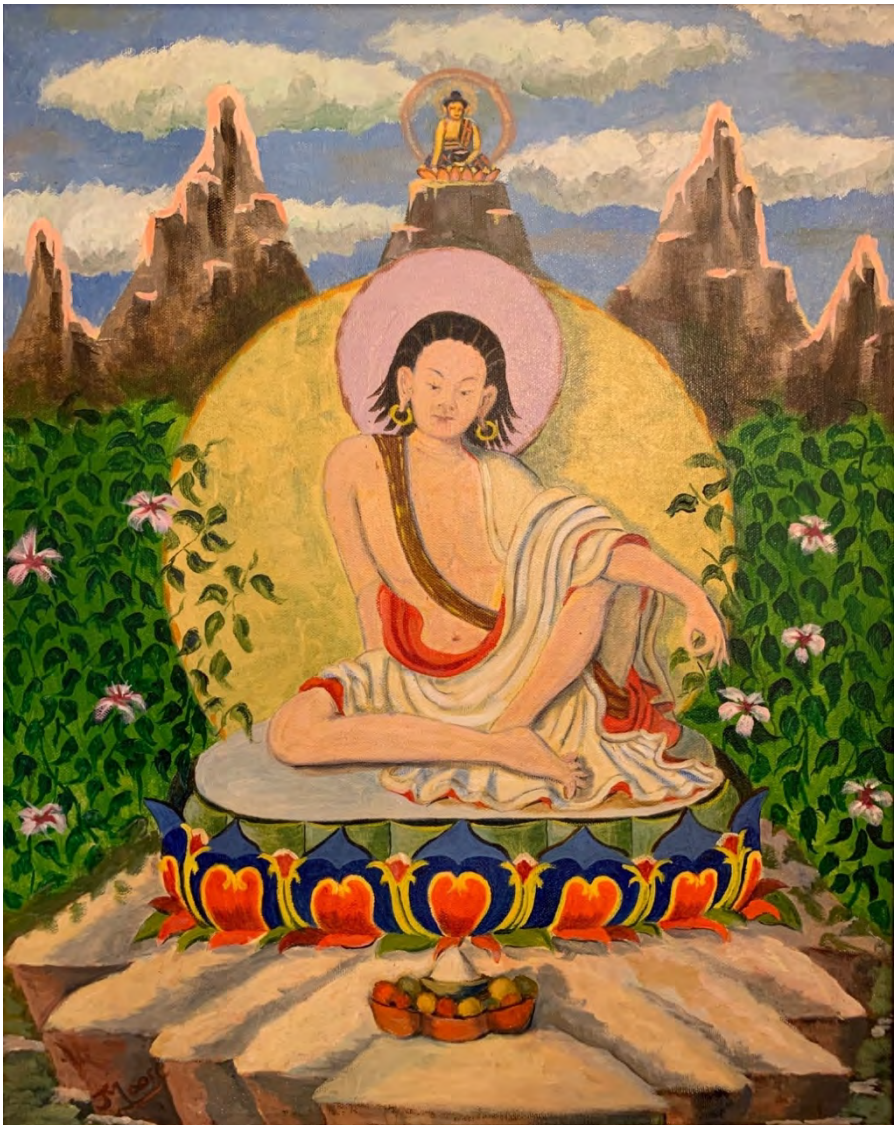
During Joyce's time at Land of Medicine Buddha, she attended some teachings of Rinpoche's. And she received a blessing from him, too. On the way in to the teachings, Rinpoche stopped and greeted Joyce, calling her "Mother" – she was very moved by that. "The kindness that emanated from his eyes is what I most remember," she told me. "I stayed for the entire session. I was aware of his presence and recognized him as truly holy." She felt that was a rare thing in life.

She said she had the same feeling about His Holiness the Dalai Lama, whose teachings she attended at least three times.

Joyce offered to Rinpoche two of my paintings – I was so pleased!

TAKING REFUGE

Ven. Robina visited me in 1998 and gave me Refuge and the Five Lay Vows, giving me the Tibetan name, which Rinpoche had chosen for me, Thubten Tenzin: The Holder of the Teachings of the Buddha. Joyce also considers her as one of her own spiritual teachers.



I offered this painting of the great 11th century Tibetan meditator Milarepa to Liberation Prison Project in 1998

I painted a picture for her of the great 11th century meditator, Milarepa, who transformed from being a murderer to one of the greatest and most beloved of Tibetan practitioners. It hangs on the wall of the offices of Liberation Prison Project.

I was blessed by Tenzin Gepel from the Ithaca Buddhist Center in his coming to see me a few times when I was at Cayuga. Joyce had made the trip down from Auburn to Ithaca to pick him up and then brought him back to the monastery, a 100-mile round-trip. I had offered him a painting I'd done of the buddha, Green Tara; Tenzin Gepel said she was one of his favorite buddhas.

For years now I have studied the Buddhadharma. For me, Buddhism is a recipe for life. It is not always easy to follow the teachings, but I have discovered that which does not kill only makes us stronger! The mantra of the Buddha of Compassion, *om mani padme hum* rings inside my mind constantly! After many years of my practice, I can now see His Holiness the Dalai Lama Tenzin Gyatso in all things. I have for a long time been able to walk among men and situations without fear or apprehension.

Joyce says that she repeats the mantra often throughout the day. She believes it helps her stay centered. She has frequently told me, "One of the reasons I

love you, Jim is because you pray for me daily!"

It's because of my Buddhist practice and studies that mercy came upon me. Daily I ask blessings for the benefit of all sentient beings. I also pay homage to Saint Thomas, Saint Fintain, Saint Luke, Saint Patrick, Saint Andrew, and Saint Kateri. I have read books on each of them; their lives were so inspiring to me. Joyce learned about them in her studies and brought books for me to read.

Joyce has done my family's genealogy and actually traced my Moore line to Saint Thomas, which I feel is also a blessing.

I start every day with the purification practice of Buddha Vajrasattva followed by the mantras for Shakyamuni Buddha and Maitreya Buddha. I constantly find myself softly humming the mantras without being conscious of what I am doing as I work. I spend no less than two hours a day doing my practices. And these days, being confined to my room in the prison hospital unit, I can do my practices uninterrupted – unlike in the noisy dormitories of the past, where I'd often

have to wait till everyone else had gone to sleep.

I realize that I am still not worthy enough to pick up the crumbs from beneath the feet of His Holiness the Dalai Lama. Nor am I worthy enough to touch his holy robes or look upon the face of His Holy Countenance. To be able to be in His presence and hear the holy words of the Dalai Lama would be a blessing of great significance to me.

To be able to be free, to be with Joyce, who lives within minutes of Ithaca, New York where there is a branch of His Holiness the Dalai Lama's monastery, Namgyal. To be able to go there, to donate my time there, would be a blessing beyond belief. Perhaps, if I am deemed worthy enough, this will one day happen.

