

Toe Tag Parole: To Live And Die On Yard A

TC Transcript

HBO Documentary Films

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Produced by Alan and Susan Raymond

Production company Video Verite LLC

TC 01 00 00 HBO Original Programming animated logo

TC 01 00 06 HBO Documentary Films animated logo with theme music under

TC 01 00 13 Picture fades up with three B&W cards with white lettering on them with theme music under. First card reads

"America's policy of extreme sentencing has led to a historic rise in life sentences. Today 1 out of every 9 inmates is serving life."

TC 00 21 00 Second card reads

" As many states repeal the death penalty, judges replace it with Life Without the Possibility of Parole. The United States has sentenced 50,000 men, women and juveniles to Life Without the Possibility of Parole who will die in prison."

TC 01 00 35 Third card reads

"Life Without the Possibility of Parole is now the alternative death penalty."

TC 01 00 42 Cards fade out and picture fades up on Interior Cell Block with musical theme continuing. A super appears over the cellblock shot that says

California State Prison

Los Angeles County

Maximum Security

Mojave Desert

TC 01 00 57 Cuts to shot of inmate sitting in his cell. Theme music fades.

TC 01 01 01 Cuts to CU unidentified inmate talking to camera.

" I'm sentenced to Life Without the Possibility of Parole. Which is exactly what it says, it's life without the possibility of parole.

It's not better than the death sentence because it is the death sentence. I mean it's just a different method. It's like saying you know and if there's a progression that these things go through. I mean you know people used to be stoned to death and then they were shot and then they were hung, they were electrocuted. Each step along the way always the argument is made that this is a better kind of death penalty. And this is, it's not a better kind of death penalty, it's the death penalty. And the outcome of the death penalty is death. It's never being free again so it's the death penalty.

I have reconciled the fact that I will probably, almost certainly die in prison. Yes."

TC 01 01 55 picture fades out on inmate and musical theme begins.

TC 01 01 56 picture fade up on long shot exterior of prison razor wire fence.

Main title super fades up ***Toe Tag Parole.***

TC 01 02 03 cuts to closer exterior shot of razor wire fence and second main title fade up ***To Live And Die On Yard A.***

TC 01 02 10 cuts to wide exterior shot of prison yard with inmates and third main title fades in ***A Film By Alan And Susan Raymond.***

TC 01 02 21 cuts to interior series of shots of prison mess hall with inmates lining up for food and eating at tables. Music fades and nat sound of mess hall fades in and continues throughout shots.

TC 01 03 04 Cuts to exterior shot prison yard, inmates leaving cell block, some being searched by guards. PA announcement is heard over loud speakers "Into the yard! You're on recall. You're on recall."

TC 01 03 16 cuts to wide shot men exercising in yard. Nat sound.

TC 01 03 20 cuts to a medium shot of an inmate sitting alone at a table in the yard. Lower third super reads

Dortell Williams
Murder Conviction

Life Without The Possibility of Parole

Dortell says "I've been here for 23 years. I came in at the age of 23 and I got a life without sentence for lying in wait, that's the special circumstances, lying in wait, murder. Actually, (pauses) the person who got killed was my wife."

TC 01 03 49 cuts to a still photograph of a young Dortell and his wife "I was doing a drug deal and things didn't go right. It was very dumb of me. I take responsibility for what happened. But um (pauses) you know if I could take that day back I would. I have a 24 year old daughter who's out there now. She was 2 at the time."

TC 01 04 14 cuts to a still photograph of Dortell's daughter at age 2. "I'd give anything just to hug my daughter. She's bitter and to some degree she's bitter now. But I understand. I understand her reluctance. Unfortunately for just a little bit of time in my life I went negative. And I did a lot of damage. And uh unfortunately I can't take that back."

TC 01 04 39 Dortell continues speaking "And that will always haunt me. It will always haunt me that I lost my wife. It will always haunt me that I missed my daughter's entire, you know, growing up. And so I look around at this very limited life that I live. You know this is it. If you look around at my surroundings which are a stone's throw either way, this is it. This is all I have."

TC 01 05 05 "I don't think that, being honest I don't think that anybody serving a life sentence in California has never thought about it, you know at least crossed their mind, suicide. I look at myself and say how am I going to deal with this? What can I do with my life? What can I do in here? Should I allow what I can't change to drive me crazy? Or should I just continue to help the people that I can, contribute where I can, do the best that I can in the live that I'm given? And that's what I do."

TC 01 05 35 "I'm disciplinary free. I haven't gotten into any trouble while I was in prison. I think I had been in 15 years and learned about this yard. I came here in 2003 which is about 2 years after this yard was initiated and this is what I was looking for."

TC 01 05 52 cuts to a series of white on black sentences with theme music underneath that say

The California prison system has the largest number of inmates serving life sentences.

In 2,000, an inmate serving Life Without Parole approached the warden to create a yard that would break the code of violence that dominates prison life.

The California Department of Corrections and Rehabilitation developed the nation's only experimental program that is racially integrated and free of violence and illegal drugs.

The CDCR re-named Yard A *The Progressive Programming Facility*.

The men call it *The Honor Yard*.

TC 01 06 21 theme music fades and picture cuts to an interior office setting with a woman talking to the camera identified in a lower third super as

M.A. Buechter

Associate Warden

She says "In order for you to be in the Progressive Programming Facility, first of all you have to be non-violent, uh no gang activity, no drugs or alcohol. You have to be willing to program with all inmates from all races. And you have to work and you have to seek self improvement."

TC 01 06 39 cut to closer shot as she continues

"Inmates have their own rules and regulations that they follow. It is an unwritten law which basically usually leads to violence and crime. And you have to follow that otherwise you get hurt. The inmates attack you, the inmates, you know, um there's a lot of politics."

TC 01 06 58 The warden's voice continues in voice over shots of the prison yard where two inmates, one black, one white are taking turns on a chinning bar. "The integration of the men in a prison, especially a level 3 or a level 4 prison, it takes some getting used to because there's

always been the political lines. And the whites stay with the whites and the blacks stay with the blacks. The different races stay with their own area. And they're expected to."

"And if they cross those lines, it results in violence. But here, part of our program is that you will put aside your past behavior, your past perceptions of what's normal and it is the expectation that when necessary, you will integrate. And you will accept your fellow inmates regardless of their race."

TC 01 07 41 she stops talking and music theme fades up again as we see several more shots of men in the yard including a man painting a mural on a prison wall.

TC 01 08 09 music fades and the mural painter talks to camera as a lower third super comes up saying

Harlan King

Murder Conviction

Life Without The Possibility of Parole

"That's the thing about a life sentence. Everybody's different and a life sentence has to burn into somebody's consciousness just to accept it. You know some people never accept it. Some people accept it they were born for prison. I was personally, my childhood was like spring training for prison. I had a pretty, my dad was a hard ass so violence and substance abuse I was used to it already. A lot of people ain't. It's foreign to them. It wasn't for me."

