

## My Second Trip To Death Row

On November 13<sup>th</sup> I boarded the plane for a journey that would take me to the states of Texas and Oklahoma. That day, I left Seattle Washington where the weather was a cold 35 degrees and landed in Dallas Texas to a warm and humid 81 degrees. It was 4:51PM when my flight touched down at DFW airport, and just in time for the rush-hour commute as I tried to head 171 miles north to Oklahoma City. I could have just flown directly to OK City, but my trip had two purposes. First, I was to meet with my client' "Bob's" attorney in the Federal Building in OK; and then I was to visit with my friends, who are the family of a good friend that resides on TX Death Row. They live in Dallas, so it was important that I made sure that I got down to see them. By planning my travel through Dallas, I would have quite a bit of driving to do initially, but very little on the last two days of my trip.

The morning that I left gave every indication that it was going to be a long day. Even though my flight left Seattle at 11:25am, I had a 50 mile car ride to get me to the airport. Because every hour of Seattle driving is basically 'rush hour' I planned to leave at 7:00am so I had plenty of time to make my flight. It was fortunate that I did because in addition to the normal morning commute traffic, there was a jumper who decided to take the final plunge off an overpass onto I-5, which is the interstate that took me to Seattle. Of course, he made his grand finale BEFORE I had passed by so I was stuck in that traffic that resulted. The sad thing, other than the obvious was that he had jumped into the north-bound lanes, but the south-bound traffic that I encountered was still messed up. Then, just after I got passed the area affected by the jumper, traffic stopped again. After two miles of stop and go traffic, I reached the source of the problem when I passed by an injury accident that blocked all but one lane of the Interstate. Fortunately, that was my last traffic encounter, and because everyone was stuck in the snarl of the two incidents behind me, I was able to quickly make the last 10 miles of my journey. So, in the end it took me just over two hours to make the 50 mile trip from my house to Sea-Tac Airport. What a start to my travels!

The drive out of Dallas wasn't that bad after my encounter in Seattle, and because my cell phone has GPS I easily made my way to North Texas and into Oklahoma. At that point, I turned off my phone to conserve power since I-35 would be my route all the way to my hotel destination in Oklahoma City. The drive was easy and pretty relaxing as I got close to my stop for the night. I had forgotten to print out my hotel information but since I had entered the address into my phone, I turned it back on and fired up the old GPS so I could find my exit as easily as I had found my way out of the Dallas airport area. Piece of cake really. Well, almost. The problem is that my wireless carrier does not operate in most of OK and even though it has a network agreement that allows me to talk on the phone with no charge in other carrier areas, the GPS service does not operate in those extended areas! So much for my ease in moving around OK. What concerned me was that the majority of my trip was going to take place in Oklahoma. At least I remembered that my hotel was on the service road that ran beside I-35 in OK city so I would be ok for awhile. Remembering that I needed to take exit 114 off I-35, I got off at the designated exit and searched for my place of rest. After looking all over for my hotel, I decided to give them a call, but to do that, I needed to fire up my laptop so I could get the information that I had saved on my computer. After retrieving my hotel's phone number I gave them a call

and asked them where they were in relation to the mall that I was now using for my base. The employee began to tell me, and then stopped and asked me what mall I was sitting at. Of course, not knowing the name, I was proud that I remembered the exit number I had gotten off the freeway at and let the unfamiliar voice know that I was sitting beside Exit 114 on the service road. Well, I was ALMOST right about the Exit number and only missed the mark by 10 miles! My exit was Exit 124. The good news was that I hadn't driven past my location. Ten miles later I was checking into my room and ready for a much needed rest.

On Wednesday, November 14<sup>th</sup>, I headed into downtown OK to meet with "Bob's" attorney and her staff. I was amazed at how little traffic rush hour presented as I easily found the Federal Building. Then I remembered something as I pulled up by the parking area and saw a very large, open area beside where my new attorney friend was working. That large area with the fencing covered with notes and flowers was the OLD Federal Building that was destroyed by Timothy McVey in what is known as the "Oklahoma City Bombing". I could not believe that I had overlooked where I was actually going to that day. I was absolutely amazed at the size of the area that was now vacant except for the planned and unplanned memorials that adorned the spot. It was huge! It saddened me to think of how many had lost their lives that day, never knowing as they went to work in the morning that they would not return to see their loved ones again.

