

Dead to Write

by Stacy Caplow

Jennie trudges to school for her 4 pm seminar. In ten minutes I have to read aloud and everyone will know too much about me. Why can't I say something profound instead of trite? If I rip this paper to shreds right now, will I still get credit for the class? What's with this weird assignment anyway? Write something about how the death penalty makes you *feel*? I tried over and over but it all felt forced. The story is so incomplete. Feelings? I don't know how I feel, I've tried to *not* feel. I came to law school because it's about *not* feeling. Who ever said *feelings* belong in law school anyway? I've had enough of feelings. Just go see "Monster's Ball" or "Dead Man Walking" if you want to have a cry. I hate these law professors who try to so hard to be clever and unconventional.

"Roger Piper," Professor Denton calls. Yes, *the* Professor Denton, hero to inmates around the country, inspiration to idealistic young lawyers, champion of lost causes, author of "Death: No Way," glasses on the end of his nose, frizzled grey hair its usual mess. "I put all your names in a hat and you're it. Want to come to the front of the room or read from your seat?"

Roger Pipe Up, always the first student to raise his hand in class, is, if it weren't so tacky to use this expression in this context, a capital punishment junkie, ok, zealot, always wearing t-shirts with slogans like 'Free Mumia,' volunteering all over the country, heading the Anti-Death Penalty student club. Roger is a good choice to go first; he'll have something passionately extreme to say that would get the class going and then maybe it will be too late for her to read. "I'm fine from here, Professor," and Roger begins his Power Point presentation about innocent people on death row. Bar graphs, charts, even news headlines, but not feelings, but that didn't matter since everyone knows how Roger feels. He finishes his presentation with slide photos of a crowd of people with candles standing outside a prison in South Carolina the night before an execution. Very sad looking angry people and there is Roger in their midst, candle, t-shirt and somber expression. "This was the most powerful night of my life, standing there with all of these people dedicated to the same ideals as me, knowing that as we stood there, Jim Gary was about to be killed." Roger stands, head bowed oh-so somberly, savoring the post-performance hush. Everyone is *so moved*. Jennie, who barely can contain her derisive snort, notices Alicia Carter with a tissue. Oh, my god, are those tears?

"Thank you, Roger, for starting us out on such a tendentious note. You have set quite a standard for your classmates." Tie, glasses, hair – all radiating satisfaction at his pedagogical prowess. "Any more eager volunteers? See I told you the law can come from inner sources. Take my most recent case..." Jennie's attention drifts as Denton starts to ramble – again – about one of his pet projects, his case commitments, his quixotic quests for justice. Me, me, me. My, my, my. Why did I ever take this class? What did I think I could learn?

"Jennie," she is startled out of her critique. No saved-by-the-bell escape from unwanted attention. All eyes in the class on her, reflecting their relief at not being next, hoping her reading will take up all the time left in the class. She begins to read what had taken her weeks to write, staying up late to get it just right, never truly satisfied despite the effort and emotion. "My story is called *In the Bag*."

