

Feb. 15, 2014

HAMILTON NOLAN
GAWKER MEDIA
210 ELIZABETH ST.
NEW YORK, NY 10012

Mr. Nolan:

When I first responded to you, I didn't think that it would cause people to reach out to me and voice their opinions. I've never been on the internet in my life and I'm not fully aware of the social circles on the internet, so it was a surprise to receive reactions so quickly.

I learned that some of the responses on your website were positive and some negative. I can only appreciate the conversation. Osho once said that one person considered him like an angel and another person considered him like a devil, he didn't attempt to refute neither perspective because he said that man does not judge based on the truth of who you are, but on the truth of who they are.

Your words struck a chord with me. You said that my perspective is different and therefore my words have a sort of value. Yet, you're talking to a young man that's been judged unworthy to breathe the same air you breathe. That's like a hobo on the street walking up to you and you ask him for spare change.

Without any questions, you've given me a blank canvas. I'll only address what's on my heart. Next month, the State of Texas has resolved to kill me like some kind of rabid dog, so indirectly, I guess my intention is to use this as some type of platform because this could be my final statement on earth.

I think 'empathy' is one of the most powerful words in this world that is expressed in all cultures. This is my underlining theme. I do not own a dictionary, so I can't give you the Oxford or Webster definition of the word, but in my own words, empathy means 'putting the shoe on the other foot'.

Empathy. A rich man would look at a poor man, not with sympathy, feeling sorrow for the unfortunate poverty, but also not with contempt, feeling disdain for the man's poverish state, but with empathy, which means the rich man would put himself in the poor man's shoes, feel what the poor man is feeling, and understand what it is to be the poor man.

Empathy breeds proper judgement. Sympathy breeds sorrow. Contempt breeds arrogance. Neither are proper judgements because they're based on emotions. That's why two people can look at the same situation and have totally different views. We all feel differently about a lot of things. Empathy gives you an inside view. It doesn't say 'If that was me...', empathy says, 'That is me.'

What that does is it takes the emotions out of situations and forces us to be honest with ourselves. Honesty has no hidden agenda. Thoreau proposed that 'one honest man' could morally regenerate an entire society.

Looking through the eyes of empathy & honesty, I'll address some of the topics you mentioned. It's only my perspective.

The Justice system is truly broken beyond repair and the sad part is there is no way to start over. Improvements can be made. If honest people stand up, I think they will be made over time. I know the average person isn't paying attention to all the laws constantly being passed by state & federal legislation. People are more focused on their jobs, raising kids and trying to find entertainment in between time. The thing is, laws are being changed right and left.

A man once said that revolution comes when you inform people of their rights. Martin Luther King said a revolution comes by social action and legal action working hand in hand. I'm not presenting any radical revolutionary view, the word revolution just means change. America changes as the law changes.

Under the 13th Amendment of the U.S. Constitution all prisoners in America are considered slaves. We look at slavery like its a thing of the past, but you can go to any penitentiary in this nation and you will see slavery. That was the reason for the protests by prisoners in Georgia in 2010. They said they were tired of being treated like slaves. People need to know that when they sit on trial juries and sentence people to prison time that they are sentencing them to slavery.

If a prisoner refuses to work and be a slave, they will do their time in isolation as a punishment. You have thousands of people with a lot of prison time that have no choice but to make money for the government or live in isolation. The affects of prison isolation literally drive people crazy. Who can be isolated from human contact and not lose their mind? That was the reason California had an uproar last year behind Pelican Bay. 33,000 inmates across California protested refusing to work or refusing to eat on hunger-strikes because of those being tortured in isolation in Pelican Bay.

I think prison sentences have gotten way out of hand. People are getting life sentences for aggravated crimes where no violence had occurred. I know a man who was 24 years old and received 160 years in prison for two aggravated robberies where less that \$500 was stole and no violence took place. There are guys walking around with 200 year sentences and they're not even 30 years old. Its outrageous. Giving a first time felon a sentence beyond their life span is pure oppression. Multitudes of young people have been thrown away in this generation.

