

MAKING AMENDS

Episode Two: Hurt People Hurt People

Narration: After nearly a year of planning, and of waiting for the pandemic to abate, I am sitting in a circle in a classroom at the Columbia River Correctional Institution in north Portland. The classroom is basic and unadorned, and the hard plastic chairs not especially comfortable. The florescent lights shine bright, and help keep us alert, which is useful because it's barely 8:30 in the morning on a Saturday. With me are five deputy district attorneys who work for Multnomah County, and six men who are incarcerated at CRCI. I am trying to help break the ice, and trying to get each person to learn everyone else's name. So, I ask the group to play a game. When I explain the rules, Jacob and Kirsten quickly realize that where we start the game has important consequences for them. Jacob is sitting next to me on my right side, and Kirsten is on my left.

Herbert: Alright, so one other thing we gotta do before we get started. I want everybody to learn, as quickly as possible, everybody's name. So we're gonna play the name game. And we're gonna go this direction. So when it comes to you, your name and everyone that's preceded you. **[Group laughter]**

Jacob: Can we go this way?

Herbert: We're going this way. **[Group laughter]**

Kirsten: Oh I am going to fail. I am the worst!

Herbert: No! You're going first!

Leslie: Yeah, you can't—you can't fail.

Kirsten: Oh I can't fail?

Leslie: You only have to remember one name.

Herbert: Once you get your name right, you're good. **[Group laughter]** Once you get your name right, you're good.

Kirsten: Okay. I'm Kirsten.

Herbert: That's it!

Messiah: Uh, so I gotta say her name first?

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Herbert: Your name, and then the . . .

Messiah: Okay, Messiah, Kristen?

Kirsten: Kirsten.

Messiah: Messiah, Kirsten.

Leslie: Leslie, Messiah, Kirsten.

Narration: We work our way around the circle. Clayton does well, but he forgets an important component of the game.

Clayton: Enoch. Gerard. Devorea. Leslie. Messiah. Kirsten.

Leslie: You didn't say your name.

Herbert: And you are?

Clayton: Clayton! **[Group laughter]**

Jacob: I thought he had said his name and I missed it. **[Group laughter]**.

Narration: Jacob goes last, but he nails it. He gets everyone's name correct. The ice broken, I try to bring the conversation into focus. I have brought these folks together to have a series of six conversations about crimes of violence and how to respond to them. Our high rate of incarceration is a result of the long prison sentences we hand out after convictions for violent crimes. So, if we want to reduce the rate at which we imprison people, we will have to change how we punish crimes of violence. But the harms of violence are real, and the drivers of violence often complicated. As the conversation progresses, I start asking the incarcerated men – all of them in prison for a violent offense – about why violence was something that they practiced. I turn to Enoch, and invite him to share his story.

Herbert: Enoch, what are your thoughts about this conversation?

Enoch: I used violence exclusively as a means of power and intimidation. Because the violence is done for the most part for intimidation, and in some instances, revenge. But that revenge is meant to make a statement to the rest of the community. And so, fear.

Herbert: But to the extent that you've been harmed by violence, how would you characterize that harm?

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Enoch: Childhood abuse stripped away, you know, my sense of self and created a person who felt powerless. And so I went to regain that power by using the exact same tools that I had been shown. You know, your tool kit is only a hammer, all your problems are nails, and you just start beating away at them. And that didn't work out real well.

Herbert: But that's all you knew.

Enoch: That's all I knew, yeah.

Narration: We rely very heavily on our criminal justice system as our main response to crimes of violence. And for the past several decades, that response has been highly punitive.

But does that punitive response make the most sense? Well, to answer that question, we need to know something about why violence occurs in the first place. What leads some people to commit a violent act? What are some of the backstories of those who wind up in prison on a conviction for a violent crime? What can these men teach these prosecutors about why violence occurs?

This is season two of Making Amends: The Prosecutors Go to Prison. I'm Steve Herbert. In this series, we're going to follow a group of prosecutors from Portland, Oregon who agreed to enter a prison there to engage in several conversations with six incarcerated men. Their goal was to consider crimes of violence – why they happen, what harms they cause, and how we should respond to them. What can they learn from each other, and what can we learn from listening in?

Episode Two: Hurt people hurt people.

Enoch: So first I was abused as a small child, and that instilled probably a great deal of a sense of powerlessness, you know what I mean? Like I'm at the mercy of everyone around me. And that carried through, because I was just so small. (laughs) You know what I mean? So I had to deal with a lot of the bullies and stuff like that and I just, I had to make a decision in my mind, whether I was just going to lay down and take it, or whether I was willing to escalate things to whatever level necessary to win.