MY KARMIC CONNECTION WITH JOYCE

Buddhism, of course, has the view of reincarnation. In fact, it is explained in great detail in the Buddhist literature. Joyce always said that she found this difficult to accept – until she had a very real experience in the UK, during the

summer of 1980, that convinced her that it was true. The story was especially powerful because it described a past life that she and I had shared.

During a visit to an old castle in Wales she had a vivid memory of being murdered by a soldier during the sixteenth century when King Henry VIII had broken away from the Catholic Church. She was a nun and I was the soldier! She feels that her helping me so extensively in this life is her way of forgiving me for the past suffering I caused her.

But, from the Buddhist point of view, I must have helped her in one past life or another as well – and that would be the main cause of why she is now repaying that karmic debt to me.

To be sure, we certainly seem to have a powerful karmic connection. May I be able to repay Joyce's kindness in the future!

7. GETTING AN EDUCATION: 1976–1991

In 1976, while I was at Auburn, a college program was offered to inmates by the local Cayuga Community College. I literally ran to sign up! I was given an additional assignment of helping the college professors with any paperwork, etc. Even though I had a full-time job, I studied every night into the late hours. I was able to keep up with homework. I was also able to do some of my art work. I was always motivated; my energy level was full steam ahead.

After I completed this in 1978 and my bachelor's degree in 1982 from Empire State College, I felt as if that was as far as I could go. There was no facility offering a master's degree at that time except one in religion at Sing Sing Correctional Facility. But I wanted to continue in business administration, so I waited.

Sometime later we were notified that the State University of New York at Buffalo was planning to offer a master's

degree in American studies. I still was not satisfied but decided to engage in these studies anyway, hoping that a master's in business administration would one day present itself.

What surprised me was that the faculty at Buffalo was willing to donate their time to come to Auburn to do their independent study program. They also donated all the materials and technical support. Twenty-three inmates signed up. The program consisted of a series of in-depth analyses of numerous cultures and races and their successes and failures in becoming citizens of the United States. Each group had its own challenges and tests to overcome. Some took longer than others. At the end of the term each student was required to write a thesis and present his findings.

I wrote two theses. One was on the Houdinassasee People (Iroquois). It was a great honor to find that my thesis was reviewed by Chief Oren Lyons, a member of the University of Buffalo's adjunct faculty. He wrote his favorable comments in his own hand on the face of the paper.

The other was entitled “The Leisure Time Activities in New York State Prisons.”

I was one of nineteen students that successfully completed the degree program. I came second in the class and was asked to speak at graduation.

(Due to the public outcry of people on the outside against inmates having the benefit of getting a free education on the inside, politicians in Albany had the program canceled.)

The opportunity to pursue both my MBA and PhD degrees in business administration came from California Coast University. As I mentioned, I was able to pay for the cost of getting these two degrees with the proceeds from the sale of my artwork.

Joyce was the one who located the hard-to-find reference materials and typed both my master’s thesis and doctoral dissertation.

In order to do my dissertation, I wrote a letter to the Department of Corrections requesting their permission to conduct a study within the institution. The study was entitled, “An Assessment of

Motivational Strength of Intrinsic and Extrinsic Factors on Industrial Workers in a Total Institution Environment." Their letter of approval date June 26, 1990 came from Mr. David Clark, Program Research Specialist.

Dr. Philip Borden, Dean of the School of Administration and Management of California Coast University, wrote: "A study of motivation in a correctional facility presents special and interesting problems – a result of which may be new insights into a broader understanding of employee motivation. The contrasts between institutional workers and free workers derived from an almost laboratory-type situation can, we believe, be very valuable. An excellent proposal. Go ahead."

Three inmates kindly gave up their allotted phone time to allow me the extra time to do the long-distance, ninety-minute oral exams over the telephone.

I completed my master's in 1988 and my doctorate in August of 1991.

8. THE RIGHT TO WRITE

Jerome Washington was in Honor Company at Auburn when I was there. In the fall of 1978 he was transferred to Attica without notice. Jerome decided to sue the Auburn superintendent, stating that the move was unlawful and a denial of his First Amendment rights. He had the support of the Poets, Essayists, and Novelists (PEN) Center in New York City, a worldwide organization of writers that defends freedom of expression. They hired the attorneys to defend him.

We first became aware of this in 1979, when articles in the local newspaper, *The Auburn Citizen*, were passed around on the tier. And, as I mentioned in chapter 4, the story had special meaning for us at Auburn because Joyce had been implicated as a co-conspirator.

One of articles quoted Ronald P. Haddad, a correctional classification analyst. He said that Jerome was utilizing his position as editor of the inmate newspaper, *The Auburn Collective,* to advance his personal criticisms of the

Department of Corrections, its employees and policies in satirical editorial articles. These articles, Haddad said, had caused a great deal of animosity and concern on the part of the staff, as well as among the people of the city of Auburn. His transfer was for the good of the Auburn facility, its employees, and the Auburn inmate population.

The transfer was designed to quiet Jerome's voice as a writer, and this drew sharp criticism from PEN. He had won numerous awards for his journalism, including in *The Auburn Collective*. It was the first New York State prison newspaper to receive awards from the American Penal Press.

Jerome's writings were, indeed, critical, but everything that appeared in print had been approved by prison officials before it was sent to the printer for publication.

A complete change in the newspaper staff took place after Jerome's transfer, including the replacement of a Syracuse University professor at the Newhouse School of Communications by an Auburn prison official, who was a former editor of the local newspaper.

Six years later, in the summer of 1985, the hearing took place in the US District Court in Auburn. The local newspaper carried the story on their front pages every day of the six-day trial. The case was presided over by Howard Munsen, Chief US District Judge, and Jerome was represented by lawyers from the firm of Debevoise and Plimpton in New York City.

In his opening testimony, Jerome testified – apart from the details about the case – that his personal property did not accompany him on his transfer from Auburn to Attica. This included his manuscripts, short plays, stories, poetry, notebooks and novels, also research papers and a typewriter. (Later it was learned that Jerome was forced to give up his college courses as a result of the transfer.)

The superintendent took the stand on day two. Excerpts from the transfer request were read by one of Jerome's attorneys, part of which stating that the inmate used his position to advance himself through his satirical writings, and

that he has “outlived his welcome at Auburn.”

The questioning then shifted to inmate mail, and Joyce’s name came up. As I mentioned, she had become a personal friend of Jerome’s and visited and wrote him regularly.

The superintendent was asked if Washington’s mail was read. Yes, it was. The Auburn newspaper article reported that the superintendent had deduced from Joyce’s letters to Jerome that something was going on, designed to undermine the facility, trying to foment some problem for the administration. Naturally, this put her in a precarious situation and she needed to defend herself.

On day four, Joyce took the stand and was asked by one of Washington’s attorneys if any of the hundreds of letters written to Jerome over a three-year period were ever returned?