The other side of the coin is there are those in the corporate world making money off prisoners, so the longer they're in prison, the more money is being made. It's not about crime & punishment, it's about crime & profit. Prison is a billion dollar industry. In 1996, there were 122 prisons opened across America. Companies were holding expos in small towns showing how more prisons would boost the economy by providing more jobs.

How can those that invest in prisons make money if people have sentences that will allow them to return to free society? If people were being rehabilitated and sent back into the cities, who would work for these corporations? That would be a bad investment. In order for them to make money, people have to stay in prison and keep working. So the political move is to tell the people they're tough on crime and give people longer sentences.

Chuck Colson, former advisor to the President once said that they were passing laws to be tough on crime, but they didn't even know who the laws were affecting. It wasn't until the Watergate scandal and Colson himself going to prison that he learned who the laws were affecting. Colson ended up forming the largest prison ministry in America. He also foreseen in his book THE GOD OF SPIDERS & STONES that America was forming a new society within its prisons. Basically, that prison would become a nation inside this nation. He predicted that over a million people would be locked up by the year 2000. The book was written in the 80's. Now, its 2014 and almost two million people are locked up. It's not that crime is the issue. Crime still goes on daily. It's that the politics surrounding crime have changed and it has become a numbers game. Dollars & Cents. You have people like Michael Jordan who invest millions of dollars in the prison system. Any shrewed businessman would if you have no empathy for people locked up and you just want to make some money.

I don't agree with the death penalty. It's a very Southern practice from that old lynching mentality. Almost all executions take place in the South with a few exceptions here and there. Texas is the leading State by far. I'm not from Texas. I was raised in California. Coming from the West Coast to the South was like going back in time. I didn't even think real cowboys existed. Texas is a very 'country' state, aside a few major cities. There are still small towns that a black person would not be welcomed. California is more of a melting pot. I grew up in the Bay Area where its very diverse.

The death penalty needs to be abolished. Life without parole is still a death sentence. The only difference is time. To say you need to kill a person in a shorter amount of time is just seeking revenge on that person.

If the death penalty must exist, I think it should only be for cases where more than one person is killed like these rampant shootings that have taken place around the country the last few years. Also, in a situation of terrorism.

If you're not giving the death penalty for murder, then the government is already saying that the taking of one's life is not worth the death penalty. Capital murder is if you take someone's life and commit another felony at the same time. That's Texas law. That makes a person eligible for the death penalty. The problem is, you're not getting the death penalty for murder, you're actually getting it for the other felony. That doesn't make common sense. You can kill a man but you will not get the death penalty.....if you kill a man and take money out his wallet, now you can get the death penalty.

I'm on death row and yet I didn't commit the act of murder. I was convicted under the law of parties. When people read about the case, they assume I killed the victim, but the facts are undisputed that I did not kill the victim. The one who killed him plead guilty to capital murder for a life sentence. He admitted to the murder and has never denied it. Under the Texas law of parties, they say it doesn't matter whether I killed the victim or not, I'm criminally responsible for someone else's conduct. But I was the only one given the death penalty.

The law of parties is a very controversial law in Texas. Most Democrats stand against it. It allows the state to execute someone who did not commit the actual act of murder. There are around 50 guys on death row in Texas who didn't kill anybody, but were convicted as a party.

The lethal injection has become a real controversial issue here of late because states are using drugs that they're not authorize to use to execute people. The lethal injection is an old Nazi practice deriving from the Jewish Holocaust. To use that method to kill people today, when it's unconstitutional to use it on dogs, is saying something very cruel and inhumane. People don't care because they think they're killing horrible people. No empathy. Just contempt.

I understand that it's not popular to talk about race issues these days, but I speak on the subject of race because I hold a burden in my heart for all the young blacks who are locked up or who see the street life as the only means to make something of themselves. When I walked into prison at 19 years old, I said to myself 'Damn, I have never seen so many black dudes in my life'. I mean, it looked like I went to Africa. I couldn't believe it. The lyrics of 2Pac echoed in my head, 'The penitentiary is packed/ and its filled with blacks'.

It's really an epidemic, the number of blacks locked up in this country. That's why I look, not only at my own situation, but why all of us young blacks are in prison. I've come to see, it's largely due to an indentivity crisis. We don't know our history. We don't know how to really indentify with white people. We are really of a different culture, but by being slaves, we lost ourselves.