TC 01 08 39 Continues "I had anger issues, you know I was 20 drinking. Every little thing pissed me off. I mean everything. It wasn't like I was protecting myself or my kids or it wasn't like self-defense. My issues spilled out into society and I ended up killing 2 people. And yeah I absolutely think about it. More so now as I get older, really starting to, you know I didn't have that right. I can't speak for everybody else. Some people, everybody's circumstances are different you know, a million stories in the city. Mine was every day I wake up I look at myself and say wow, who the fuck are you? How did you get to that point where you thought that you could do that?

TC 01 09 24 off camera question "So how long have you been incarcerated?" Harlan's answer is " It's 30. I just passed the 30 year mark. I had two daughters and they're already grown up. They have kids. I have an 18 year old grand daughter and I just missed it all.

Yep I'll get my toe tag parole when the air quits pumping or the heart quits beating. Or whatever. That's what lifers call parole. Toe tag parole. That when we get put on our slab and sent back to wherever. More than likely. I mean you never give up hope though. Without hope you know that's one of the reasons why I paint is that I still have hope. You know, that's all we have in here is hope."

TC 01 10 10 cuts to wide interior establishing shot of prison cellblock. Nat sound.

TC 01 10 19 cuts to 2 inmates sitting in the cell they share. The inmate sitting on a

bunk bed is identified with a lower third super that reads

Jon Grobman

Convicted of Forgery, Fraud and Embezzlement

Three Strikes Law

Six Life Sentences of 109 Years

Jon says to camera "There's two people in the cell that was originally designed for one person. And uh they added the extra bunk when the overcrowding became too much. Very confined space of about 10 feet by 7 feet with no privacy and 2 people that are forced to get along and we just make the best of it.

TC 01 10 47 The other inmate in the cell, who is unidentified, sitting on the window ledge, says

"It's like getting locked in your bathroom for a really long time. (laughs) And take one of you housemates and lock them in there with you."

TC 01 10 57 cuts to shelving in the cell filled with the inmate's possessions. Jon continues saying "The allotted property matrix for the Department of Corrections is you're allowed 6 cubic feet of property.

TC 01 11 05 cuts two a two shot of both inmates as Jon continues saying "Everything you own is supposed to fit in these shelves at one point or

another. It doesn't allow you to accumulate many things so you use the space as you can for your books or painting materials, uh the things, your photo albums, the things that are near and dear to you, you want to make sure fit inside that 6 cubic feet otherwise they can take it.

TC 01 11 29 There's times when you're on lockdown when you might not come out of here for a week except for a 10 minute shower. This prison isn't on lockdown a lot but a lot of the other ones we've been to you could be on lockdown for months at a time. And you rarely come out. You don't come out to eat. You don't come out for any recreation time. You're just stuck inside the cell."

TC 01 11 54 cuts to the other inmate who is now identified with a lower third super that says

Chris Branscombe

Murder Conviction

Life Without the Possibility of Parole

Chris says "I think this environment is it's own world so to speak you know and the longer you've been down the longer you perceive this as its own country almost like this is its own world. I've been down in prison just recently I hit my anniversary so to speak that you know I got just as much time free as I do in prison. You know I came in at 19, I got 19 years, I'm almost at 19 years in prison you know. So I'm almost at the 50-50 mark of uh that world almost seems further away than the one that I'm in type thing so.

TC 01 12 24 "Getting over that hump that you know usually comes about 15, 20 years in you're going to face that dilemma within yourself if you're going to make the cut or not you know. It's really is environmental. As a society you know we get so far off track of having any real purpose or any direction in here that it's a deficit you know it really is. It's a deficit in here and you can, you can really lose your mind in here.

TC 01 12 50 cuts to a group of inmates sitting at desks in a classroom setting that is identified by a lower third super that reads

Anger Management Class

Inmate leading the discussion says "First to say that not all anger is bad. Some anger is good and once we realize that we won't be in denial about

anger. Our problem lies with anger management, how we manage our anger, because we're going to get angry. Can anybody give an example of what can cause us to get angry?

TC 01 13 09 Several inmate answer "Somebody, maybe an action or policy that attacks your self worth, makes you feel helpless once you string out the anger."

"You feel humiliated or impotent"

TC 01 13 21 group leader says "So being humiliated can make anybody angry. If you're humiliated (inmate off camera says "makes you mad") you're humiliated. What does it do right there on the spot? (inmate off camera says "Triggers anger") It hurts. It hurts your feelings."

"And when we're hurt, that's when that hurt can start moving along a continent and grow into anger. The number one most effective tool for managing anger is forgiveness. So if we can put on a habit of forgiving people, making a point of start forgiving people, then it's good. It's healthy for us."

TC 01 13 53 Inmate seated at desk in back of room says "In prison, I keeps everything in the perspective man 'cause no matter what we're about, no matter how positive a level we're on, there's somebody around us every day that don't care what we're doing, what page we on. They don't respect nothing we're about."

"I could never say I won't victimize somebody in here because you never know the type of people you're dealing with 'cause they don't respect what you're about all the time. As a matter of fact, they'll look at what you're about as a weakness, as a stepping stone."

TC 01 14 27 Inmate seated at desk in front of room says "You try to be, take the high road about it but sometimes the high road you come up on the short end taking the high road so sometimes a person got to do what he got to do. The repercussions that comes afterward, you got to deal with that. But sometimes a person like what he had to do at that time."

TC 01 14 42 Inmate at desk in rear of room again says "Say for instance somebody is your "cellie" right and you know most of us has been in prison all these decades, me 28 years, so there's certain areas in your cell that's sacred to you, you know. People don't just violate them areas you know like your locker and where you have your personal things.

Now a person go in there and he rambles through your phone book this and that, next thing you know your people say this strange person wrote me or this strange person then calls me. Right? But you find out about it. The anger is there once you find out where it came from, the anger is straight there."

TC 01 15 25 the discussion leader answers him saying "I don't want to harm him for something so simple as going through my locker. That's something I'm going to get past. But we have to remember that that's a trigger. I have to know that this is a trigger situation. He's violating my space. I just have to set boundaries and I have to fix that. But I absolutely cannot harm him. That's off the table."

TC 01 15 48 inmate sitting in from of class says "You have to draw a line somewhere man. I'm not saying that violence is the answer but sometimes it take a violent act to get respect from a lot of these dudes. A lot of people take compliments as a sign of weakness and that's not a good thing."

TC 01 16 02 another inmate in class says "Just last year, we in a riot right? And somebody's coming at me with a knife right? What am I supposed to do, just let him stab me? See this is a conflict right here. You know what I mean? I'm not going to let that dude stab me up. Right? You know what I mean. So I can't follow that statement, that mission statement. I got to let that go at this time."

TC 01 16 24 the second discussion leader says to class "I think I've been here longer than most anybody, going on 34. I came in when prison was prison. I'm talking about people getting stabbed with knives this long. (shows length of knife with his hands) I went to San Quentin I was 18 years old. I was a youngster. I was seeing stuff I ain't never seen in my life. I said wow. Now it ain't like that."

It's all about changing. You got to change yourself. Take inventory of yourself, how you used to be and look at you now. Things that you was doing back 10, 20 years ago got you in trouble. You got to stop that. You got to change yourself. You got to take inventory of yourself and stop worrying what the next man think about you. You got to change you. It's about you. It ain't about him, him, him (points to men) it's about you changing what's in here and what's up here. (points to his head) You can't think like you did 20, 30 years ago."