In the above paragraph, I introduced the attorney that I now work with as my 'new' friend because in actual I had never met her before. While we had exchanged numerous emails, and spoken on the phone many times, I had been hired to work with Bob by her predecessor. The attorney who hired me was a wonderful woman who cared so much about her death row clients that it had broken her heart when she left her employ and went to work for the Death Penalty Clinic out of the University of California. Since her move, she had been involved in death penalty cases throughout the United States. What breaks my heart is that I have to keep talking about her in the past tense because she passed away in her home about a week and a half before my trip. What made that pain worse was that I had to break the news to Bob that his previous attorney, and friend was dead. I guess that I should explain a bit more about my friend's passing. On the day before her 50<sup>th</sup> birthday, she was found hung in her home, and though there was no note left to explain the event, local police ruled her death a suicide.

My meeting that day took place on the 7<sup>th</sup> floor of the Federal Building where the Habeas Unit frantically works to save the lives of men and women on the row. I was introduced to several investigators, the other four attorneys, and their boss. Everyone was very nice and two of the attorneys expressed interest in considering me for work with their clients. After meeting the members of the Habeas Unit, my attorney friend and I had lunch and then returned to her office to further discuss my meeting with Bob the following day. Eventually though, it was time to call it a day so she could resume her work on a case that was going to court the next day. Also, I needed to make the 135 mile trip to McAlester where I would be meeting with Bob bright and early the following morning.

My trip to McAlester was easily made after a couple hours of drive time, and it was time for some dinner. After much thought (about 6-7 seconds) I settled on a good looking steak house that was supposedly voted 'McAlester's Favorite Steak House'. While the food was excellent and plentiful, I couldn't help but to watch the young waitresses and thinking that I would never

want my daughter working in a place where they wore shirts that said EAT ME on the back above the name of the steak house. That just didn't seem right. Belly full of 24oz of rib eye steak, plus a baked potato, beans, mushrooms, and a mason jar full of Coke, I waddled back to the hotel to sit and type up the first part of my trip. I am sure that sleep will be coming soon as all my body's blood is diverted to my stomach to digest my massive dinner.

Thursday, I got up about 7:00am still tired from trying to sleep as roughly ½ of a cow made its way through my digestive system. About 8:15am, I headed on my way to the Oklahoma State Penitentiary which was located about 7 miles from my hotel. Arriving at 8:30am, I met one of the FPD's investigators who was there to ensure that I had no problems getting into H Unit. The concern was there because there was a new warden who was less sympathetic to the needs of the people, the FPD wanted to make sure that my visit was in no way shortened due to issues with the administration. My first stop is always the Deputy Warden's office where I completed my special visit request, allow the prison to copy my driver's license, and receive my access badge. Once my request was completed and approved, I headed over to H unit which is a 'closed' special housing unit where segregation prisoners, death row prisoners, and the execution chamber are housed.

I drove down to H unit, which is mostly underground, with very little natural light and met the investigator at the unit's entrance. We were then buzzed in the front door by a CO (correctional officer) in a control booth (bubble) and we entered the unit. Once inside H Unit, I handed my paperwork, driver's license, and car keys over to the CO who had buzzed us in, explained who I was there to see, his DOC number, unit section, and waited for someone to come by and search me. While waiting, I got to meet the Lieutenant who had been kind enough to pull Bob out the previous week so I could tell him about his attorney's passing. I thanked him for his help and he disappeared into the bowels of the unit. It was only several more minutes before a sergeant arrived in his black gloves to search both me and my clothing for contraband. After being searched, the sergeant and I entered the Sally port which clanked shut to remind me that I was no longer in 'the world' as the outside is known to those who are locked up. As we proceeded down the corridor, I remembered that the first right would take us to the execution chamber which also meant there was a small bathroom coming up on my left. I told the Sergeant that I wanted to make a quick stop inside before I got to our final destination, as there was no restroom available to me in my death row cell. He asked me if I remembered how to get there to which I told him I did, and he said he would meet me there. Entering the bathroom, I realized that I was again heading to what was to be the final destination of many men. I couldn't help but think of the pain and suffering that was tied to the lives of the men on the row; the victims, their families, the condemned men's families, and even the men themselves all were part of a big cycle of pain and suffering. This was a place with no hope, no pot of gold at the end of the rainbow, and no facade of rehabilitation. It was nothing more than a holding place full of tears. After a couple of minutes, I headed down to the row, noting that the small corridor was labeled "Southwest" while the opposite corridor labeled "Northwest" housed the segregation wing that housed the 'problem' inmates who were not scheduled to die.