Yes, there was one letter, she said, that came back with a memo enclosed stating that the item was being returned because contraband was not allowed.

“What was in the envelope?”

“A maple leaf,” she said

The envelope, along with the memo, were entered into evidence.

She was also questioned about one letter she’d sent Jerome containing a clipping about a family member of one of the guards. Why would she send this?

She thought sending information about people in the community might be of interest, she said. The clipping named a guard’s son who was known for wearing a shirt in school that had the Ku Klux Klan symbol on it.

How long had she been a volunteer? Three years, she said. Would she ever have done anything to jeopardize her work as a volunteer? No, she said.

Would she have stopped sending inmates information about corrections officers and their families if requested to do so by the administration? Yes, she said.

The head of the guard’s union testified that tension had built up among the guards because of Jerome’s writings. However, Jerome’s attorneys, quoting records from the Department of Corrections in Albany that listed major

incidents at Auburn, showed clearly that during the three-year period the inmate volunteer program was underway, not one single major incident had occurred.

The records also revealed that the prison was actually running more smoothly than usual, even though there existed tension among the guards.

The fact that no major incidents had occurred over a three-year period inside a maximum-security prison is unheard of. Joyce attributes it to what Thomas Mott Osborne said about “treating inmates like men and not animals can make a major difference” – which is certainly what the inmate volunteer program achieved. But, as with so many programs such as these, it was closed down by the administration.

A professor of law at Queens College, at the City University of New York, gave expert testimony on prison administration policy. An article written by Jerome was reviewed by the professor. It had appeared in the local college’s *Collegian* newspaper, and the local prison officials had objected to it because they felt that it put correction officers in a bad light. The professor countered with the

opinion that many inmates in the system write articles more critical than Jerome's and that he didn't see that his article posed any threat to the facility in terms of safety and security.

The law professor also said it was important to the superintendent of a facility to have a prison atmosphere that is as relaxed as possible. He said there were limited areas within a prison for inmates to express themselves. He felt that the ability to express their ideas and thoughts is of great significance.

He also focused on Joyce's letters, saying that they did not constitute a threat to the administration. And he noted that she had not broken any rules. He pointed out that there are proper procedures to address security concerns on letters and if any posed a threat, the mail could be withheld or censored.

"RELIEVED, REDEEMED"

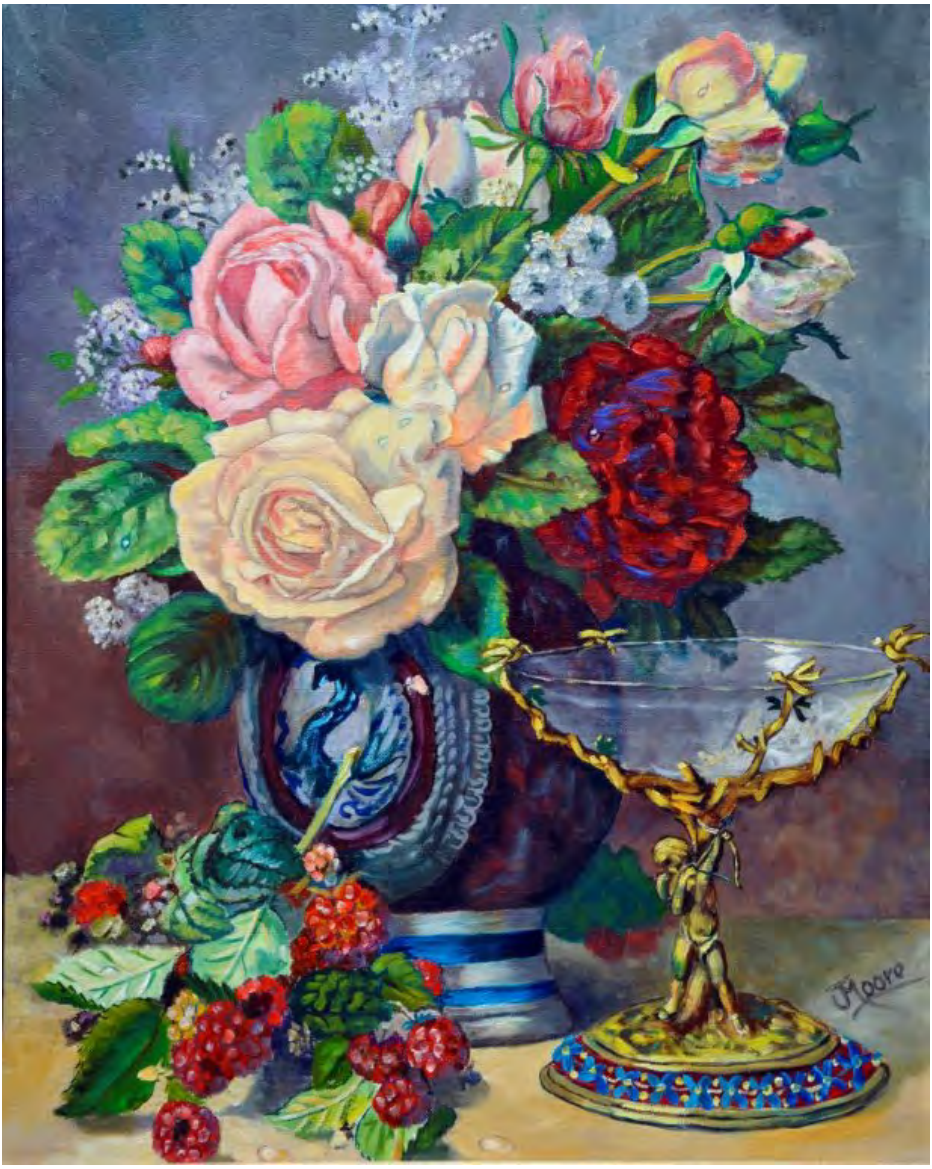
The Auburn Citizen's headline "Relieved, redeemed" expressed Jerome's response after the jury returned with a verdict in his favor after deliberating for only three and one-half hours. The jury also awarded

him compensatory damages of five thousand dollars, but no punitive or exemplary damages. The state had to pay the damages because the superintendent was acting in his official capacity.

This was first time an inmate in New York State had won a suit based on an unlawful transfer. When he was asked after the jury verdict if he would continue to write, Jerome smiled and said, “I am always a writer. I write because I have to write.”

He said the verdict not only redeemed him, “but it also redeems the reputation of Joyce, who has been severely impugned in this matter.”

We at Auburn were very happy for Joyce!



I offered this painting to Joyce
on our fifth anniversary in 1994,
when I was at Auburn

9. GREAT MEADOW: 1994–95

A MOVE TO BE CLOSE TO MY ATTORNEY

I requested a transfer to Great Meadow Correctional Facility in Comstock in 1994 so I could have access to my attorney. We were doing a legal appeal, because again I'd been denied parole – my seventh attempt.