Herbert: So it was all about power?

Enoch: All about power, yeah. When you feel powerless and you realize that violence gives you a large measure of power, that in itself becomes addicting, because you don't really have to think through the complex things anymore. Now you just have that instantaneous

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solve-all. Now, it comes with a whole host of other problems, but because it has that sense of power attached to it, and you become so dependent on that, the other things you think, “Okay, well, I’ll just sort these out as they come,” you know? And then you just end up with this giant shit-pile of accumulated problems.

Herbert: So did you enjoy violence?

Enoch: I enjoyed the power of violence. And later on as a skinhead, I enjoyed that same sense of power when I’d be walking down the street and somebody would see me and cross the street to walk on the other side. I was like, “Yeah it’s my fucking sidewalk.”

Narration: Enoch was once a neo-Nazi skinhead. He talks with me about his past in a one-on-one interview. As he looks back on it, he understands his embrace of that world as a means to recover the loss of control he felt as a youngster. He was born to a heroin-addicted mother, and suffered physical abuse as a child. He was eventually shuttled into foster care, and adopted into a new family when he was four. But the legacy of the abuse, coupled with a chronic case of attention deficit disorder, left him feeling out of sorts in his early life. He acted out to such a degree that he ended up in a few different residential treatment centers for struggling youth. It was in one of those facilities that he met up with a skinhead. Enoch turned out to be an easy recruit.

Enoch: And then I was just so arrogant about everything that, you know, God forbid I sit down and learn anything from somebody who might be wiser than, than my 12 years or 14 years of age. The combination of, of power, my arrogant mindset, I just don’t think there would’ve been much that would’ve knocked me off of the path. You know, the whole skinhead and neo-Nazi schtick, it became a mighty convenient way for me to blame all of those problems onto someone else, or groups of someone else’s. Like the perfect storm where everything kind of fits into place.

Herbert: So, it sounds like the need for power and the exercise of violence to acquire that power sort of precedes the skinhead embrace, and so maybe that explains it more than vice versa.

Enoch: Yeah, no 100%. Back in those days, they were the most reviled, but at the same time the most feared. And I was kind of a loner anyways, so being reviled didn’t really mean shit. It would be a continuation of what I was already doing. So, a lot of the literature of hey, you know, ‘Can’t find a job? Well, those Mexicans sure are taking up all our jobs.’ You know it, you just (laughs,) when you’re young, a lot of that stuff just seems really logical, you know, and you get sucked in. So, yeah, I mean I’ve definitely made every wrong decision I could possibly make, and led with my chin. You know what I mean? Just took it right on the chin. So, when I look back now, I’m just mystified.

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Narration: Given this background, it is perhaps not a surprise that Enoch eventually committed a murder, one that led to a 25-year prison sentence.

Herbert: So, if you hadn't committed that homicide, do you think you would have eventually committed an assault of some sort that would have landed you in prison?

Enoch: I would have continued to use violence as a means to an end. Yeah, no 100%. I hadn't learned anything that would dissuade me from that at that point.

Narration: Unsurprisingly, Enoch was not the only group member who experienced violence at the hands of adults when he was growing up. When Enoch finished telling his story, Gerard raised his hand.

Herbert: Gerard?

Gerard: I think as far as the impact from violence at a young age, you know, dealing with abusive parents and things like that and just violence in general. I think one of the things that it did, it made me less trusting. I didn't see the best in people. I always look for signs that there was an angle.

Herbert: You lost the ability to trust people.

Gerard: Yeah. Even when people had my best interest at heart.

Narration: For Gerard, exposure to violence began when he was quite young.

Gerard: Well, I think for myself, violence was accepted at an early age, as a means to, a solution to problems. I think that violence was so prevalent that I became desensitized to it and the affects it had on people. I never even thought about it much. It was a part of being a man, if that makes any sense.

Herbert: So when did violence first enter into your life?

Gerard: Probably at a young age. I look at some of the parenting techniques that was used on me was violent. Pussy willow trees braided together, fishing poles. Just at a young age, that's traumatizing. And then as I got older, you know, hit with objects like beer bottles and things like that.

Herbert: So this was your parents?

Gerard: Yeah.

Herbert: So you were regularly punished with violence?

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Gerard: When I did something that warranted it, or when my people was in a bad mood sometimes. It depended, but yeah, it was a part of it, a part of life.

Narration: What Gerard saw in his home, he also saw in his neighborhood.