The Sergeant was waiting for me inside the Sally port, and while the CO tried to remember how to open the free-world side, he explained that she was new and had only been on the job in H Unit for two weeks. He also told me that beginning Saturday, he was taking six weeks off for the

birth of his 5<sup>th</sup> grandchild; a little boy. He made me laugh when he told me he was raising his 4 year old granddaughter who had just told him that instead of a baby brother, she wanted a brown goat. Bob later explained to me that the Sergeant was one of the 'good ones' there in the unit and he really wished he wasn't leaving because then things would all go to hell there on the row.

After the free-world side of the sally port closed, the CO in the bubble opened the death row side, and I was again returning to Oklahoma's death row. I guess I should explain a bit about the layout of the row in Oklahoma State Penitentiary - McAlester. The sally port is a square controlled entry 'cage' with three large gates that slide open or closed, and only one can be open at a time because of the way that the system is programmed. On the side opposite the free-world side, is the 'bubble' which is basically an electronic control room that is fully glassed in by unbreakable glass. The bubble houses the controls from which all cell doors, runs, and sally port gates are opened, closed, and monitored. The sally port and the electronic gates to the 'runs' or barred-in corridors on the row that run along the front of the cells are also controlled from that point. Basically, no human interaction is needed to move the guys to the yards, showers, or back to the cells. In front of the sally port is a floor-to-ceiling wall that bisects the row into two equal mirror halves, with a small exercise yard, and two tiers of cells on each half. There is an open area on each half in the center surrounded in a quarter moon shape by the runs in front of the cells, and then the cells themselves. On each of the two sections is a corner room or cell that is used for special legal visits. That is where Bob and I would spend our day.

As I entered Oklahoma's death row, the sergeant stayed in the sally port and the gate slid closed behind me. He could come no further because Bob was coming down the run and no staff members are supposed to come in contact with the guys unless the guys are shackled up. And of course, Bob was getting to free walk for our visit. I entered the center common and passed by the 'yard' on my left where four inmates were doing their daily yard. One of them nodded to me and I nodded back at them. It was the same greeting that I received on my last visit to the unit and it felt good, in a comfortable way, to be back inside. The gate to the run slid open and I walked in as Bob finished his way to our visit. It was great to see him again and when I saw him in his blue 'scrubs' or prison uniform, I told him that he didn't have to dress up just for me. We both laughed. During this time, the door to the run slid closed and our cell door buzzed to let us know that it was open for us to enter.

We entered our home for the next eight hours and I told Bob that his attorney said to give him a big hug for her. Bob replied that I was getting one anyway even if she didn't send one to him. We hugged and then sat down for our visit. The visiting cell is about 9x11 feet and has a small table with four chairs sitting in the middle. On one wall is the entrance door, an intercom buzzer for release requests and a telephone that is used to communicate with the small visiting room (the size of a large phone booth) on the other side of some glass. The next wall looks into some office areas so the attorney visits are not completely private, and a small pass-through hole exists where pencils can be passed in should they be needed. The third wall is blank except for a door with a small window that is blocked with the back of an eye chart. That door leads to the death row medical room and the last wall is completely blank. The floor of the visiting cell is concrete and all walls and the ceiling are covered with 2'x4' acoustical tiles that are meant to provide the room with soundproofing for these confidential legal visits. But to us, this was our refuge for the day and it was like a palace.