Despite my exemplary inside record, the authorities kept telling me I was a poor risk and therefore couldn't go to Great Meadow. "On any given day the worst inmates in the system get to go there!" I told them. Just like that, I was packed up and moved to Comstock.

When you first see the facility, it looks like a space station. It is built on a hill. A new block was built outside and then later they extended the wall to enclose it.

The place was a real eye-opening experience for me. I thought all the abuse and mistreatment had ended at Attica. Instead, I found that it had only changed to a new location. Comstock is a keep-lock facility where 700 or more of the men

never leave their cells except for one hour's recreation in a tiger cage. For the rest of us, every day it's gladiator school in the main yard. Four days before I was transferred, apparently, there were ninety men fighting in the main yard and the guards had fired seven shots.

In general, we need to have more than four months without infractions before we can qualify for honor block – but it seems that the average inmate at Comstock never achieves the four months.

THE PLACE WAS FILTHY!

Great Meadow was the dirtiest, mouse- and cockroach-infested prison I have ever been incarcerated in, except for the old County Jail. The drinking water was so vile: a brown color because of the silt in it, smelling like dead fish. It would have to be strained three times before using it to make tea. The administration all drank bottled water.

It turned out that the lead levels in the water were two and a half times higher than what is acceptable for safe human tolerance. This was confirmed because Joyce Ann took a water sample from the

drinking fountain in the visiting room back to Auburn where she had the water tested.

Although the 1974 Drinking Water Act mandated that lead pipes going into schools, hospitals, and prisons were to be replaced, to date the lead pipes in the older prisons in the State of New York still have not been changed.

The visiting room looked like an abandoned crack house.

I can't say there was anything wrong with the food though. Every Sunday morning, you had to walk down a long flight of steps, past the auditorium and the school. The rule book said you could not take chicken concealed out of the mess hall, but many did, as a challenge.

One guard, with x-ray eyes, could spot a chicken leg from the top of the stairs. He was always waiting for anyone to take the challenge. If he caught you, you had better give it up because he would write you up. He was good for at least ten pieces.

WATCHING THE MOUSE BUILD HIS NEST

Even when we were walking down the galleries, you could see mice running back and forth on the overhead beams. Our shower on the top floor had rusted holes all along the floor, perfect highways for vermin. There was one hole I used to routinely plug up with soap. The mice would then have to diligently open it back up. As soon as they had mined it nearly open, I would plug it up again with soap.

My cell was nine feet in length, with a vaulted ceiling; I felt like I was in a crypt. There was just enough room to put my feet off the bed. The nightstand was at the head, next to the sink, which was over the toilet. You had to crouch down at an angle under the sink to use the toilet. Everything had to be hung up on two hooks on one wall or on the clothesline. The mice and the roaches could raid the food stash, if you had one.

On one particular night, I could not sleep. A mouse ran out from under the radiator across from my cell and inched up to a discarded newspaper. He was checking it out carefully. It then, gingerly,

began to drag the rumpled paper back toward the radiator. The mouse tore long strips up and carried them inside the radiator. I watched this little mouse for hours, as it toiled to make its nest. After he'd finished his task, I was finally able to sleep.

MY JOB IN THE SOAP FACTORY

There were no clerk jobs open at Great Meadow. Inmates were not allowed to be anywhere near a computer, although in Auburn I had access to one in the job I was doing. I was called to the program committee. The lady wanted me to go to the school as an instructor. The sergeant who was sitting beside her kept glaring at me. A week later I was assigned to the chemical factory, where all household cleaners and floor applications are made.

The chemical factory is built in an old quarry, three stories down into the ground. I was promoted from the soap line to mixing chemicals for a floor wax. We would mix five gallons of ammonia hydroxide and fifty gallons of water with wax in a stainless-steel kettle and heat it at two hundred degrees. I had to wear a

special mask and gloves: I looked like Darth Vader! A nearby fan kept blowing most of the fumes away. The ammonia hydroxide came in a special rubberized drum. It was so toxic that it would eat the concrete wherever it spilled onto the floor.

In one day we turned out two 55-gallon drums of it, as well as two skids containing 26,000 soap bars, 600 gallons of stripper, and 600 gallons of wax. We had only fifteen guys in the various crews.

MK was one of the crew members. One day he came over and told me he wanted some. I told him, there is no container that can hold this mixture and besides, if you took some back and it spilled, the police would tear everything apart to find it. I went on to emptying the barrel, and because I didn't have a cap, I used a napkin instead. I stuffed it into the opening with a screwdriver. I then walked across the shop to get a drink. When I turned around, I was astonished to see MK leaning over the barrel – he had taken the napkin out and was sniffing the contents.

His face was already flushed, eyes and nose had emptied out and he could hardly breath. I half-dragged him over to the slop sink and pushed his head down under the faucet to try to flush things out. This went on for about fifteen minutes. The next day he thanked me for what I had done. “Damn, I had no idea those fumes were that deadly.”

The guys in the soap factory, when we’d caught up with our work, would play chess or sleep. We would pile all the raw soap bales up and around an open area so that there was just room enough for three or four of us to hide inside. Sometimes the guys would practice boxing. There were no gloves or helmets, only bare knuckles.

I NEVER GOT A TICKET

Even though I was frequently intimidated by the guards, amazingly, I never got a ticket. It was not uncommon for guards in the towers to fire off live bullets into the yard.

I kept out of trouble and was moved to the honor block and had night recreation every day at 5:30 p.m. Being in the honor

block meant that my night recreation could be held in the school, or I could access the indoor gymnasium and play handball. There was also a kitchen with cooking privileges.

I volunteered to assist as a teacher's aide for the G.E.D. class. Nothing much was being done until I got involved: I started developing lesson plans, tests, and instruction sheets.

When they came to me and told me that my security classification was being dropped from maximum to medium and would I like to transfer, and to where. I chose Eastern Correctional Facility at Napanoch, an honor maximum prison. Everyone wanted to spend some time there.

10. EASTERN AND OTHER PRISONS: 1995–2013

A WELCOME CHANGE

We waited from 8am till 8pm in the scat van and then headed for Napanoch, 150 miles south. Traveling along the busy New York State Thruway did not seem real. We stopped several times for piss call at way stations, and eventually, with chains on wrists and ankles rattling, we were ushered into rooms in the basement of Eastern, or Napanoch, as we called it.

We had not been fed all day and were given the usual fare, peanut butter and jelly sandwiches. My head was pounding, and I asked the officer for something to relieve my headache. He came back with a variety of pills. This surprised me because we usually could never get even an aspirin without going through a lot of changes. I was not used to this type of hospitality.

Soon after settling and brushing off the roaches, I heard a door open and close outside. A familiar face appeared at my slot window. It was my former boss, Mr.