“All the way to school, he holds the smile in the back of his mouth. He knows from the soft feeling in his book bag his mother had put on his shoulders as he left the apartment that she had packed a lunch for him today. He wouldn’t have to eat school lunch, chewy hamburgers on soggy buns, a small tasteless chocolate chip cookie and a container of milk. He wouldn’t have to stand on the line of humiliation which, if you were late getting to the lunch room meant that it might be 15 minutes before you got your food and then you had to wolf it down in order to have any time in the school yard before the bell rang to go back upstairs for the long afternoon. Today, he can just find a chair and sit down with his food. He will be able to savor the minutes it takes to open the bag, to take out each item, to spread them in front of him on the table, to see if anyone wanted to trade, and to eat slowly. Maybe his mother made an American cheese and ketchup sandwich. Or his other most favorite, cream cheese and jelly. Of course, she wouldn’t have made something like turkey or roast beef, the number one best trading sandwiches, because cold cuts are too expensive. But sometimes she made a hard boiled egg, and other kids liked to peel them and feel their cool, rubbery shape. And maybe today there would be a piece of cake that his mother had taken from the diner where she waited tables. Some sweet cinnamon cake, or maybe some pound cake. And all of this anticipation was held in a brown paper bag, the kind you get from deli take-out that his mother would never throw out just so she could reuse it for his lunch. Some kids had lunch boxes with cartoon characters (this year it was He-Man that was the favorite but some kids hung onto last year’s Star Wars) with thermoses for soup or juice (but never milk because their mothers know that milk sours in room temperature) and apples or carrots or raisins in little boxes. Some kids even had insulated bags in bright crayon colors with their initials on them that their mothers had ordered from some catalog. These bags held the best treats, the most extravagant lunches, like string cheese sticks, juice boxes, and sandwiches with lettuce and tomato (but no mayonnaise because that spoiled even in those bags so no tuna salad for the monogram kids). But he knows that his plain brown bag, recycled, will have his name written on it in his mother’s special script, even more beautiful than the teacher’s, all curvy and regular-shaped. And she always drew a picture, not a dopey yellow smiley face, but a fancy car or a pretty house with flowers, trees and a dog. And inside, if she wasn’t too rushed or forgot, but he knew she never would, she put a note, all folded up four times at least, so that when he unfolded it there were creases all over the paper. But he could read the message, “I love you, my little prince,” or “Be smart this afternoon, sweetie,” or “Eddie, you are my little genius.” These notes filled his stomach even more than his lunch, warmer than soup or hot chocolate. The rest of the day would feel like a hug no matter what the teacher or the other kids did. And, on his way to third grade, he feels the shape of the brown paper bag in the small of his back, and hears its crinkle, so he knows the whole day will be just great.”

“Almost midnight, ten more minutes until closing, Archie’s mind raced thinking about all the things he still needed to do before school tomorrow. Study the periodic table of elements, make sure his uniform was clean, clean socks too, talk to Mr. Sterns about a job reference. Sleep? Pull down the security gates of the drugstore with the long hooked pole, remember to bend at the knees like Coach said to get good leverage, turn the sign in the door to “Closed Until 10 am.” Hot breath on his right ear, a raspy order “Get back inside quickly.”

An arm yokes his neck. Stomach flipping, nausea, wobbly knees, help me. “Open the register, get the cash – now!” – a hand on his back pushing him to the counter, banging his head over and over to get him to move faster. “Ding!” Drawer open, not much cash, mostly 20s. “Give it over.” Take it already, easy to grab, eyes closed. Is it over yet? “Put the cash in a bag.” Brown paper bag, stuffed, ready to go, no receipt this time, no “Come again” automatically said. Eyes open, eyes locked – Oh, my god, it’s Eddie. “Don’t look at me!” Too late. Done. Out the door, bag in hand. On the floor, blood everywhere.”

“From her office on the 11th floor, in the late afternoon, Sara sometimes turns her back to the door, discouraging visitors, to just stare out the window. But she doesn’t look down at the people and cars; instead, she just watches straight out to see what might float by her window. Particularly in the winter, when it’s often windy, objects seem to appear from nowhere and just drift off. Tonight, she is trying to stay calm while the jury is out but knowing that the phone could ring at any moment summoning her back to the courthouse, out into the cold twilight, prevents her from relaxing. Maybe I just won’t answer it. Is that grounds for a mistrial? If the defense attorney disappears? Feet up on the credenza, sipping tea, Sara, exhausted from the stress of the three-week trial, a capital case, that no amount of Constant Comment can cure, tries to empty her mind of all the second thoughts, regrets, worries about whether she had done a good enough job, and would Eddie die because of her inadequacy? Staring out, she sees it, kite-like, lifted by the wind, shifting directions, circling higher, then lower, teasingly closer to her window then floating away. A paper bag, someone’s garbage from lunch in the plaza below. Empty except for air, no destination, just movement. It was hypnotic, guessing where the bag would move next, impossible to predict. Stop trying and just watch, the mindless staring was soothing. She dozes.”