Bob and I quickly got into all manner of conversation beginning with talks about his attorney's death, my daughter Reghan (Bob's new niece! ☺) and just life in general. We then moved on to discussions about Darwinism, Intelligent Design, Egyptian history, and a myriad of other topics. If there is one thing that Bob does very well, it is make use of his time to research and learn about the world and its history. He never amazes me with the things he has read about or watched on TV. Bob's favorite TV channels are the Discovery Channel and PBS where he has the opportunity to learn about the world that he has not been a part of since 1985 when he first went to prison. Unfortunately, once inside, he ended up getting a case that landed him on the row in 2000. Bob loves to read history books and subscribes to the Smithsonian magazine to further keep him informed. And informed about the world he is! Conversation kept going non-stop as one subject merged into another until about 11:30 am when I mentioned that I wished I had taken the lunch tray that was offered to me the last time I was with him a year ago. He groaned and told me that he wished I had gotten one just so I could see how bad the food was. He then laughed and said that they often get a corn dog for lunch which was not enough to feed a grown man.

Just after Bob made his joke about corndogs, the trustee entered the common area to begin setting up the big juice jugs that would be used to supply whatever drink the guys would be given that day for lunch. We could hear him talking with someone about lunch, and the word that grabbed our attention was the corndog. Bob and I cracked up. A couple of minutes later it was quiet outside and we heard the run slide open and our door buzzed. A staff member entered our room and stood beside me, opposite Bob at our table. He looked at me and said "This Richard (name withheld)?" to which I replied 'no, this is Bob (name withheld).' He then turned to Bob and again asked "Richard (name withheld)?" At this point Bob became a bit frustrated because this person was notorious for giving the inmates a bad time and Bob told him he wasn't supposed to be in there while he was unrestrained. The staff member then said "You are Richard (name withheld)". Becoming angry, Bob said "Look, you trying to tell me who I am?". I then told the staff person that Richard was in the other special visiting room meeting with his attorney. I knew this because he had peeped in our window and waived at us about an hour before and Bob explained who he was. The staffer then left and Bob turned to me and said "That was the guy that I told you about earlier this morning who gives us so much crap. Now I better understood why he was so frustrated with this guy. This staffer had been telling the inmates that they weren't getting enough 'hard time' and that in his opinion; they shouldn't be receiving some of the few benefits (such as contact visits with attorneys) that they received. He was not well liked in the unit by the guys who lived there.

Shortly after that, we heard the noise of a cart moving through the common area and we got our door buzzed open. A female CO was on the other side of the barred run and asked Bob if he wanted his tray in with him. He replied yes and I told her that I wanted one also. She looked at me and asked "do you really want a tray?". I assured her that I did and Bob and I took our trays back to our cell. Inside, he laughed again as we looked down at our lunch. Each tray had a corndog (with no stick) that was refrigerator-cold, a plastic spoon-fork utensil called a spork, that had been dipped in mustard, presumably for the corndog, six little triangles of canned pineapple, and two small tray compartments of congealed chicken noodle soup. The soup was about room temperature and was gelatinous. To describe the soup's broth as swinging like 'snot' from my

fork would be pretty accurate. But I was lucky because I had one piece of canned green bean and 5 kernels of corn in mine. I must have gotten the deluxe soup! Bob again laughed and said, “see, I told you!” as we began to eat our lunch.

Bob first ate his pineapple while I braved my soup, and then he ate his corndog while I ate my pineapple. Once I had eaten my soup I realized why he had not even touched his. It was slimy and nasty. I told Bob to take my corndog because I knew that he couldn't have gotten enough to eat, and when he refused, I told him I would split it with him and broke off a cold bite for me, passing the rest to him. He asked me if I was sure and I replied “of course I am because I can go to McDonalds afterward.” Bob threw his head back and laughed as he groaned “why did you have to say that?” After our ‘meal’, Bob scraped his tray onto mine and picked them both up; depositing them on the floor by the door.