Jewett, the deputy superintendent of Industry back in Auburn, and now he was in the same position here at Eastern. His first words were, “What took you so long?” He explained that I would see the program committee as a formality because he had already requested me. “You will be working for me in Industry here,” he told me. I, of course, thanked him. I began to feel better immediately.

I ended up being his runner. I had to make my own office from scrap, get all of the contraband and filth removed. I was given a terminal and began doing the entries for daily production for all the shops, typing transfer tickets, and truck manifests. I also picked up all the paperwork three or more times a day from all the shops, as well as monitoring the loading of the trucks with finished goods.

EASTERN WAS AN EXCEPTION

Eastern is a maximum B facility. As far as I’m concerned, the place is an honor facility and a showplace because of the good people who work there. I will never forget the beauty of the grounds that surround the place. The scenery is

awesome. Several times, when it had rained and the drops laid frozen on the trees, I would have given anything to have had a camera to record it all. The mountains were like a crystal palace, reflecting the sun like millions of mirrors. I never thought that I could have a fond spot in my memory for any prison.

Eastern was the exception. Their Family Reunion Program is the best in the state – as I mentioned, it's a program that gives the opportunity to approved inmates and their families to meet for a designated period of time in a private home-like setting.

The atmosphere at Eastern was laid back and friendly. The only problem was the distance Joyce Ann had to come in order to see me every week. The trip from Auburn to Napanoch was a four-hour drive, one way. For years she's driven long distances to see me, no matter where I was.

A CONFRONTATION WITH A SKUNK

The industrial building at Eastern was originally four stories high. A fire some

years back took off the top floor, so the shipping department was relocated to the basement. The basement was lighted by outside windows in sunken wells. All sort of creatures roamed the grounds: skunks, squirrels, feral cats, kill deer, doves, pigeons, and woodchucks. The windows had no screens, only bars that could keep people in, but nothing else.

One morning after arriving at work, several employees were confronted in the basement by a large skunk. He had slipped through the bars and fell kerplunk to the floor and was busily trying to find a dark place to hide. Everyone was trying to keep out of its way, except Frank.

"Let him be!" I told him. "Place some sheets of cardboard around him in a corner and wait for the animal handler to arrive." Frank ignored me, giving me an I-know-better look.

He grabbed a broomstick and eased up to the skunk who was behind my desk. He leaned over the skunk and proceeded to poke and prod the poor frightened critter. The tail went up and a spray of mustard yellow hit him in the chest. This caused Frank to vomit while trying to put

distance from the situation. The stench was so bad we all were sent away for the day. I was only fifteen feet from the scene and had to also throw away all my clothes. We cleaned up the mess after the animal handler trapped the skunk. We used bleach and tomato juice. I was so disgusted that when Frank came to work the next day, I rounded on him.

THE 26-MILE RUN FOR CHARITY

Arthur, my neighbor in B Block, loved to run long distances. The best he could do was about thirteen miles. At Napanoch every year, they have a 26-mile run for charity in the yard. Arthur wanted more than anything to run in that race, but he knew it was probably too much for him. I went to him and made him an offer he could not refuse.

"If you will allow me to be your manager/coach, I will help you to go the distance," I promised him.

"How can you do that?"

"We will wrap both your knees and I'll give you an energy drink to help you."

"Okay, let's give it a try!"

In order to complete a race this long, the runners have to stay in the yard after we leave for the count, so we would not know how anyone was making out until after lunch. Sixty-five runners entered the race. At 3pm that afternoon, Arthur was one of only eight runners who went the distance. We all had to help carry a happy, jubilant, tired and sore-feet guy back to the block, and all the way back he yelled, “I did it! I did it! I did it!”

SOMETHING WAS WRONG

One day as I was returning from making my rounds, I noticed that the door to the warehouse was locked and the lights were out. I assumed that everyone was loading a trailer with finished goods. I had no idea anything was wrong until arriving at the trailer being loaded. Everyone was accounted for, except for a civilian clerk and an inmate crew member. About ten minutes later they found the clerk under a wooden pallet. She had been badly beaten. The missing inmate was nowhere to be found.

Well, so much for the peaceful and relaxed atmosphere of Napanoch. A lot of

jobs and privileges for inmates were rescinded. The level of trust we had developed evaporated immediately.

I put in for a transfer to Collins. I was hoping it would be closer to Joyce's home. The present four-hour trip, one way, was too much for her.

MISSING PACKAGES

Collins was once a part of the Gowanda Mental Hospital that existed decades ago (where my mother had been sent when I was a child). To get there one has to travel through the Seneca Indian Reservation.

They assigned me to the mess hall. My cubicle was located over the hall with the rest of the workers.

The recreation yard was next to S Block (isolation). There was a lot of tension and negative feelings there. The guards were especially negative, spending a lot of their time trying to set up and get inmates in trouble.

A package of art supplies was mailed to me. Two months later the package room employees said it still hadn't arrived. I immediately took the matter to the captain in charge. He followed up on my

complaint. It seems the package had been received and signed for by a Mr. Brown.

Who is this Mr. Brown? It was discovered that there was no Mr. Brown working there. Two days later I was given my package and the officers in charge of the package room never bothered me again.

I was at Collins Prison only a short time. I transferred to Gowanda Prison, which was immediately next door, because I was required to take a Sex Offender Program that had been recently set up by DOCS.

Gowanda is divided into three major areas, one for the general population, one for alcohol- and drug-related offenders, and one for sex offenders. The two programs last for six months, and because of my success and progress in the program I was given the highest grades and transferred to Orleans, another medium facility, an hour closer to where my wife lived.

GRAPHIC DESIGN

The prison was built right next door to Albion Correctional Facility, north of

Batavia. I was assigned to the graphic design class as a student, and then allowed to work as a teacher's aide. I loved this class.

The teacher had indicated that her job might be terminated and so I suggested that she might be able to secure her position by doing some state work, which would change the administration's attitude towards her.

I suggested that I might air brush the logo on the sides of the fire truck and she let me. Then we lettered all the plastic tubs for each cubicle's living area. We also lettered the names and titles to all classroom doors in the school. This gave the students the chance to learn some basic skills as part of their art class assignments.

Amazingly, our teacher was no longer being threatened with termination. She later placed a short note in my art portfolio saying, "Thank you."

I then requested to be transferred to Cayuga Correctional Facility in Moravia so that I would only be minutes from where my beloved wife lived.

GRIEVANCE COMMITTEE

Upon arrival at Cayuga, in 2002, I was allowed to participate in an election for the grievance committee. I held the office for three six-month terms. It was a good experience in that I learned all the ins and outs of the correctional system, including the many shortcomings and how to get around them, so that I could better assist deserving inmates with the relief they needed.

TEACHER'S AIDE

I requested assignment to the school to work as a teacher's aide in the GED department. I worked as a teacher's assistant for ten years. There was a lot of tension. Most inmates were pushed into the class and it became simply a place to hang out. Some were in the same class without showing any appreciable progress for an average of ten semesters. Morale among those who wanted to learn was low.

