The Irrelevance of Reform: Maturation in the Department of Corrections

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I. INTRODUCTION

Neither my rehabilitation nor the possibility that I could be reformed has ever been relevant to the criminal justice system. When I was fourteen years old I was sentenced to a mandatory term of life without the possibility of parole.[1] Long before the Supreme Court invalidated such sentences for juveniles, I knew, even as a teenage lifer, that "rehabilitation could not justify that sentence. Life without parole forswears altogether the rehabilitative ideal."[2] In time, as I grew older, I found that efforts to rehabilitate prisoners are mere pretense, and reform is—all too often—a lonely, solo pursuit. Twenty-one years of confinement have taught me that retribution is the *sine qua non* of punishment.

This essay critiques the penological justifications for my confinement and evaluates rehabilitation and rehabilitative programs in prison. Although my experience with the criminal justice system is limited to the State of Washington, I believe this state's policies reflect national practice. I begin, therefore, by highlighting the preeminence of retribution in our society, as manifested in my case. I then explore the nature of rehabilitation, and distinguish programs that can meet this objective from those that cannot. In the end, I make clear that reform, ultimately, has no bearing on punishment in the United States.

II. UNJUST DESERTS

Retribution can be defined in many ways, and in individual cases, determining whether someone has received their just deserts is entirely subjective. The national *Zeitgeist* shapes public opinions on severity and length of punishment. When I was first confined in the early 1990s, the media was breathlessly reporting theories about "superpredators" poised to wreak havoc throughout society.[3] Criminologists

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* This article addresses retribution, incapacitation, deterrence, and rehabilitation from the perspective of a thirty-six year old prisoner who has been serving a sentence of life without the possibility of parole since he was fourteen years old.

1 State v. Bourgeois, 917 P.2d 1101, 1103 (Wash. Ct. App. 1996).

2 Miller v. Alabama, 132 S. Ct. 2455, 2465 (2012) (citation omitted) (internal quotation marks omitted).

3 *See* Barry Krisberg et al., *Youth Violence Myths and Realities: A Tale of Three Cities*, NAT'L COUNCIL ON CRIME AND DELINQ. 2 (2009) (the main proponents of the now discredited "superpredator" theory were researchers such as John Dilulio, James Q. Wilson, and James Alan Fox).

maintained that governments needed to ratchet up sanctions for violent youths immediately in order to stem the coming crime wave. Juveniles like me were miniature adults, and the mantra was "Adult Time for Adult Crime."[4] Legislatures took heed: adult time is exactly what I received. Although the "superpredators" never materialized, and the theories that supported treating children as adults have been disproven and, in many quarters, rejected, the product of this *Zeitgeist* remains. The cries from outraged citizens responding in editorial pages to stories about my case express it best:

> So, here we go again. Another story about a murderer who shouldn't be a murderer because he was too young, his brain not fully developed. Come on. When are we going to hold people responsible for their actions and show some sympathy to the victims? This "kid" had the premeditated ability to get a gun, walk down to the store and shoot the same owner his brother shot earlier, as revenge for testifying against his brother. Doesn't sound like an underdeveloped brain to me.[5]

This line of thinking even finds its way into Supreme Court decisions. In his concurring opinion in *Graham v. Florida*, Chief Justice Roberts laments the holding invalidating sentences of life without parole for juveniles who commit crimes other than homicide. While arguing that the Court should take a case-by-case approach rather than categorically prohibit such sentences, he too adopts the strategy of citing the most heinous crimes committed by youths as a basis for ignoring science:

> [W]hat about Milagro Cunningham, a 17-year-old who beat and raped an 8-year-old girl before leaving her to die under 197 pounds of rock in a recycling bin in a remote landfill? Or Nathan Walker and Jakaris Taylor, the Florida juveniles who together with their friends gang-raped a woman and forced her to perform oral sex on her 12-year-old son? . . . Those under 18 years old may as a general matter have "diminished" culpability relative to adults who commit the same crimes, but that does not mean that their culpability is always insufficient to justify a life sentence. It does not take a moral sense that is fully developed in every respect to know that beating and raping an 8-year-old girl and leaving her to die under 197 pounds of rocks is horribly wrong.[6]

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[4] Linda Collier, *Adult Crime, Adult Time; Outdated Juvenile Laws Thwart Justice*, WASH. POST, Mar. 29, 1998 http://www.highbeam.com/doc/1P2-639899.html.

[5] Kirk Rains, *Letter to the Editor*, SEATTLE TIMES, Apr. 18, 2005, http://seattletimes.com/html/opinion/2002244321_monlets18.html.

[6] Graham v. Florida, 130 S. Ct. 2011, 2041–42 (2010) (Roberts, C.J., concurring) (citations omitted).