TC 01 17 17 inmate at desk in rear of class says "If what I'm talking about seems more negative than positive then I can only says I'm sorry about that but I believe that we got to talk about the things that we have experienced in order to get over what frustrated, whatever frustrated me in the past, I got to talk about in order that I won't do it again. You know it might sound negative in some sense but it's positive for me to be able to talk about it. Yeah." Scene fades out.

TC 01 17 48 cuts to interior office with woman sitting behind desk with lower third super saying

M.A. Buechter

Associate Warden

She says to camera "We have 18 year old men that came right from their families that have been sentenced to life. And it is an emotional roller coaster for these men because they have to first of all accept and learn to accept the fact that they will never seek their freedom and they will never get out. They will never have their first date. These are the challenges that come with being sentenced to life. However they also have to recognize that there's a lot of politics within the prison world. And they have to learn to maneuver through what can be a very violent environment."

TC 01 18 20 warden continues talking to camera "Inmates in prison can be very predatory, "predatorial". And they seek out younger naïve inmates and basically prey upon them. So what we do is we have a young inmate, not only do the staff get involved but the inmate population gets involved because we all recognize that we have to give him time to adjust, adjust to the politics and the prison life, adjust to being incarcerated without his family members being there to support him, and adjust to growing up in a prison atmosphere.

TC 01 18 54 cut to wide shot of cellblock interior with inmates walking out of cellblock.

TC 01 19 09 cuts to the warder opening a cell door. We see a young inmate standing in the cell.

TC 01 19 17 young inmate starts talking to the camera as a lower third super comes up that reads

Wilber Morales

Murder Conviction

Three life sentences plus five years

"I'm 18 years old and doing three life sentences plus 5 years. And uh it's hard you know, not knowing you never getting out of here. You know it's just an everyday thing you have to face it you know but you have to learn how to live here you know. You have to, you have to just forget about it. You have to do your time you know, try to be positive.

I've never been to a prison not even to visit. Nothing. So it was hard. It was scary. Knowing that I was young too you know coming to a place with all the adults, you know it's pretty difficult. So now I'm just trying to adjust you know. Learn how to live here. Right now I'm in a single cell because of that situation 'cause I'm young."

TC 01 20 05 Wilber Morales continues "Just try to educate myself you know. I'm going to try to do all that. Get a diploma, GED or degrees you know." (Off camera question "How much schooling did you complete?") Only 10th grade I was a sophomore. Yeah I drop out though you know, a lot of problems. Gang issues. All that. It was hard. I really didn't know what I till now that I go back to. (pauses and sighs) It's . . . basically I wasted my whole life man you know. It's unexplainable. You really don't know what to say you know, what to do. You just got to face it like I say you know.

Uh it's hard man you know. Like I said you don't know you might never get out. I'm doing 3 life sentences man you know. And uh I'm not happy about it you know. I advise everybody, young people out there really think about stuff before doing it because I didn't. You know I didn't thought about things now that I'm facing them it's hard. And then you

cannot get out of it. It's not easy. You have to face it, have to face it. Scary you know. All of this is a nightmare that doesn't end you know. You don't wake up from this."

TC 01 21 29 cuts to an exterior prison yard shot of a band tuning up.

TC 01 21 38 cuts to shot of the warden walking in the yard with music in the background. She says "Five minutes. Tell the band to keep on playing. We're going to go across there. Go there. (She points to the other side of the yard as inmates get out of her way as she walks.) Then she turns and says to the camera "So this is our Progressive Programming Facility once again. We have music, musical theory. We allow our inmates to explore their artistic side, to grow through music and anything that helps them find personal and spiritual satisfaction. So we're ready to rock and roll."

TC 01 22 38 cuts to the band playing and a close up of an inmate singing "Street life is the only life I know. Street life swinging Cutlass five point O. Street life seems a thousand miles away. Street life I live my life like every day. Street life it seems there's nowhere else to go. Street life is the only life I know. (Then he begins a lengthy speed rap that is largely unintelligible) Street life is the only life I know. Street life swinging Cutlass five point O. Street life it seems a thousand miles away. Street life I live my life like everyday. (unintelligible) Never leave the house without that glock."

TC 01 24 27 cuts to a heavy metal band playing. The lead guitarist sings "Do your best to die. You're about to die. Yeah your body would die. Yeah your body would die. Yeah your body would die. Say your body would die. Do you do it to you? May it's just for you. (The band stops playing and sits down on the ground in the middle of the song as a prison siren is heard.)

TC 01 25 02 Guard tower voice yells "Yard down! Yard down. Everyone down! All the way down!" Cuts to a group of guards running across the yard to an emergency call. Siren noise continues to blare over loud speakers.

TC 01 25 20 cuts to several wide shots of the prison yard with all the inmates sitting on the ground. Unidentified guard says to camera " We freeze all movement when the alarm goes on. All movement stops so we can control, we have officers responding to another area of the institution so it won't provide enough coverage out here for these people so these guys all stop and we have responders who all go to where the alarm is at. (Off camera question "So they'll sit there until?)" "Until we clear it and make sure everything's okay."

TC 01 26 01 cuts to guards now walking in yard as public address voice from the guard tower says "Resume!" Then the sitting inmates in the yard stand up and the heavy metal band begins playing again some power guitar chords.

TC 01 26 42 cuts to an interior cellblock on the floor with an inmate sitting at a table talking to the camera. He was the singer/guitarist of the heavy metal band. He is identified with a lower third super that reads

Daniel Whitlow

Murder Conviction

Juvenile Life Without The Possibility Of Parole

He says "Back in early '98, uh a friend of mine killed his foster mother and her boyfriend while they were sleeping. And uh initially I went over there to try to talk him out of it, to get him to leave. He was having some issues with them, um with probation and like a robbery and stuff that he was on probation for. And they were saying they were going to turn him in. He was worried, concerned. From what he had said, they were really abusive and uh, so he called me late at night and asked for me to come and pick him up and get him out of there basically."

TC 01 27 26 Daniel continues his story "So I went over and long story short I talked him down or I thought I did, talked him down from doing anything rash and convinced him to pack a bag of clothes and we'd jump in the car and take off. I don't know why he did it but uh it kind of snowballed from there I suppose. I helped him clean up the mess. I helped him bag things up. Uh I helped him move the bodies downstairs to the garage. And that night the cops came and arrested me and apparently when he had turned himself in to the cops, he said that I was the one who did it. And that he had nothing to do with it and I went in

there and I, he said I went in there and that I killed them and that I forced him to watch and all sorts of crazy stuff.”

TC 01 28 20 Continues “And from the beginning I’ve always admitted my wrong. I’ve always. I’ve always been honest about um what I did that night. I’m not proud of it. I’m not trying to justify it in any way. I’m definitely guilty of helping him clean up and move the bodies and everything. Considering that I had never ever been in trouble, I didn’t do drugs. I didn’t get mixed up with gangs. I was just a 17 year old kid in high school still you know, still falling in love with music and girls and just being a kid. And then suddenly I’m standing in court in leg irons and chains in a suit that probably didn’t fit me and a haircut that I hated. And here I am being told that I’m going to be spending the rest of my life in prison. None of those things fit. It was just impossible for me to come to grips with at that time. And I still have problems with it every day. I wake up here. I’m still here. You know 14 and a half years later, I’m still stuck here.”