During the last three years there, I was assigned a class with a civilian teacher who had taught second and third graders prior to his retirement. He knew no

mathematics. He was trained by us, the teacher's assistants. He had only a bachelor's degree, as did most of the other teachers. To teach inside a prison you only needed a B.A. degree; however, to teach on the outside the State of New York required a master's degree. Most of the time he sat and worked crossword puzzles and ate in front of the class. (Students were not allowed to eat in class.)

The teacher was suffering from obvious dementia. Whenever he needed to relieve himself, he would rush outside the classroom and into the hallway, relieving himself sometimes on the floor rather than in front of the inmates. He abused students and held the record for the most inmates placed in punishment/isolation.

The rumor was they wanted him fired, but politics were involved and would not allow it. So it was me who kept all his paperwork and record-keeping up to date, did all the filing, taught when I had the time, including doing all the tutoring!

11. YEARS OF FALSE HOPES

In 2001, for the first time I felt real hope that I would finally be allowed to go home. By now I'd routinely been denied parole, year after year, even though I had been eligible since 1982. It came about as the result of visits I'd receive from an old friend of Joyce's, Earllene Watkins.

She'd known Joyce since she was a child, having worked as a beautician in her mother's beauty shop. I think her initial visits in the mid-1980s were intended to check me out! But she became a regular visitor, coming in at least twice a month. Then, when Joyce left for California in 1988 to do her graduate work, Earllene came in once a week, bringing me food packages that Joyce had paid for.

Earllene had a son who was a police captain, and I never expected that she would ever approve of Joyce's relationship with me, but I was wrong. After a year of regular visits, she began to tell some of the guards she knew that she was my friend.

Earllene was well known in and around Auburn, and often wrote letters to the editor that were critical of local politicians, especially the mayor. I really looked forward to her visits. One day she called me Son and I was flabbergasted. I felt honored that she thought of me in this way and I told her so. I also told her that she was more like a mother to me than my own mother, which was true. “Well then, you should call me Mom.” And so I did, from that day forth.

She continued to visit me until 1994, when I left Auburn.

During my parole hearing of 2000 – my eleventh – I was informed by one of the commissioners that according to the recommendation of John P. Lomenzo, the sentencing judge, at my sanity hearing in 1963, I was never to be released.

By now, Joyce was back from California and already heavily involved in helping me with my legal matters. We realized that is was vital that the sentencing judge learn about my good inside record that would encourage him to change his mind. Joyce found a reputable attorney in Auburn called David Elkovitch.

A priority mailing was put together with a wealth of documentation in it that included numerous favorable mental health evaluations, several letters of recommendation, copies of outstanding work evaluations, college transcripts and proof of my college degrees, etc. Earllene allowed us to use her address as our return address. She also kindly wrote a letter, asking the sentencing judge to look at the documentation and consider retracting the statement he'd made in 1963.

At her next visit, Earllene told me that she had received a phone call from a childhood friend, Jack Lorenzo. He explained to her that he had changed his name to Lomenzo and that he was the judge we had sent the letter to.

"We talked for over an hour," Earllene said, "mostly about our times together as kids."

But the point of his phone call was to tell Earllene to ask my lawyer to call him. After reviewing all the material, he had decided, he said, to write a letter to the parole board, recommending my release at my next hearing.

I'll never forget Earllene's words: "Son, he has assured me that he will be able to have you released from prison."

THE LETTER FROM THE SENTENCING JUDGE RECOMMENDING MY RELEASE

Here is the letter from John P. Lomenzo, dated August 23, 2001, sent to the New York State Department of Corrections Board of Parole.

> I am writing this letter to recommend James R. Moore for release.
>
> I sentenced Mr. Moore in 1963 to natural life for murder. At the time it was my hope that Mr. Moore would never get out. I can now, with a clear mind, state that it is my belief that Mr. Moore has been rehabilitated.
>
> In 1963, psychiatric diagnosis and treatment was not what it is today. Mr. Moore's mental status reports and mental health reports have all shown the incredible progress he has made.
>
> At the time in 1963, I did not believe a person could have made a recovery

or been safely put back in society. However, seeing Mr. Moore's record, his academic achievements, his mental health reports and what parole board Commissioner Greenberg stated in August, 1988 by calling Mr. Moore's record "exemplary." I now retract what I stated back in 1963 and without hesitation would recommend Mr. Moore for release.

When Mr. Moore was sentenced to "natural life," it meant 40 years. The law was later changed, however Mr. Moore has been eligible for parole at 26 years, 8 months. His "natural life" sentence ends in September 2002.

I have reviewed the extensive documentation of Mr. Moore's last 39 years. The progress is indeed one to be proud. The comments I made at Mr. Moore's sentencing are no longer applicable and it is my fervent wish and opinion that Mr. Moore be released in September 2002 when his 40-year sentence will have expired.

Thank you for your consideration.

Very truly yours,

John P. Lomenzo

IGNORED BY THE PAROLE BOARD

It was not until 2016 that we realized that all proof of my impeccable record throughout my fifty-plus years of incarceration had been missing from my service file since at least 1999. This, of course, included my college degrees, my work record in the prisons, and my letters of support – including the letter from Judge Lomenzo: the certified copy sent to the parole board was never seen by them.

We discovered this when, upon reviewing my appeal of 2014, Superior Court judge, Lisa M. Fisher, took the unprecedented step of requesting a listing of all the documents in my service file be sent to me. I was shocked to see that everything was missing.

Not knowing this, of course, David Elkovitch, who was now helping me in my appeals, chastised the board for denying my parole in 2004 and again, on May 1, 2006, prior to my next appearance. He accused the commissioners of unlawfully detaining me. In his letter he also cites ex post facto law, which states when a new law does not have the intended ameliorative effect, the law that existed at

the time of the crime should take effect. The former law (Penal Law, Chapter 343) states that at twenty-six years and eight months an inmate with good behavior shall be released.

Mr. Elkovitch reminded the parole board commissioners that the newer law says “twenty years to life.” He informed them that as I was not released after serving twenty years, I certainly should have been considered for release when I’d served the twenty-six years and eight months because of my exemplary inside record. Even Judge Lomenzo’s letter says that.

But, of course, all to no avail.

REPEATED APPEAL EFFORTS FAIL

It is because the parole board is ignoring the former 1935 law that I have been appealing the matter through the courts since 2002, in the hope that I could get it into the US Federal District Court. An inmate has only two years to get his appeal before a judge in the District Court. If an inmate still has his appeal in the state courts, the minute he steps into

his parole hearing, the matter becomes moot.

Thus the reason the previous fifteen efforts I've made to get my appeal heard have been futile.