About 2:00pm it was time to make use of the bathroom, and of course, there wasn't one in our cell. I told Bob that it would probably be a good idea if we each made a run to the bathroom. This meant that I would have to go back out to the main corridor, and Bob would have to return to his cell for a bit but you got to do what you got to do! I buzzed us out and Bob and I walked to the sally port where he dropped our trays off on the floor and returned to the run and toward his cell. Waiting for the run gate to slide closed, I yapped with one of the guys that was standing in the other half of the common area on the other side of the sally port. Then, my side opened up, I made a 5 minute' gesture to the CO and went through the process of returning to ‘my bathroom’ while Bob visited his. It was amazing how quickly I was getting used to my surroundings and really not even thinking about them much anymore. I guess you can get acclimated to just about anything if you have to, or in Bob's case when you have spent most of your life in similar surroundings. After doing my business, I reversed the process and was back in my cell waiting for Bob. Looking out our window, I noticed that there were about 4 cells along each side wall and maybe ten along the back. The closest cell to me was that tier's shower and in there, the window was pretty large. Each cell on the lower tier was labeled with about a two-foot letter with “A” being the first cell on the back wall. Each also had one or two photos of the occupant(s) that resided in that cell. The upper tier looked the same except that “AA” was the corner cell on the back wall. I assumed that the mirror image of the other side was similarly laid out. A few minutes later, I caught a glimpse of Bob strolling down the run from his cell with a bag in his hand and knew he had scored. The guard delivering lunches didn't realize he had gotten a tray during our visit and had left him a bag that contained two meat sandwiches (though I couldn't identify the type of meat), an orange, and three cookies. He had a feast for lunch that day!

Our afternoon seemed to go by more quickly than the morning, and eventually it was 4pm and about time for me to go. It was so good to see my friend again, and I was extremely happy that he had taken the situation with attorney's death so well. I guess though, that after spending over 7 years on death row of the #3 busiest execution states in the nation, you kind of get used to people dying. I was just happy that he took the news so well. Finally, when I knew I couldn't put it off any longer, Bob and I said our goodbyes and I told him that I loved him like my brother. He told me he loved me too and added that I should know him well enough by now to believe that if he didn't mean it, he never would have said it. I had to agree with him. I then hit the buzzer on the door, and the guard in the bubble rolled my door. Bob had to wait until I was gone before he would be allowed to leave our cell. I then closed our door, got the run gate opened, and

then followed the process through first one, and then the next sally-port where I had my ID returned to me. It was time to return my authorization for an 'unrestrained and barrier free visit' to the deputy warden's office and go find some real food. After a great meal at a local Italian restaurant dubbed "Oklahoma's best Italian Food" source, I went back to my hotel room to freshen up and then headed to the hotel lodge for a few drinks. It had been a great day.

On Friday morning, it was time to leave Oklahoma, and head back to Texas where I reserved a room at the Gaylord Texan Resort. The sister and ex-wife of my friend Arnold, who resides on TX's death row were going to meet me for dinner so I made good time traveling the 170 miles from McAlester Oklahoma to Grapevine Texas where I would be spending the next couple of nights. After a few stops to obtain such necessities as a new GPS device, lunch, and a massage (no, not a 'special' massage), I pulled into Grapevine about 6:00pm. Knowing the girls, they would be late so I was not too worried. As I thought, they arrived for 'dinner' about 10:30pm and we headed to the Sports Restaurant at the Texan that boasted a 15+ foot TV and about a hundred other 36"-48" plasma TVs that allowed viewers to watch a multitude of games all at the same time. Dinner and drinks were wonderful, and we decided to head to the resort's nightclub, the Glass Cactus for a few more drinks and some dancing. I have to admit, I enjoyed strolling into the nightclub with two bubbly Latinas accompanying me. What a change from being locked in a death row cell the previous day. Life could be good. Now I am not much of a dancer, and even that description is a stretch but I did manage to get on the floor for one song. Other than that, we visited several of the bars (there must be 6-8 of them) including my favorite, the one that was located outside on the deck that stopped at the shore of Lake Grapevine.