Gerard: I grew up in Portland from '90 on up. I was gang-related, but before that I was surrounded by violence even in family structure. I was taught early, subconsciously and sometimes intentionally, that violence was the solution to problems. You know, one of my uncles was talking and he said, "If a man can't hit his wife, who can?" And as a youngster, I said, "Yeah, who can?" And it's like, okay. But everyone around me was like me. All my friends, they had the same situation. And that's how I got involved with drugs, selling drugs at a young age, gangs, and violence was a big part of it.

Narration: Gerard's embrace of drug dealing was, in part, a response to his poverty.

Gerard: Once I realized that I was poor, on welfare, food stamps, section 8, all of those things, it kind of lowered my self-esteem, to where I didn't value my life, and I didn't have any real desires or goals. I felt like the position that I was dealt in life was permanent. And so my self-esteem and my self-value was at a low.

Narration: Gerard shared his experience of poverty in the circle.

Gerard: I think one of the harder things to put a finger on would be the psychological effect of knowing, once you're aware that you're poor, and because when you're younger, you really aren't that in tune to class. But once you're aware that you're at the bottom of the class system, self-esteem just plummets. And then you start feeling less than. And then that's when, since you don't value yourself as much, to act out violently and all the bitterness of understanding that you're poor.

Herbert: So that was part of your experience?

Gerard: Yes.

Herbert: Can you tell us more about kind of how that, how that consciousness developed for you?

Gerard: Well, coming up, you know I grew up in a part of Portland. I lived in these apartments called Kirby Square, everybody was poor there. So it wasn't, you know, I didn't realize how poor I was until I went to a friend's house that lived in Beaverton. And I seen like 10 boxes of cereal on the refrigerator right, I'm like, "Dang! All the ones on the commercials too." You know, it was like, man, this man got it going on. And he was arguing with his mom like, "Why are you tripping with your mom? You got it made." He had his own

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room, had a TV in it, you know, he had a bunk bed. He lived, he had his own room with a bunk bed. So it was like man, you know, then I went back to my house. You know it was like, man, I thought everybody drank outta jelly jars.

Narration: Unfortunately, Gerard's experience growing up in a neighborhood characterized by poverty and violence is shared by others. As he pointed out later to the group, this helps explain the prevalence of street gangs in his and other poor areas.

Gerard: Yeah, I just wanted to speak about harm and the psychological aspects of it and how it gets passed on from generation to generation. And how the old saying sometimes rings true, "Hurt people hurt people." And then so when you look at the gun violence situation in Portland, and how it seems like it comes out of nowhere. But it's a problem that's been present in Portland since the mid-80's and you're dealing with the children of violent gang members who was violent in the past. And people who have grown up in a culture where violence is taught to be the solution to problems. And just the violent culture that's been passed on, from generation to generation.

Herbert: You wanted to feel like invincible or untouchable. Why do you think that was important to you?

Davorea: I felt like nobody knew me. I was just a new person around. So, I felt like if I made a name for myself -- people respected people who made a name for themselves, they respected you a lot. I want motherfuckers to be scared of me, so they won't try me.

Herbert: So it's the best way to protect yourself.

Davorea: Yeah. Everybody's not gonna try a person that they know is one of the hardest people.

Narration: Davorea also grew up in an area with more than its fair share of violence. Although he wasn't especially poor, street gangs were active in his neighborhood, and he moved in that direction. He explained how this happened to the group.

Davorea: Where we grew up at is why I think the life that we chose came to us. Like you know, our friends and stuff. Out of four of my friends, three of them, their whole family is gang members. So their family expect them to be gang members, because we all from this gang, so you all going to be from this too. So you hanging around them, you get caught up in a fight. So then now these guys think that you're a part of them when you're not. Now they think I am. So I'm like, "F' it. I might as well be from it! And I might as well join it." And then now, whatever, now it is what it is. Now, okay now I'm expecting it.

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Narration: But life in a gang meant embracing violence. And, over time, that violence was increasingly practiced with guns.

Herbert: So in terms of your behavior with the clique and then, sounds like the Crips, what role was violence playing in your day-to-day life?

Davorea: Carrying guns.

Herbert: When did you start carrying a gun?

Davorea: Like, 16, is when, we always had someone carrying a gun and the person who carries a gun doesn't sit next to everybody. If we had all -- in the Hood, or at the bus stop or wherever, the person with the gun sits by himself. If the police pull up, you just act like you're not with us.

Herbert: So how did you feel carrying a gun?

Davorea: Felt protected. Felt like, alright, I know I can protect myself. The only scary part is do I actually want to kill somebody? So that was the scary part at that moment.

Herbert: As so, does the use of violence increase, or how does that translate into your daily behavior as you became more attached?

Davorea: Yeah, it was just back and forth. Somebody from my side gets shot, somebody from their side gets shot. We'd just be out, riding around in the car, and if we seen you, or if we found out where you'd be at, we were coming. It was just simple as that. Kinda like a harsh way to look at it, but it was just like, we just didn't have no care, we were young.