PUT ON DISPLAY FOR THE MEDIA – AND ANOTHER DENIAL

During my time at Eastern Correctional Facility in the mid-1990s, I was busy one day, preparing for yet another appeal, when an officer told me to pack up – I was being ordered to appear in court. They took me down to the frisk room and gave me a new pair of blue dungarees, a red sweater shirt and a yellow windbreaker to wear. After chaining me up, they put me on a bus to Auburn. The next day, I went to Wende and finally to Attica.

Five days later, I was bused from Attica in a van to the courthouse in Rochester. I was told to remove my street clothes and put on my dirty prison greens again. He shoved some legal papers into my handcuffed hands – which, of course, should have been given to me ten days before leaving Eastern – and ushered me

into a courtroom full of people. I was there no more than fifteen minutes.

In the courtroom it was only the judge's words and the district attorney's words that were spoken, letting me know that my appeal had no merit. Judge Bristol said that the court has no legal authority to change the sentence and the new period of limitation provisions don't apply.

At the end of the hearing, I was allowed to give my statement. Needless to say, the court totally ignored it.

I was basically a publicity stunt. I was paraded in front of the media in an illegal perpetrator-walk into the courtroom and then to the outside. I didn't answer any of their questions, but my photo appeared the next day in the Rochester newspaper, with me shackled and in dirty prison greens.

HARRASSED AT ATTICA

When I left the courtroom that day, I was driven to Attica, where I spent six days. There was a delay because of bad weather and buses were not able to get out. There was some new construction but nothing

much seemed to have changed since I left in 1974. I had to wait in reception where I was harassed, many of the guards knowing that I'd been there during the rebellion.

One guard asked me, "Is it true you were here in 1971?"

"Yes, Sir."

"Did you know Sgt. Cunningham?" he asked.

"Yes, he was a sergeant in B Block and was killed," I responded.

"Well, he was my father!" he growled.

"Well, Sir," I said. "I know a lot of good people were lost there." (I was afraid if I said anything remotely wrong, I would be a punching bag before leaving there for downstate.)

On the drive back, we passed through open fields, deep in winter's grip. In one there was a white-tailed doe next to the road, hobbling along on three legs. I could see a huge hole from gunshot in her right front leg, flopping uselessly as she went. Apparently, she'd been like that since the November deer season. I took this as a sign, "Fight to the death and never yield:

patience and perseverance!" As I mentioned, this is my family motto.

TWENTY-ONE DAYS TO GET BACK!

The trip back to Eastern took twenty-one days, no showers, no clean clothes, pain from the chains and only baloney and cheese sandwiches. The endless days were spent in the flats in Auburn where the filthy conditions were almost unbearable. The windows were broken, and it was always cold. I was experiencing chest pains but no one in the cells was allowed medical attention.

When we finally got back to Eastern, I reported what had occurred to the nurse and, after an EKG, learned that I had sustained a heart attack while I'd been away.

If animals were treated in the cavalier and inhumane way we inmates are, such as in situations like this, I'm sure people would be sued for cruelty!

12. DETERIORATING HEALTH

Before the mid-1970s, the New York State's prison system could legitimately take pride in its food services menu. Although prison food was never gourmet, it was not fundamentally different from ordinary household food. Most prisons had land where they grew their own food, raised cattle, maintained dairies and bakeries. Incarcerated people also learned to cook and bake professionally.

I remember being impressed when I was first at Attica. We had real scrambled eyes (not powdered), real cuts of meat – pork, beef and chicken – deep-dish pot pies, home-baked bread, home-made ice cream, whole milk, fresh vegetables, and fruit. All the food we ate was raised on the grounds and cooked by inmates. We supplemented this with the garden produce we raised in our own small plots.

We could take all we wanted on our tray, but we could leave nothing – otherwise it was keep-lock. All we get now is slop that comes from outside in a plastic bag, boxed cereals, pasta and

bread, along with rice and instant mashed potatoes, 1% milk, apples occasionally, and concentrated fruit juice. Except for the fresh fruit, the rest has little, if any nutritional value.

Back then, we all had gardens of our own and as long as we cared for them and the grounds surrounding them, we could keep our garden and whatever we grew in it. For ten dollars then I could buy onion sets and a variety of garden seeds. I was able to feed eight men out of that small garden lot, including myself. I grew lettuce, tomatoes, melons, onions, horseradish, dill, basil, carrots, radishes, including Chinese radishes, gourds, cucumbers, hot peppers, and green bell peppers. For fertilizer we had eggshells from the mess hall and plenty of green manure for compost. I miss this activity. Now we can only have some circular flowerbeds in front of each dormitory.

In an attempt to save money, the state decided to concentrate all food production at a few DOC factories. But by the mid-1990s the concentration of food production had deteriorated to the point that the deleterious effect on human

health of exclusively consuming processed food containing added sugar, sodium, and soy every single day for many years was taking its toll.

A 2016 report from *Prison Voice* detailed the decline in food quality served in the states' correctional facilities that "resulted in long-term health consequences by forcing incarcerated people to consume unhealthy food."

Centers for Disease Control and Prevention reports that sodium is off the charts in prisons, serving a diet with upwards to 10,000 mg of sodium per day.

According to the CDC report, people incarcerated in prisons are now being forced to eat unhealthy, processed food and it violates the nation's Health Nutrition Guidelines. In any case, when half of the incarcerated population has a chronic illness, it would make sense for a nutritious, health-services-approved diet to be the norm, not the exception.

For one thing, deteriorating food quality has recently caused security problems because when the incarcerated see that they are getting worse, or less, food than before, they protest in various ways –

from dumping bad potatoes on the floor to strikes. And that means additional guards are now required to manage food service.

The Bureau of Justice Statistics reports that three quarters of people incarcerated in state and federal prisons are overweight or obese. The bureau found that correctional agencies spend almost six times more on health care than on food.

The American Diabetes Association estimates that healthcare costs are 2.3 times higher for incarcerated people with diabetes. And overall, 86% of healthcare spending is for people with at least one chronic condition.

Although there will always be the mindset of some that prison should be as punishing as possible and therefore see little reason for facilities to serve much more than bread and water. However, unhealthy prison food should be a serious public health concern because it's costing our state and taxpayers far more than it saves.

I was fortunate in that Joyce Ann would be sure I received the allowed total of 35

lbs. of food every month. If she didn't bring it on a visit, she'd have it shipped to me by UPS, which typically arrived at the facility within two days.

A ROOT CANAL GONE WRONG

While I was at Cayuga, in the mid-2000s, I needed a root canal to correct a chronic toothache. Unable to complete the work, Dr. Epstein organized for me to go elsewhere.

Several weeks later the guards came to me and told me to get into my state greens and black boots because I was going out on a medical trip. The guards frisked me and put on the waist and wrist chains. I did not know where I was being sent. I thought it might be Syracuse or Utica.

After traveling north and west and then, passing Rochester, I realized we were not headed for Syracuse or Utica. Finally we reached Attica – and I did not feel good about this at all.