TC 01 29 17 Off camera question “Can you remember what it was like at that age when you first went to prison?”

Daniel Whitlow answers “Uh it was terrifying. It was a complete unknown. Um I felt really confused. I felt really alone. I felt like I couldn’t make sense of anything. I know a lot of people want to say that they weren’t scared and that they were brave and all that. It’s not about bravery or any of those things. I was fucking terrified. I was just feeling really depressed. I mean I don’t want to say that I ever contemplated suicide or anything but it was pretty close. It was just getting to the point where it was too much. I got into using drugs and stuff, really crazy stuff. And it just made it worse and worse and worse. And I fell further and further down this hole.”

TC 01 30 04 Continues “The fact that I received the sentence that I did and that I was found guilty of the charges that I did, I think is a tragedy. I really want to get out. But uh who doesn’t and for me if I end up spending the rest of my life in prison, then I want to be able to, I want to be able to do it knowing that I did everything that I could to try to get out, to try to right a wrong that I see, try to correct an injustice.”

TC 01 30 47 cuts to a shot of an inmate leaving a cellblock with gate closing, followed by a few exterior prison yard shots with musical theme underneath.

TC 01 31 26 cuts back inside the cellblock, main floor with an inmate with a walker leaving the cellblock. Theme music continues over shot and then fades.

TC 01 31 40 cuts to an inmate sitting at a table on cellblock floor. He is identified by a lower third super that reads

Edgar Gomez

Murder Conviction

40 Years to Life

He says to the camera "I'm 22 years old now but when I first came in I was 14. I was tried as an adult and it's been almost 8 years. I did time in the Youth Authority and waited until I turned 18 so they could transfer me to state prison. So now I've been in state prison for 4 years. I was tried for second degree murder. I was 14 years old when the crime happened. I was involved in a murder. It was gang related. Well it all happened spontaneously. I was, we were walking around, the dude he comes around and uh gets into a fight. This guy gets shot and I'm present. I'm not the guy who committed the crime. I was just present when it happened. And because of the affiliation of the gang, that they had me as a participant of the gang, I was convicted for second degree murder for that."

TC 01 32 32 continues "It was shocking because you know I didn't expect to get that much time. At the time I was like you know, I was only 14 so my mind didn't rationalize all of the things that was going on. All I was thinking was just looking behind my shoulder and looking at my family as all of them were present when they were giving my time. At the time most of the guys that were getting convicted for those type of crimes were getting juvenile life. They were tried as juveniles and they were sending you to the Youth Authority till you were 25 years old.

TC 01 33 05 continues "So now that I'm old enough to rationalize all that and think about all that, it's shocking and you can't help but to think about the decisions that you made in the past, this is what it's costing you now. What you did then, now you got to deal with this now.

TC 01 33 24 continues “Every day that I’m in my cell I have to live with that. What could of done? What if? What if that wouldn’t of happened? You’re always going to live with that. And you can let that destroy you. You can let all those thoughts accumulate in yourself and just go wild like many other prisoners have done. Just go wild. Go crazy. Start committing more crimes in here. But I’ve chose not to do that. Because once you start realizing that, you start realizing that hey your whole life is done because of that one mistake. Because of that one joke that you thought was funny. Because of that one thing that you did which you thought it was cool to do because you were involved in a gang or stuff like that because you liked that. That could cost you your whole life. And I’ve learned and I’ve realized that. That one mistake that I made that day can and could ruin my whole life forever.

TC 01 34 21 continues “ That I believe that why should you just give up on a 14 year old because he committed a horrifying crime because it is, it’s a bad crime, taking another person’s life whether you did it directly or indirectly. It’s bad yes. But should you send this youngster to a prison for life without giving him the opportunity to change? That’s what my hope is that hey a 14 year old yes he had to pay for what he did but should you just lock him up for life?” interview fades out

TC 01 35 05 fades up on wide shot group meeting with the group’s leader Richard Fontes saying “Okay guys today I was thinking in the house . . .

(Lower third super comes up that reads)

V.E.T.S.

Veterans Embracing Truths

. . . and uh you know uh Mr. Montella said that you know this is the first prison that you could be a part of a veteran’s group regardless. Because you know on those other yards, the more politically oriented, if you’re white they don’t want you being with the blacks. If you’re black they don’t want you being with the whites. If you’re Hispanic they don’t want you being, so on and so forth. They don’t know that in the military everybody is either Army green, Marine red, Navy white, Air Force blue, they don’t understand that. We come from a different school of thought.

TC 01 35 38 continues "Now I don't know of a man in here, I know you were wounded in Viet Nam, I know I've gotten hurt in the military. I know Smitty's gotten hurt. I know Metra's gotten hurt, etcetera, etcetera. I don't know a man in here who can't handle the physical pain of anything he's gone through. But in prison you got to hide that emotional pain and you got to hide the pain because you're a soldier. Didn't we talk one day and say that almost every one of us are first termers. Is that correct? Almost every one of us, almost every man in this room has never been arrested before other than this one time. Right? And Mr. Hunter and I, you talk about coming from active duty to prison, I'm going to tell you it was a . . .

TC 01 3619 (Mr. Hunter interrupts Fontes and says) "I'll do you one better."

Fontes says "There you go"

Mr. Hunter continues "When I got the cuffs put on me I was in uniform. And three years later, when I went to reception center, right, in prison, they opened up my bag and it was a retired sergeant major who did my property, he was a correctional officer, did my property, looked in there, Pulled out my BDU's and said 'What's this?' I said that's my uniform. And that's the hardest thing that anybody has to go through. Twenty-two years now."

TC 01 36 56 Fontes says "As Jeff talks about that transition I don't think there's anybody in here that didn't go through that shock. You know like Jeff I was in class B's with all my awards and you know I was an army recruiter when I got arrested so I was in full dress class B's when they surrounded my recruiting office and arrested me so I can empathize with Jeff and I know the pain of that. But as I was saying though can you imagine what other place in prison that us could sit in here right now and feel comfortable even saying something like that?"

TC 01 37 28 another vet says "I did a two and a half in Viet Nam. I was wounded. I came back very damaged not just physically but mentally as well. I didn't go over there to fight women and kids and what not. It turned out that way but it was not my intention. My intention was just to serve my country. There were times when darkness just took over. And I'm talking about the kind of darkness where you shut your eyes

and put your hands over your head, you have to blink your eyes just to know that your eyes are open.

TC 01 38 12 continues “Uh my damage, I don’t know, I accept it. I accept everything that I have done. I’m not saying that that damage caused me to do anything. I didn’t know what PTSD was. I didn’t know what it was until just oh about 15, 20 years ago after I was already in prison. Now I still have problems. I’m only able to sleep two or three hours a night and this is 35 years later. I’m still having emotional problems but you guys, you all give me strength. Plus through my faith in God it helps me to be able to endure the hardships of prison. Where I came from, I come from a war zone, where guys were stabbing not just each other but stabbing staff as well.”