When you have a black man name John Williams and a white man name John Williams, the black man got his name from the white man. Within that lies a lost of identity. There are blacks in this country that don't even consider themselves African. Well, what are we? When did we stop being African? If you ask a young black person if they're African, they will say 'No, I'm American'. They've lost their roots. They think slavery is their roots. Again, its a strong identity crisis.

You take the identity crisis, mix it with capitalism, where money comes before empathy, and you'll have a lot of young blacks trying to get money by any means because they're trying to get out of poverty or stay out of poverty. Now, money is what they try to find an identity in. They feel like if they get rich, legal or illegal, they've become somebody. Which in America is partly true because superficially we hail the rich and despise the poor. We give Jay-Z more credit than we do Al Sharpton. What has Jay-Z done besides get rich? Yet we see dollar signs and somehow give more respect to the man with the money.

A French woman who moved to America asked me one day, 'Why don't black kids want to learn?' Her husband was a high school teacher. She said the white and asian kids excel in school, but the black and hispanic kids don't. I said ~~that~~ that all kids want to learn, it's just a matter of what you're trying to teach them. Cutting a frog open is not helping a black kid in the ghetto who has to listen to police sirens all night and worry about getting shot. Those kids need life lessons. They need direction. When you have black kids learning more about the Boston Tea Party than the Black Panther Party, I guarantee you won't keep their attention. But it was the Black Panther Party that got them free lunch.

People point their fingers at young blacks, call them thugs and say they need to pull up their pants. That's fine, but you're not feeding them any knowledge. You're not giving them a vision. All you're saying is be a square like me. They're not going to listen to you because you have guys like Jay-Z and Rick Ross who are millionaires and sag their pants. Changing the way they dress isn't changing the way they think. As the Bible says, 'Where there's no vision the people perish.' Young blacks need to learn their identity so they can have more respect for the blacks that suffered for their liberties than they have for someone talking about selling drugs over a rap beat who really isn't selling drugs.

They have to be exposed to something new. Their minds have to be challenged, not dulled. They know the history of Crips & Bloods, but they can't tell you who Garvey or Robeson is. They can quote Drake & Lil' Wayne but they can't tell you what Jesse Jackson or Al Sharpton has done. Across the nation, they gravitate to Crips & Bloods. I tell those I know the same thing, not to put blue & red before black. They were black first. It's senseless, but they are trying to find a purpose to live for and if a gang gives them a sense of purpose that's what they will gravitate to. They aren't being taught to live and die for something greater. They're not being challenged to do better.

Black history shouldn't be a month, it should be a course, an elective taught year around. I guarantee black kids would take that course if it was available to them. How many black kids would change their outlook if they knew that they were only considered 3/5's of a human being according to the U.S Constitution? That black people were considered part animal in this country. They don't know that. When you learn that, you carry yourself with a different level of dignity for all we've overcome.

Before Martin Luther King was killed he drafted a bill called 'The Bill for the Disadvantaged'. It was for blacks and poor whites. King understood that in order to have a successful life, you have to decrease the odds of failure. You have to change the playing field. I'm not saying there's no personal responsibility for success, that goes without saying, but there's also a corporate responsibility. As the saying goes, when you see someone who has failed, you see someone who was failed.

Neither am I saying that advantages are always circumstantial. Sometimes it's knowledge or opportunity that gives an advantage. A lot of times it is the circumstances. Flowers grow in gardens, not in hard places. Using myself as an example, I was 15 when my first love got shot 9 times in Oakland. Do you think I'm going to care about book reports when my girlfriend was shot in the face? I understand Barack Obama saying there is no excuse for blacks or anyone else because generations past had it harder than us. That's true. However, success is based on probabilities and the odds. Everyone is not on a level playing field. For some, the odds are really stacked against them. I'm not saying they can't be overcome, but it's not likely.

I'm not trying to play the race card, I'm looking at the roots of why so many young blacks are locked up. The odds are stacked against us, we suffer from an identity crisis, and we're being targeted more, instead of taught better. Ask any young black person their views on the Police, I assure you their response will not be positive. Yet if you have something against the Police, who represent the government, you cannot sit on a trial jury. A young black woman was struck from the jury in my case because she said she sees the Police

as 'intimidators'. She never had a good experience with the Police like most young blacks, but even though she's just being true to her experience, she's not worthy to take part as a juror in a trial.