We arrived at the hospital, and suddenly I felt even more uneasy. We were ushered into the waiting room but were not unchained. I was put in the

dental chair, still chained! The nurse and doctor were quietly discussing my situation. My mouth was x-rayed and novocaine was injected.

The doctor joked that the girls in Albion – a nearby prison for women –would cry when he came. I was about to find out why! He leaned over me and, with no discussion about what he was going to do, grabbed my face, clamped forceps on my two teeth, and ripped them out of my mouth. I was there for root canal work!

The nurse gave me some gauze and a brown paper bag to catch the blood and told me to leave. That was it! Blood was pouring out of my mouth – and being on a blood thinner made it even worse.

I got into the van, blood everywhere. The guards seemed oblivious to my condition. I did my best to catch the blood on the trip back to Cayuga, a three-hour drive.

After I was unchained at Cayuga, I went into the bathroom and saw myself in the mirror – I looked like someone had hit me with a baseball bat!

The Cayuga dentist was shocked. He made sure I was given dentures to replace

the missing teeth. I could have brought a lawsuit against the state for what they did but the dentures were the incentive to not proceed.

Brutality like this is not uncommon.

OTHER HEALTH PROBLEMS

It was during my later time at Cayuga, in 2011, that it was becoming increasingly apparent that my health was showing signs of decline. I was close to 80 years old by now. Not hearing a guard's order, for example, would cause a write-up; later, a hearing test would reveal a loss of hearing.

It was also the unexplained falls that finally got the attention of the medical staff at the prison and I was sent to the Upstate Medical Center in Syracuse for an MRI. But upon leaving the hospital in chains, I again fell, s0 I was kept overnight for further evaluation. A neurologist diagnosed my condition as benign positional vertigo (BPV). As a result of the fall I also suffered a few broken fingers and a fractured wrist on the right hand.

I was transferred to Coxsackie Correctional Facility's medical unit and remained there for a year. During that period I underwent minor surgery at an outside facility for a carpal tunnel problem that further helped with the recovery of some of the use of my right hand.

The exercises given me by the doctor at Upstate Medical Center for BPV were instrumental in preventing future falls. But because of the potential for falls, it was decided that I should use a walker. However, after sustaining a few more falls, it was decided that I should be permanently assigned to a wheelchair.

Eventually, I was moved to Franklin Correctional Facility. I never did understand why I was transferred there: I had to make frequent five-hour one-way trips back to Coxsackie for medical appointments. Not to mention that this move, yet again, made it so difficult for Joyce Ann to visit me regularly: a nine-hour round trip was not easy.

13. A LETHAL OVERDOSE

At Franklin Correctional Facility on June 28, 2015 I went in my wheelchair, as usual, to the infirmary for my meds. My pusher put me in line along with the other inmates. When there was only one man ahead of me, an officer ordered me to “go to the window,” despite the fact that there was another inmate at the window, talking to the nurse. He pointed to the cup laying on the far edge of the windowsill and ordered me to take the meds and go.

Usually, signs are everywhere, such as the one in that infirmary, “Inmates Must Always Follow Direct Orders,” and we know that unless we do as we’re told by an officer, we’d be sent to the box.

I always did what I was ordered to do – I might later submit a grievance about it, which sometimes was responded to favorably – so I swallowed the meds.

As we headed out of the infirmary, I heard someone shout after us, “Come back, Mr. Moore!” As my pusher turned me around, I passed out and, apparently,

fell out of the wheelchair. That's all I could recall for days.

It seems that the cup contained morphine – and that was not my prescribed medication. And not only that. We learned later that it was a lethal overdose. It was eight hours before they realized how dire the situation was and only then sent me to an outside hospital.

I was unconscious for days. Every time I'd come back to consciousness, the pain was so unbearable that I'd pass out. I recall very little of those days, although I somehow managed to talk to Joyce after being returned to the prison. She says I wasn't at all coherent.

Without a doubt, the pain I experienced from that overdose of morphine was the worst pain I've ever experienced in my life.

Before leaving the hospital, a staff member gave me a copy of the hospital's diagnosis that shows that the dose of morphine was lethal. It also showed severe kidney injury. I hid it under my t-shirt, later sending it to Joyce so she could give it to the attorney, David Elkovitch, who has filed a claim against

DOCS on my behalf – for administering the wrong medication and for waiting so long before recognizing the severity of the situation and finally sending me to an outside hospital.

Of course, they are doing everything they can to discredit my claim. Mr. Elkovitch has had to hire an outside expert, a neurologist, who has been a state certified pharmacist, to testify that the side-effects I'm suffering from are the result of the overdose of morphine.

HEALING SLOWLY

I was transferred to Coxsackie medical unit, where I am still, four and a half years later.

My recovery has been very slow. There are some aspects of my life I'll never regain. Also, in July 2017 I fell and sustained a fractured left hip. And then shortly afterwards it was discovered that I'd somehow incurred a bone infection in my left foot. I could have lost the foot but several treatments at the Albany Medical Center saved it. However, it has kept me bed-ridden even longer.

Some of the after-effects may stay with me permanently. It was only during the spring of 2018 that I was able to sit up in my wheelchair for an hour a day.

I came to this regional medical unit because it is considered the best of them all. Joyce Ann also recommended it, even though it is so far from home and beyond her endurance and/or finances to get here.

My daily phone calls with Joyce are my only contact with the outside world and are so important to my recovery: hearing her voice is my best therapy!

AFTERWORD: I'M AT PEACE

Very early on I was raised to believe in my inferiority, both mental and physical. I was ashamed of myself and my family name. I could never find any answers. I believed there was no help or guidance. But I was wrong. I had to go to prison to find out that I was not unique.

What I soon discovered was that most of the answers I sought would seek me out, in a place where survival is a daily ritual. Once, while praying for help and direction, a thought flooded in. "I don't know why I am asking for this, only that I must ask."

The heavens opened up and the Buddha beckoned to me because I could not go any lower, the only way was up. Gradually what I needed, not what I wanted, was made available, but only when I was ready.

Many of the inmates look at me and say, "Why should I study? Look at you with all your college degrees and other accomplishments. It hasn't gotten you

Joyce and Ven. Robina came to see me at Cayuga in 2013

released." But freedom is a state of mind, not a physical reality.

Hopefully at my next parole board appearance in October of 2019, I can be home and finally have the closeness with Joyce I have wanted all these years. I want to make her life less stressful: she has sacrificed so much for me all these years. Finally, we'll be able to share some peace together.

My beloved Joyce, whom I love and for whom I have the greatest respect, has continually reminded me of what is the greatest test of all: "To be among men who hate and yet not to hate." So much of

what I have accomplished would not have been possible without her assistance and gentle nudging. It's what has helped make it possible for us to also become the best of friends.

I am aware that I needed to come into prison to find the answers I could never have found any other way and I am thankful that I was able to accomplish that.

As I said at the beginning, no matter what happens, I am at peace.