TC 01 39 19 Fontes asks “Mr. King you’re doing life right now?”

Answers “Yes sir I’m doing life now. I’ve had my opportunities.”

Fontes asks “So let me ask you this, as you’re doing life right now how do you feel as a soldier coming in here and having to do life?”

Answers “ I feel like an idiot. The things that I went through I should have been able to deal with the things on the street to keep me from coming here.”

TC 01 39 42 another vet says “My name is Jesse McCulloch, United States Army, corporal, uh ’94 to ’98, six years did a tour in Bosnia, uh did a tour in Honduras in the war on drugs, combat engineer, really helps to come and share with you guys and to hear some stuff especially you Nam vets because anyone that’s been in any type of zone. We had children in Bosnia, they got blown apart, so you Nam vets have seen that. And so it’s a comfort to be able to share with you, to know that we’re not alone, and to have this brotherhood again. As the sarge was saying, we’re out of the military now but the military is not out of us. And so I thank each and every one of you for being there for me as well as for the people on the yard. Thank you.”

TC 01 40 36 another vet named Kicking Horse says “I have no problem. I mean I was scared to death the first time I come. I went to Old Folsom.

That was my first prison and all I ever knew about Old Folsom was what was on the TV. The first thing they told me was we know who you are. If you raise your feet or your arms, we're going to shoot you. Now this is going to be your program. You know. That's what they said. I didn't know what prison was about or what to do. You know. It's a scary transition, coming especially from a military background, a disciplined background into here."

Someone in the room says "It's chaos." Kicking Horse adds "It's chaotic." TC 01 41 09 another vet named Lightfoot says "The fact is that he trusts to speak in here. He trusts to open up his heart to all that pain and hurt. And you couldn't have that, on these other yards if there was a veteran's group or an AA group, hell the people who ran the AA group were the ones who were selling the drugs and making the alcohol. But here that's not the case. Because of this yard the way it's set up to where the men like us have said you know what, we're just going to be men on this yard. We're not going to play these politics. That was our decision. That wasn't CDC's position. That's a decision we made."

TC 01 41 44 continues "And by doing that, we did something that our military training didn't give us. And that prison training doesn't give you. And that is that you're able to start to explore your humanity and as you go to this group, that what's so good about this group, once you start to open up, then you've recognized that you've got a problem and once you do that you recognize he has a problem you start to care about him. And the key to healing is to care about the person around you because that's where the growth begins."

TC 01 42 11 Kicking Horse again says "We have a lot of people that need to gather and share their journey in life. We found that our journeys were similar in life regardless of what branch or what station you went to. Most of us got so much time in now that we kind of . . ."

(Kicking Horse is interrupted by someone in the room asking him "How long you been down?") He answers "I've been down now 28 years myself. But most of us kind of weathered the storm in a sense so we were blessed by the creator to come to a spot like this, to sit in a circle like this. This is truly a blessing."

(someone in the room says "Great!") scene fades out

TC 01 42 46 scene fades up on an interview with Richard Fontes, the vet's group leader. A lower third super also comes up saying

Richard Fontes

Murder Conviction

Life Without The Possibility of Parole Plus 5 Years

He says " I'm sentenced to life without the possibility of parole plus five years. When they gave me life, life without parole, uh at that point I was still numb from the verdict so at that point it was inconsequential to me. It didn't faze me. You know this whole thing, it's just been a nightmare. I still can't believe that I'm incarcerated for something that warranted the sentence. I mean I know I did it. I can't make sense of it what went to that degree I mean I'd done something so horrible that it warranted the death penalty."

TC 01 43 23 There is an off camera question "You killed your wife and her parents?"

Fontes answers "Yes. I'm convicted of a triple murder. I keep wanting to wake up from this perennial nightmare. I still can't believe you know some of the worst nightmares are that this didn't happen. Like I wake up in the morning and I'm greeted with the cell and it's real. It's hard to come to terms when you've done something like that to a lot of people you know. So I look at it from their point of view. Or from any victim's point of view and you say boy they want the worst thing possible for that guy who destroyed my family. And I know I would feel the same exact way. There's no question that I'd feel the same way."

TC 01 44 01 Fontes continues "You destroyed my family boy you know if I couldn't do it myself by God I'd want it to happen to you. You know. And then you look at that and you say well and I hate to say this but you give victims that kind of a loud voice in terms of legislature and then bad laws are passed. And so when these bad laws are passed again what I was referring to earlier about a lot of these kids in here are young guys or guys that aren't young. They've just thrown the keys away. It's amazing the sentences that they hand out to people, and again I'm not going to refer to myself in this, but other people who have done crimes

that where they just throw the key away on them. And you would think you've concerted this human being un-redeemable. How come he can't be redeemed?"

TC 01 44 47 Fontes continues "I know this guy in here, now I don't know what he did entirely in the past but I'm a pretty good judge of character and I don't think that guy would jay walk if you let him out. And yet you've thrown the key away on this guy. And you've said, given under the new law life without means life without. You will die in prison under the current laws you will die in prison. So not only have you said your life's being thrown away but you've given zero incentive to be positive while you're in here. Right. I mean you're saying you're not going to get out. There's nothing you can do to better your circumstances in terms of your sentence. But by God you better go by these rules. You better not cause any problems. Don't act like an animal even though we're going to put you in a cage like one for the rest of your life. I mean for many men in here that's a tough pill to swallow. And it weighs heavy on those individuals. I don't want to speak for anybody else but for me remorse is just ough. That grief and that remorse that I feel that haunts me every single day is a blessing because it continues to make me a better person. It continues to chisel at the answers I thought I once had and now I know I didn't have."

TC 01 46 01 Richard Fontes interview ends and cuts to wide shot of prison yard with music underneath. Several more yard shots follow with music and then exterior yard sequence cut to

TC 01 46 43 interior prison chapel with lower third super reading
Christian Prayer Meeting

As an inmate named Lorenzo standing at the pulpit speaks to the group of men "My name is Lorenzo. I was asked to give a brief testimony about prayer. The power of prayer in my life. The power of prayer has delivered me from rock bottom. Rock bottom is a blessing. I've been in prison for 17 years. I have three life sentences. I was a gang leader on the street. I came to prison a politician, started getting into drugs, I did everything here, stabbed people, whatever you call it. You name it, I did it you know. So I have 17 years. I've been down 17 years. I got three life sentences. But I thank God that he put me in prison. In my case I have a conspiracy to commit murder and I got two attempts of murder on the

police. But I thank God that he held my hand and so I'm not hurting anybody because I believe through the power of prayer he'll release me one day so I can go home and do his will. And regardless I will do his will in here. So rock bottom is a blessing because the only way you can do it is look up by praying. And the rock is Christ and that's what will be our foundation. Thank you."