“Caryn Grove; Grover, C.; K. Groover; Karen Groves. On her dresser she has a stack of the name tags that she had to put on her shirt, sweater, jacket every time she went to the prison. When she removed them, the adhesive on the back always pulled the fluff from her top so she almost could keep track of what she wore each visit. Her brown coat in the winter, a blue sweater in the fall, a yellow T-shirt in the summer. The visits are exhausting. A two-hour bus ride, a walk up hill, and all the searches and sign-ins, and the smell. She always slept the whole ride home, dropping off as soon as the bus pulled away. By the time she gets home around 10 pm, the visit feels like part of a dream. She always brought her Ed some fresh fruit, apples, pears, even grapes, maybe dried apricots. She brought him magazines, mostly with movie star headlines and color photos he could tear out and put on his cell wall to make his life brighter, or so she imagined. Today, she is wearing her best green sweater with buttons up the front and a scarf with red, green, blue and yellow swirls. She even put on makeup and fussed with her hair. She wants to look cheerful for her sweetie. The trip was long as always but knowing it was the last, she wished it would last forever. Saying goodbye today is different, too. They actually let them sit together in a room instead of talking through plexiglass with holes. It is hard for them to touch or hug, not because the swarthy, grim guard was always watching, or because they knew that there were people on the other side of the window looking in, but because they have lost the habit. She doesn’t know where to put her hands, on his shoulders, his cheeks, his knees, his hands. He sits quietly listening to her talk about all sorts of memories that he had forgotten or never knew in the first place. Time’s up. She leaves after a real hug holding him tight around the

waist he was that much taller. Then, he is taken out, leaving her to find her way down the corridor, out into the reception room, the drill now familiar from so many visits. This time, the guard at the door stops her. "Wait here, a minute, ma'am. I have to give you something." He returns in seconds, the package waiting an arm's length away, and gives her the soft brown paper bag. On the outside: Karen Grover, and a picture of a heart, E.G. inside. She puts the bag into her pocket, and holds her hand inside, feeling its shape, holding off opening it until she is on the bus. No sleep tonight anyway, her chest is too tight, her stomach too achy. Look inside, she tells herself, and she puts her hand into the bag to pull out the items: her letters wrapped in a rubber band and a photo of a group of kids: P.S. 278, 1986. There he is, in the back row, clean shirt for picture day, but not smiling. Did he know then that he wouldn't have a third grade kid of his own? And a note: "You're the best Mom. xxxoo Ed.""

Jennie pauses before she reads the last section of her story. Jumping into right into her moment of vulnerable hesitation, Roger jeers "Hey, Jennie, what was the point of all that? Capital punishment is serious business, You've turned it into a soap opera." His jibe loosens up everyone else and they feel free to giggle a bit masking their confusion. They don't know how to react. Is this a made-up story? I don't get it. What does this have to do with the death penalty? "Enough," says Denton, putting on his super-sensitive, respect-your-fellow-students face. "She tried her best to do the assignment creatively, so cut her some slack. Don't worry, Jennie, you'll get credit for your work."

The bell rings. Jennie finally escapes. Under her chair is the news article that would have been the last part of her story.

Daily Times Mar. 28, 2004

The first execution in New York State since the death penalty was reinstated took place today in Clinton Correctional Facility. Edward Grover, was administered a lethal injection at 7 am. When he was 18 years, old, Grover, now 28, killed a promising young high school basketball player, Archie Darren, during a botched robbery After almost 10 years of delays while he appealed in both state and federal court, all his legal remedies finally were exhausted. Although the governor could have awarded clemency, no relief from capital punishment was availing.

His victim's mother witnessed the execution but no one attended at Grover's invitation except his lawyer, Sara Meddow. Neither Warden Carlo Boniface, nor Gary Hood, the prosecutor who obtained the conviction in 1995, were available for comment. Death penalty opponents were vocal in their condemnation but Grover's mother, Karen, a waitress in her 50s, who stood by her son's side throughout his case, again refused to be interviewed in order to protect the privacy of her granddaughter.