When the club closed, the Latinas and I headed back to my hotel room where we chatted until just after 3:00am, but because Arnold's sister had to work the next day, it was time to call it a night. We all hugged good-bye and the girls headed out of the room and to the elevator while I headed to my balcony for a smoke. About ½ way through my much needed smoke, my cell phone began ringing at my side. It was the girls saying that they didn't have the \$10 fee to get out of the parking garage so I told them I would meet them down in the lobby. When they replied they were standing outside my door, I headed through my room, hearing them giggling on the other side of my closed door. Opening the door, I found my two bubbly Latinas still giggling and joking around. After teasing them about not being able to afford to get their car out of the garage, I found that I only had twenty dollar bills so I handed one to them. One of my Latina ladies told me that they didn't want to take my money and that they only needed to borrow \$20 so to shut them up quickly, I replied "Look, the escort service told me you two would come prepared and you don't have change for a \$20? I don't mind tipping you because you were both so good, but I don't appreciate the game of trying to get an extra \$10 out of me." They both looked aghast and then burst out laughing, snatching the \$20 from my hand before I could launch into another tirade. We then hugged again, and still laughing, they headed back to the elevator that would take them to the lobby. I, on the other hand headed back to my balcony, where from my 9<sup>th</sup> floor perch I could both see and hear them as they emerged laughing from the front revolving door and headed, still giggling down the walkway to the parking garage. I stood there smoking and smiling as they tittered their way all the time they walked to their car. Watching them drive to the gate, I couldn't help but laughing as I could hear one of them say 'the pay booth is closed!' Well, they just saved \$10 I thought.

The next day, I slept in until about 10:30am which thinking about it wasn't really sleeping in since I had been up until after 3:30am. I got up, showered and dressed and went looking for an espresso stand, which is a mandatory morning ritual for anyone living in Seattle. Sometime about 2:30pm, Arnold's ex-wife Francis arrived with her and Arnold's son, little Arnold and his cousin. Walking through the lobby, I told them I was amazed that nobody in their family had been to the resort before, but Francis responded that on the way to the resort, little Arnold told her that he had been there before. She went on to say that he told her that her recently separated husband (not Arnold's dad) had taken Arnold there while he went to 'meet someone' and that they had given him \$20 to leave them alone and walk around, and also to not tell his mom! It was like something from a TV comedy! We all walked around and finally stopped in my Espresso shop where Francis and I got coffee and the boys each got a frapaccino. Since the Dallas Cowboys were playing the Washington Redskins the following day, Cowboy players were even on-hand to make the festivities complete. We arrived at their display just as one of them through out the last of a couple of footballs into the crowd that all screamed to receive one. After he finished, the crowd quickly disbursed and I told the boys to follow me. Never being shy, I walked up to the player and told him that the boys had just arrived and missed his ball toss and asked him if he would give one to each of the boys. He smiled at them, said 'here you go' and threw a mini football to each of the two boys. They were beaming. About a half hour later, Arnold's mom, sister, niece and nephews arrived and we all began exploring the Gaylord Texan in earnest. The décor was great as the inside of the entire place is roughly the size of a football stadium but completely themed as the old west with canyons, rivers, and all the fixings. Furthermore, it was all decorated for Christmas so we were passing by elves, including one on stilts, a sleigh with real reindeer, and of course, Santa Clause himself. The kids were in heaven! We spent a couple of hours walking around, and I did my best to ply the kids energy with sugar every chance I got, finishing off with gingerbread men on sticks purchased at a life-sized gingerbread cottage! We all had a wonderful time watching the kids run down paths beside the man-made rivers, race by the miniature trains and trolleys that were passing through miniature mountains, and danced among the Christmas decorations. We even went and had our group picture taken in a sleigh that was led by a not-so-willing to cooperate live reindeer! Again, I couldn't help but think about the difference between today and my previous day in the Oklahoma State Penitentiary. Because the kids wanted to see my room, we all headed up to the 9<sup>th</sup> floor where they oohhhh'd and ahhhhh'd at the bathroom, two beds, and of course the lake view from my balcony. It was just about dinner time so we soon headed back down for dinner at the Riverwalk Café, located in the heart of the resort's Christmas wonderland.

The Riverwalk is a café that is surrounded by man-made rivers which you pass over by small arched bridges. In the rivers are huge koi that I am sure occasionally make it to some lucky diner's plate. What I like about the café is that it is a buffet style eatery, yet offers fine items such as Chicken Marsalla and Filet Minion. The deserts range from sumptuous home-made cakes, to little French pastries of which I had about a ½ dozen. In summary, there is something for everyone and a price that is not for everyone!

After dinner, it was time for everyone to begin heading back. I love my friend's family and call him mom mi mamacita Mexicana which I think means my little Mexican mama. She always laughs when I say that and I love to watch her laugh. Lord knows she deserves it. We all hugged

goodbye, and as they were leaving mi mamacita Mexicana turned to me and said “please don’t forget us”. I could only look at her and say “never”...