TC 01 47 49 group applauds Lorenzo and another inmate named Treveo goes to the pulpit to give testimony. He says "Praise the Lord I was asked today to give a testimony and so I'm just going to give a short testimony. At 18 years old I was incarcerated. At 19 years old I was sentenced to life without the possibility of parole and came to prison. You know at 26 years old I accepted Jesus Christ as my personal Lord and savior. And that experience right there has really changed my life. You know the bible said in *John 3:16* that God so loved the world that he gave his only begotten son, that whosoever shall believe in him shall not perish but have everlasting life. And I'm so thankful I came into prison a gang member. I came into prison an alcoholic. I came into prison a weed smoker. I came into prison a convicted murderer. But God loved me enough to send his son to shed his blood on the Cross of Calvary that I can stand here today and be a new man in Christ Jesus amen. So when you look at me today, my name is Treveo Cray, I am a new creature in Christ Jesus. All that old stuff is under the blood. I've been forgiven. Amen. As Christ left a blood stained trail for us to follow amen it's important for us that we leave a trail that someone can follow us through and come into kingdom of God and know Christ Jesus as their personal Lord and savior. Amen. Amen."

(Group of men also say amen and applaud Treveo.) quick fade out and fade in then at

TC 01 49 14 same scene in the prison chapel but cuts to the men who have now broken up into small prayer groups. We hear James King the inmate from the vets scene praying as he says "Bless our ministry. Bless the church. Bless the pastor. Bless the leaders of the church. We ask Lord that you bless my children who are missionaries. Bless that they continue to do the work of you Lord Jesus. Oh halleluiah we pray Lord right now for your presence upon this yard. We pray that you bless the administration. We pray that you bless the officers on this yard. We pray Lord that you will continue your work in us, through us by you and by

the presence of the Holy Spirit. We give you all the praise and you are worthy of our honor. We lift you up. We exalt you. We magnify you. We glorify you. And we thank you Lord for being our Lord, our savior, our God."

TC 01 50 01 another inmate prays and says "In the spirit father God, in the fellowship that we will see those that already gone father God that we might see them when we get to your house father God. We thank you father for that father God because you know if we fall short, help us continue by your word to be treated more Christ like father God in Jesus Christ's name we ask for these things." Scene fades out

TC 01 50 20 interior shots of the art room at the prison with inmates painting pictures and close up shots of their paintings. Music underneath. A lower third super appears saying
Healing Through Art

TC 01 51 13 cuts to an interview with an inmate named Duncan painting a picture of a jet plane. Lower third super appears as he begins talking
Duncan Gordon Martinez
Murder Conviction
Life Without The Possibility Of Parole

"We do auctions and the proceeds go to different organizations. In this case veterans. And uh so we'll do a series of paintings, different things, and then when they get donated, after they sell, the donations go to different charities. Gives us an opportunity to do something productive. Um there's no tomorrow. What we do and what we can achieve in here is it. There's no progression like a normal life. I think in many respects that's the hardest part of prison. It's that there's no tomorrow. There's no growth."

TC 01 52 05 off camera question "Have you been in for a while?"
Duncan answers "Almost 20 years. And uh you do what you can do. Make the best life out of it that you can. Hope that it's not a waste. Yeah it was a capital case. I was supposedly the mastermind in the death of my best friend. And uh, you know, it's uh . . . that side of it you live with forever. That doesn't go away. Um and there's only so much, only so much you can do in here to make up for the life you lived and the things you did or didn't do. I mean things like this are great. We can do

something for someone. We can try and make a difference. But it's not the same as progressing through a normal life. I don't know. It's hard."

TC 01 53 20 music comes in and we see some more pictures that the inmates have painted.

TC 01 53 42 Then an inmate standing next to one of his paintings says "This painting right here I called *The Monk*. As you can see he's very somber with storm clouds and lightning and a vulture representing death. For me it started off with just a piece, I was in a pretty dark place years ago and that type of piece was reflective of how I felt about everything and anything."

TC 01 54 07 cuts to the same inmate now sitting down and talking to the camera. A lower third super appears that says

Chris Mann

Murder Conviction

Life Without The Possibility Of Parole

"I'm 39 years old. Um on and off I've been incarcerated for one thing or another since about the age of 12. Uh since the age of 12 I have one year four months two weeks and two days free in society because of the bad choices I was making in society. Because I didn't value life at all. I didn't care whether I lived or died so how could I care about how you lived or died? You had something I wanted, I was going to take it. Sitting in a bank parking lot and decided I need money and a place to go to get out of the state of California. So I left, went to the bank, moved up on the bank like I was going to do a robbery and in the commission of that robbery I shot and killed an innocent man."

TC 01 55 03 Chris Mann continues speaking "For taking someone's life in the commission of a felony at that, there's either death or life without parole. That's it. There's no, there's no wiggle room in there. My case wasn't a case of innocence or guilt. They knew I was guilty. You know when you're on camera doing what I did, there's no, there's no hey that's not me. No they knew it was me and I knew it was me. And that's just the way it went. And it was either death or life without. I found out later on in my jury there was one female that says "I'm not going to kill that kid.' So it was eleven to death, one to life without."

TC 01 55 47 Chris Mann continues “When I heard the words come out of the judge’s mouth ‘You are hereby sentenced to the California Department of Corrections for the sentence of Life Without The Possibility Of Parole’ without the possibility of parole. That means the door at the end of that . . . most people whether they have 25 to life, 15 to life, even though most of us know you’re not getting out of jail, you’re not getting out of prison. That small . . . however they have that small little window way at the bottom of the hallway, that door just went closed. Basically you’re just waiting in a cell for that final day ‘cause your life’s over. That’s it. I broke down. I didn’t care whether I lived or died. At that point I was doing stupid things and getting in trouble and I didn’t care. What are you going to do to me? I got life without parole. I could kill 20 people from that point on. What are you going to do? Can’t do nothing. Only thing you can do is kill me and you’ve already done that.

TC 01 56 56 cuts to an interior office interview with Charles Hughes with a lower third super that reads

Lt. Charles Hughes

Chief Correctional Officer

Progressive Programming Facility

“You know any inmate that wants to think about this program they should really look at what they’re going to do with the rest of their lives. If they’re doing life, they can either do it hard or they can do it a little bit easier. And it’s not to say we’re being easy on these guys because they all committed crimes. They all . . . there’s a lot of victims out there that these men victimized. But the issue is, if they choose to behave, you’ve got to give them a path back. And if you don’t then you’re really, you’re just warehousing someone and those guys can get very dangerous and violent for my people, for my correctional officers.”

TC 01 57 31 Lt. Hughes continues “And basically what it is, when they come over to this facility, they’ve all agreed to basically stop the politics. Um if you go to like Facility B, um and you’ll see the blacks separating from the whites and the whites separating from the Hispanics. And everybody kind of sticks together based on racial lines. Over here you’ll watch whites, Hispanics and blacks play basketball. They will play softball together. And basically it’s because they choose to do that. They choose to not have the politics um and that equates to less violence, less

hey you have to go handle this business or hey you have to enforce this guy's drug debt. Or hey you got to go stab this guy because he snitched on so and so. They've all said look I'm tired of that. They've all said you know we want to program. We want to get to these programs that are offered over here. They want to paint. They want to you know take college courses. They want to better themselves in anger management classes."