White people really don't understand how it extreme it is to be judged by others outside your race. In the book TRIAL & ERROR: THE TEXAS DEATH PENALTY Lisa Maxwell paints this picture to get the point across and if any white person reading this is honest with themselves, they will clearly understand the point. I cannot quote it word for word, but this was the gist of it...

Imagine you're a young white guy facing capital murder charges where you can receive the death penalty...the victim in the case is a black man...when you go to trial and step into the courtroom...the judge is a black man...the two State prosecutors seeking the death penalty on you...are also black men... you couldn't afford an attorney, so the Judge appointed you two defense lawyers who are also black men...you look in the jury box...there's 8 more black people and 4 hispanics...the only white person in the courtroom is you ...How would you feel facing the death penalty? Do you believe you'll receive justice?

As outside of the box as that scene is, those were the exact circumstances of my trial. I was the only black person in the courtroom.

Again, I'm not playing the race card, but empathy is putting the shoe on the other foot.

The last thing on my heart is about religion and the death penalty. There are several well-known preachers in Texas and across the South that teach their congregations that the death penalty is right by God and backed by the Bible. The death penalty is a governmental issue not a spiritual issue. Southern preachers who advocate the death penalty are condoning evil. They need to learn the legalities of capital punishment. The State may have the power to put people to death, but don't preach to the public that it's God's will. It's the State's will.

If God wanted me to die for anything, I would be dead already. I talk to God everyday. He's not telling me I'm some kind of menace that He can't wait to see executed. God is blessing me daily. God is showing me His favor & grace on my life. Like Paul said, I was the chief of sinners, but God had mercy on me because He knew I was ignorant. The blood of Abel cryed vengeance, the blood of Jesus cryed mercy.

There are preachers like John Hagee in San Antonio who have influence over thousands of people, who not only attend his church, but also watch his TV program, and hear him condoning the death penalty. Hagee doesn't see his Southern mentality condones the death penalty, not the scriptures. There is absolutely nothing in the Bible that condones the way Texas executes people today.

Southern preachers use scriptures like God telling Noah, 'Whoever shed's man's blood, by man his blood shall be shed'. That's murder. Under Texas law, you cannot receive the death penalty for murder.

There is no such thing as capital murder in the Bible, where murder must be in the course of another felony. Yet, they preach capital punishment is God's

will. Even if you're guilty of capital murder in Texas, it doesn't mean you'll receive the death penalty. People get the death penalty when a jury has judged them to be a 'continuing threat to society'. That means they are deemed so bad that they have no hope of redemption or change in their behavior. That is the only reason a person gets the death penalty. They are suppose to be the absolute worse of the worse, so terrible that they cannot live in prison with other murderers.

That in itself is contrary to the whole Christian faith that believes no one is beyond redemption if they repent for their sins and put their faith in Jesus Christ. For a Christian to advocate the death penalty is a complete contradiction.

As easy as it is for a preacher to stand in the pulpit with a Bible and tell thousands of people the death penalty is right, I challenge any preacher in Texas, John Hagee or any others to come visit me and tell me that God wants me to die. Martin Luther King said, 'Capital punishment shows that America is a merciless nation that will not forgive.'

Again, Mr. Nolan, this is only my perspective. I'm just the hobo on the street giving away my pennies. A doctor can't look at a person and see cancer, they have to look beyond the surface. When you look at the Justice system, the Death Penalty, or anything else, it takes one to go beyond the surface. Proper diagnosis is half the cure.

I'm a father. My daughter was six weeks old when I got locked up and now she's 15 in high school. Despite the circumstances, I've tried to be the best father in the world. But I knew that her course in life is largely determine by what I teach her. It's the same with any young person, their course is determined by what we are teaching them. In the words of Aristotle, 'All improvement in society begins with the education of the young.'

Sincerely,

Ray L. Jasper

Ps: Forgive me for being longwinded, but I was speaking from the heart.
Thanks for the opportunity.