Herbert: So how did you feel during all of this?

Davorea: It felt like... I wanted to just be noticed. I wanted my name to, if you heard my name, then you'd know, alright, "He's a shooter. He's going to hurt somebody. Let's just leave this dude alone." I kind of felt like I was untouchable.

Narration: Even if Davorea felt untouchable, he was not immune to the impacts of violence. As he explained in the circle, it eventually catches up to you, and to your friends.

Davorea: Watching one of my friends, shot in the head. I couldn't get that image out of my head for a long time. So I, I fear what I would do next. 'Cause when you're mad and you're emotional, you do stupid things. It made me not care about life. I didn't care about dying. I didn't care about, and this might sound messed up, I didn't care about my kids at the time. I didn't care about my mom. I didn't care about nobody. I just cared about this situation.

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Narration: Davorea's involvement with retaliatory shootings is what got him incarcerated. He was convicted of shooting at a rival gang member in the parking lot of a mall in a Portland suburb.

Narration: What the prosecutors heard were not unusual stories. We know that violence is more commonly committed by people who have suffered violence themselves. Or who are poor. Or who live in neighborhoods where violence occurs most frequently. Or some combination of those factors.

The prosecutors in the circle mostly sat quietly and listened attentively. Eventually, I asked them for their reactions.

Herbert: Clayton, you want to get in on this?

Clayton: Yeah, I thank you all so much for sharing. It really shows that our experiences shape the way that we interact with the world and things that are thrust upon us that we can't control. In my life, I've been extremely privileged, and I have never had to result to violence. In preschool, we sang a song that hands are meant for helping not hurting (laughter). Like my whole life has been shaped around solving problems without that. And I think the only time I've ever been even in a situation was at a bar one night. Someone put their hand around my throat and my reaction was confusion. Like why? My life doesn't have violence in it, so I don't need to use it. But when it's thrust upon you and part of your everyday life, that's a completely different situation.

Narration: Clayton may well have been able to avoid violence, but the people in his office have to deal with the aftermath of it commonly. Here's Kirsten, describing what she often sees in dealing with the victims of violence.

Kirsten: I mean, it's a lot of the same themes that we've heard here, right? I mean, for people that have suffered violence, uh, it's all those things. It's a lack of trust in other people. There's hypervigilance. If somebody's been killed, it's just that extreme loss, there's the grief, there's the guilt that Davorea mentioned right? That trying to rewrite history that we all do in our minds. You know, if I could just go back or if only I had done this or if only I had done that. You see that over and over again, and it's heartbreaking to watch because, of course, you know, they can't save their loved one. You can't go back. There's no going back for anybody.

Narration: And just as prosecutors have to counsel victims of violence, they also have to decide if they want to charge the person who they believe committed the violent act. Even as Leslie, like Clayton, recognizes how different her life has been compared to the incarcerated men, she also knows that she is compelled to do a job.

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Leslie: I will say hearing everyone's perspectives about first-hand experiences with harm is really interesting, because I feel like I was really lucky and didn't have to deal with that world as a kid. And I've never had to be hypervigilant. And it helps me understand more about the impacts of violence on people changing the trajectory of their life. And some stuff that some folks were saying, that I think you were touching on, where the reaction to violence is anger and violence back. And if you're from a privileged background like I am, and like a lot of my victims are, I still see that same reaction, of like anger and "I want to get them back." And it's the exact same thing that you all are describing but the difference is, it's done through law enforcement and done through a criminal prosecution.

Narration: So, the incarcerated men in the circle told stories of how violence emerged in their lives. It was something they experienced on their own bodies, something that helped them find a sense of power, or of status, or helped them to make money. It was typically all a part of a cycle, where one act of violence seemed to merit a violent response.

But Leslie makes an important point: just as gangs respond with violence when one of their members are attacked, so do crime victims expect a response from the criminal justice system when they are harmed. And those victims look to prosecutors like Leslie to carry out that response.

But what does that mean, actually? How do prosecutors go about trying to secure a conviction for a violent crime? And what is the experience of prosecution like for those who are charged?

Messiah: My character was painted in a way that it shouldn't have been, as far as me trying to kill somebody. Because even to this day, even though I'm convicted of attempted murder and this robbery, I still will not tell someone that, yes, my intention was to kill this guy, even though I've already pled out to it. I'm still not going to say that it was my intention to kill this guy, because that was never my intention.

Narration: The experience of being prosecuted for a violent crime. That's next time on Making Amends: The Prosecutors Go to Prison.