TC 01 58 40 Lt. Hughes continues "You look at the number of incident packages, staff assaults, battery on staff, battery on inmates, some of the serious crimes, weapons possession, you're not going to really find that here. Right next door, a hundred yards, you're absolutely going to find it. Every day. Those inmates are the ones who are still choosing to engage in that behavior. Over here they choose not to. Could happen. They're not totally changed in that way that it will never happen. It could absolutely happen and the way it affects us is we always know that so we don't totally let our guard down. It's definitely a better place, a better work environment because the incidents and the chances are drastically reduced based on their choosing to behave appropriately. However could it happen? Absolutely it could happen. It's prison. It's prison."

TC 01 59 34 cuts to exterior yard and a softball game being played by the inmates. Nat sound with occasional voices heard saying

"That's a strike!"

"Come on live ball, live ball, live ball!"

TC 02 00 33 cuts away from game to Lt. Hughes standing on the edge of the baseball game saying "Well if they're worried about the security of having a bat, I can say that I don't think we've ever had one incident where anybody's been injured, inmate or staff, with a bat on this facility."

TC 02 00 46 off camera question "But you wouldn't give a bat on one of the other yards here?" Lt. Hughes answers "Probably Facility B, C or D will not see a metal bat, that's true. Those inmates have shown a propensity for violence and the likelihood of potentially an assault by a bat is greater than is here."

TC 02 01 07 cuts back to the softball game as a batter hits the ball and then hits it again, runs to base but ball is caught and the side ends. All nat sound, mostly unintelligible.

TC 02 01 48 cuts to interior scene group meeting with lower third super that reads

Houses of Healing Workshop

The group's leader says "Let's all take a meditative kind of position. Everybody can kind of set their stuff down. Let's everybody just close their eyes and take some deep breaths. (the men in the group close their eyes and begin to meditate)

TC 02 02 15 the group's leader continues "As you breathe out feel the tension releasing from your body and mind. Breathe in and feel your own inner strength. As you breathe out, let go of any fear or worry. Let go of unhealthy guilt or self-blame. Let go of self-judgment. Open your heart to yourself knowing that you deserve your love. Whenever you guys are ready."

TC 02 02 56 group leader continues speaking "It's difficult for people on the other side of the fence to see as something more than the crime that put us in prison, that we put ourselves in prison you know. And I wonder if any of you guys would like to talk about that issue of you know when did you finally, when did it dawn on you, you know, the gravity of what you had done and how that would impact other people's lives?"

TC 02 03 22 an inmate named Donald in the group volunteers to speak and says "Right off bat I kind of understood that I took someone's life but I was kind of still in denial at that time. It took about, it took about, it took about 10 years, no 10, it took about 14 years for me to really realize what was going on. I lost my, like I said I lost my mother in 2007 and that was the hardest, hardest thing I had to accept. From her death made me really look into my own life and realize that I actually killed someone and I actually you know what I'm saying I killed someone and I have not really accepted it. I didn't accept it till my mother passed. That's what opened up my eyes to everything. So now I killed this person and understand that I took a son, I took, I took an uncle, I took a cousin, I took a brother, a baby's daddy, I took, I took what society uh

gave someone's mother. The mother had this son and I took it away from her. It's, it's a cold situation man. It's just like for years and years and years basically I've been in denial. I've been in denial over and over and over and today I can sit back and say that I am remorseful behind something I did 20, 20 years ago."

TC 02 04 54 another inmate named Gomez speaks to the group. He says "All, all this time, I would say to myself I didn't do nothing. I was just there. I seen it happen. Why should I be doing all this time? But my mom told me, she sat me down and told me look 'Even though you were there, you didn't do nothing to stop the guy from getting killed. So really you're at fault as the same guy that actually killed him.' And that's when I learned that to accept, hey, take responsibility for being there. Take responsibility that the guy is dead now and that you let, you left kids out there without a dad, a brother, a cousin and a father. That's when I learned that to take responsibility for that. That's when it hit me. I really did something and I should just take responsibility for it and move on."

TC 02 05 48 group leader says "Since what we're talking about is life without parole or life sentences because I know 40 years to life is like a de facto life without parole in my mind. I know myself when I received life without parole I was 19 years old. And uh I remember at the time it didn't seem like a real thing to me. In the early years of my incarceration I really had no sense that uh you know that what I had done, the gravity of it and what the enormity of taking someone else's life. In a sense it seemed as if it was another abstract kind of thing for me. You know I, in my case I, I beat a guy to death in a fistfight when I was drunk. You know we basically got into an argument and that was the outcome of it. And I think the first few years I kind of felt that it was his fault. You know well he started the fight it's his fault you know. And it took, it was Probably getting closer to that 10 year mark for myself where I kind of all of a sudden it started to, it started to dawn on me what I had actually done, how much I had hurt someone else's family."

TC 02 07 02 another inmate in the group named Lee speaks up and says "I remember when I first got arrested the, the detective was telling me that he was missing his daughter's birthday. And I'm like hey I'm sorry I apologize you know what I mean and he's like, he goes 'No I don't think you understand that's minor to what you did. I'm missing a birthday. I'm

missing time away from my family but you took somebody's life. They're never going to have another birthday. They're never going to have another anniversary or see their daughter graduate.' When I started feeling empathy towards them was when I started reflecting on my own life, when I started thinking about when my father was killed, like what it felt like to me. Like I wanted answers. Why did you take my dad? Why did you shoot him at that time? Why did you do that? That's when it all really started to sink into me of hey wait a minute I did the same thing that they did to me. You start feeling what they are going through. You start putting yourself in their shoes and what they went through. Once you start being able to that, that's when you're making the difference, that's when you're making the amends. That's when you're starting to honor your victims that you created."

TC 02 07 07 cuts to interior wide cellblock tier shot with nat sound, then cuts to a closer shot of an inmate sitting in his cell through the open cell door. More nat sound.

TC 02 08 17 cuts to a CU of the inmate who talks to the camera. A lower third super comes up that reads

Kenneth Hartman

Murder Conviction

Life Without The Possibility Of Parole

Hartman says "I've been in prison for going on 34 years. Came in when I was 19 years old. I'm 52 years old now. (cuts to his B&W 19 year old state of California mug shot) I think when you first come in there's a progression that most prisoners go through. (cuts back to Hartman in his cell) And in many ways I think it's really similar to the stages people go through with grief and dying. And it's a sense that you know when you first come in there's a kind of denial. You know your appeal's going to go through. There's going to be a change in the law. You know the government is going to realize they made a terrible mistake. Uh things like that. And I think also most people when they come to prison are very young. And when you're young the sense of long time, it's not very well developed in young men I think."

TC 02 09 09 Hartman continues "And then as you progress through that, your appeals are denied, the laws don't change or they get worse, which in my case they kept getting worse. Every year there was like a new law

that made everything even worse. Uh and then you realize that you come through the sense of feeling like this is all some uh terrible injustice and you know even if you know you're guilty, uh there's still a feeling that you have that there's a kind of injustice to this. Um and then it's around 10 years and I've heard the same thing from other men that I've served time with over the years, it's about 10 years all of a sudden it's like there's this voice inside of you that says 'This is really real and this is where you're going to be for the rest of your life.'

TC 02 10 04 Hartman continues "The reality is most of us come in and we're not perfect guys. We're bad guys. That's why we came to prison in the first place. And uh I certainly was. I went to the hole several times. I was involved in you know bad things in prison. Um I stabbed people. (cuts to a Polaroid picture of a young Hartman in prison) I was involved in you know violent episodes that you know, prison was a violent place. (cuts back to Hartman in his cell) And, and I was just out of control. There's really no other way to put it. I would not want to hang around with the me when I was 18 years old now. But as I got older and interestingly enough by the time I was about in my mid twenties, which supposedly when your brain in a man develops, all of a sudden was going what in the hell am I doing here? And, and it was almost as if a bulb went off inside my head that was like what used to be the kind of this rationale I had to be angry, to be violent, to be filled with this irrational rage, it's like it just dissipated. And I was sort of like the air went out of that balloon and I was standing around going oh my God what am I doing here?"

TC 02 11 16 Hartman continues "And right about the same time (cuts to a photo of Hartman with a woman hugging him) I met this woman who was working in a lawyer's office over the phone. I started talking to her, uh we fell in love with each other and then (cuts to another photo of the couple hugging) knowing that someone loved me, um I just felt like I had to become a better man. I stopped using drugs. I stopped drinking. I stopped doing all of the stupid things I had done for so long. Drugs are available everywhere. Just put it that way. I mean there's, if you really want drugs they're available everywhere. You know the United States government has spent you know hundreds of billions of dollars trying to stop drugs and with no success. They have had no success in prison either so ..."

TC 02 12 02 (cuts to three photos of a prison wedding ceremony with Hartman and his bride) Hartman continues "After five years uh we finally decided that we would try to get married and in those days the State of California had what were called family visits, which you know translates to conjugal visiting. Yes we're having sex but it's really not about sex. That's not what it is. It's an opportunity to not be in prison for a couple of days. It's an opportunity to be a man with a woman. It was a really great program that was ultimately done away with for no good reason." (cuts to another photo of Hartman and his wife)

TC 02 12 39 Hartman continues "But prior to that and for several years my wife wanted to have a child. And in December, the day after Christmas in 1995, my daughter was born. (Cuts to three photos of Hartman, his wife and their daughter) Um and it's as if everything that had happened up to that point, that was like the culmination of everything. And it's the culmination of my feeling of being very lucky. I ended up, I ended up with a beautiful, perfect, amazing daughter um who I, I love beyond words."

TC 02 13 22 cuts to an interior room in a home, not the prison, with a young girl, Hartman's daughter, talking to the camera. A lower third super reads

Alia Hartman

Alia says "I mean people are always surprised that I can just see him period you know. They're always expecting like the really cliché like phone call you know and the glass window and you know people holding up their hands up against the glass and really teary and things. And it's not like that all you know. It's like this big open room and there's just like you know many 20 other families in the room and everybody's in their own like little bubble. I don't know it's always been like just a really normal thing for me, going and visiting him. Um I mean I'll always be tied to the prison system for sure. Just, I mean you know I was conceived on a prison. I mean that right there, kind of life long bond I guess but um."

TC 01 14 10 Alia continues "You know I mean like people think that everyone in prison is a bad person you know. And it's like, I don't know it's, I mean there's a point I think where justice stops and revenge

begins. You know like, it's like well let's just lock them up forever because they've hurt us and we've got to hurt them back just as bad. And I think that, I don't know it doesn't seem like the right thing for me. Like you know like my dad took a life so now he has to give his life because that's what it is. That's what it's always been for me is you know the other death penalty is being in there forever and I think that's worse you know."

TC 02 14 57 Alia continues "I don't know, I've always, I've always been kind of at peace with the fact that he's never going to get out. You know it upsets me but it doesn't, you know, I don't like hold out hope that he's going to get out. Yeah it's a big weight I think. It's a big weight to carry. You know that um and I've kind of, you know I've cried about it my whole life definitely. But I don't know it never stops hurting less I think. Especially now that I'm getting older and um I don't know it's like I think my greatest fear isn't, isn't even like him being there forever. It's, it's like me going on and forgetting about him you know. He's like this, just like I think he's the best dad you know um, better than most regardless of whether or not they're in prison." Scene fades out and music comes up.

TC 02 16 12 fades up on exterior shot prison yard and we see the wall mural in the distance background. Music and nat sound continue. Cuts to a closer wide shot of the entire mural. Cuts to two inmates painting the mural with long poles. Music fades out as the film cuts to an interview with the painter of the mural standing in front of it. A lower third super reads

Harlan King

Murder Conviction

Life Without The Possibility Of Parole

Harlan says "Started off just as an Iwo Jima memorial but then it turned into scenery and now the supervisors want me to go all the way down the wall uh which going to be a pretty big mural. Well primarily this is what I painted with. It's actually a painter's pole for a roller uh I adjusted it I guess is a good word to where I can get way up. They won't let us have scaffolding for security reasons. And I never done it before. It was an experience, learning experience. I did one blob that was way up there and I put too much and it came right back on my face. Took me about an hour to clean it off. That was fun. My assistant Tin, Vietnamese,

he's Vietnamese, great assistant, he come right behind me with a wet towel when I'd *squatch* and he'd be right on it. So it was a team effort definitely.

TC 02 17 33 cuts to a CU shot of Tin's face as Harlan says "This is Tin my invaluable assistant." (cuts to a two shot of Harlan and Tin) He's to me what Michelangelo's assistants were. Couldn't do it without him. That's really, that's the truth.

TC 02 17 43 Tin says' Thanks. Thank you. Appreciate that.

Lower third super reads

Nguyen Tin

Murder Conviction

Life Without The Possibility Of Parole

Tin says "I've been incarcerated about 15 years now, when I was in my early 20's. But like I said I've been incarcerated, in and out, since I was 13. I thought I wouldn't know better but I guess once you get caught up in the system, the gang life, and stuff like that, it's you know you get so used to masking bad decisions that it became an instinct to me. I made my choice in life so I guess I have to be responsible for it. So now I'm doing my time and waiting for this life to end so I can on to the next life, be a better person next time."

TC 02 18 26 cuts to a shot of Tin and Harlan painting the mural. Then more yard shots with nat sound. Then exterior shots of prison walls, first close then at a distance. Then two shots of the Mojave desert region where the prison is located. Fades out.

TC 02 19 05 music and picture fades up on three B&W cards saying
The California Department of Corrections spends \$10 billion a year on its prisons.

The average annual cost per inmate is \$62,000.

The U.S. Supreme Court in 2012 ruled mandatory Life Without the Possibility of Parole for juveniles unconstitutional.

However, in all states juveniles still can be sentenced to life in prison.

The European Court of Human Rights ruled in 2013 Life Without the Possibility of Parole to be inhuman and degrading stating that no prisoner should be deprived of any real hope of release.

TC 02 19 32 fades up on production end credits with music underneath

TC 02 20 21 animated Video Verite production logo with music underneath

TC 02 20 27 animated THIS HAS BEEN A PRESENTATION OF HOME BOX OFFICE animated logo with sfx/music underneath.

TC 02 20 32 all picture and sound fade out