Like the letter to the editor, the Chief Justice's opinion appeals to the feelings and prejudices of those who, quite rightly, are appalled by such crimes. All too often, sensational facts dispose readers to discount scientific evidence, and sentencing practices that violate human rights are embraced in the face of international condemnation. In the end, the citizen's sense of outrage, rather than justice, demands that I spend my life in prison, and the jurist's legal reasoning cloaks the injustice of sentencing children to die imprisoned.

III. INCAPACITATION FOREVERMORE

James Q. Wilson declares, "Wicked people exist. Nothing avails except to set them apart from innocent people."[7] In my case, I will admit that incapacitation was warranted. In the span of less than three years, I became a delinquent, then a runaway, then a drug dealer, then a killer. When recommending that I be tried as an adult, my probation officer described me to the juvenile court judge in the following way:

> Despite his small size, he is violent and extremely aggressive, particularly when caught engaging in criminal conduct. A hallmark of his many police reports is his use of flight, intimidation and violence to avoid apprehension. Twice he has shown a willingness to retaliate against victims with whom he has had no contact, but who have turned in his brother, on one occasion, and a friend on another. He has shown a dogged persistence in coming back after a victim after he left the scene of an initial attack. [He] has proven that he is dangerous and capable of monstrous acts.[8]

He was right as to the conclusion, if not in his characterization of my prior record.[9] I was dangerous. I was capable of monstrous acts. I killed a man and seriously wounded another less than three hours after one of the two testified against my brother. The jury found that the murder was retaliation for the victim's testimony. The prosecutor maintained that the crime was one of the most heinous acts committed in years. That justified confining me twenty-one years ago. It does not, however, justify continuing to imprison me when there is no reasonable basis for believing that I would ever, if released, commit a monstrous act—or any crime

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[7] DEVAH PAGER, MARKED: RACE, CRIME, AND FINDING WORK IN AN ERA OF MASS INCARCERATION 15 (2007) (quoting JAMES Q. WILSON, THINKING ABOUT CRIME 260 (1985)).

[8] *Certification for Determination of Probable Cause*, King County No. 92-1-06444-4.

[9] My criminal history was unremarkable in comparison with other delinquent youth. My record *in toto* included a 1989 diverted criminal trespass, two 1990 diverted assaults (one of which involved throwing rocks at a man who had made a police report about my friend), 1990 convictions for taking a motor vehicle (twice) and attempting to elude, 1991 convictions for theft and taking a motor vehicle (twice), and a 1992 conviction for criminal trespass. None of these incidents had resulted in long-term detention.

for that matter.

In *Miller v. Alabama*, Chief Justice Roberts opined, "Perhaps science and policy suggest society should show greater mercy to young killers, giving them a greater chance to reform themselves at the risk that they will kill again. But that is not our decision to make."[10] The Chief Justice may be comfortable waiting for the day when legislators are guided by science and policy. History, however, has shown that all deliberate speed is slow indeed, especially for the prisoner with a now fully-developed brain who recognizes, after decades confined, that each passing day cannot bring him further maturity, but will bring him closer to senility and death.

Incapacitation is a reasonable goal of punishment. Incapacitation, in my case, has now exhausted its purpose. Of course, the purpose of imprisoning me was not to incapacitate me so long as I posed a threat to society. I was given a life-without-parole sentence under the assumption that youths like me would *always* be a threat to society. Though science has proven such arguments fallacious, regardless, I have been defined by what I did as a child.

IV. THE ILLOGIC OF DETERRENCE AND DISDAIN FOR REHABILITATION

The idea that sentencing a fourteen-year-old to life without parole deters other adolescents from committing violent crimes is, frankly, ridiculous. Imagine a would-be teenage school shooter, outraged at being bullied every day, pausing as he reaches for the gun in his abusive father's cabinet, and saying to himself, "This really isn't a good idea. I could be locked up forever if I shoot someone." It is preposterous, and for good reason: deterrence requires deliberation, knowledge of possible consequences, and a future orientation; yet impulsivity, immaturity, and recklessness define teenagers. The factors that arguably make deterrence effective for adults are simply at odds with the psychological, neurological, and sociological factors of youth. For teenagers, emotions can be overwhelming: in the midst of murderous rage, the possibility of punishment was the last thing on my mind.

Special deterrence is altogether different. I have spent my time in prison surrounded by criminals, learning almost every conceivable scheme and scam for surviving on the streets. If I were released without an education or marketable skills, what could I legitimately do that would allow me to make a living wage? How would I compete with the legions of unemployed Americans who, unlike me, have work histories, references, and clean records? I couldn't, and I know it. Had I not spent the last decade studying the law and pursuing a degree, I have no doubt that if I was freed, I would, despite the risks, commit crimes. Whether committing robberies, dealing drugs, or perpetrating frauds—crime would be the order of the day. Relative deprivation is ubiquitous in our acquisitive society, and ex-convicts are not immune to the desire to have more than their means permit. The problem

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[10] Miller v. Alabama, 132 S. Ct. 2455, 2482 (2012) (Roberts, C.J., dissenting) (citations omitted).

for many prisoners is that, when released from confinement, they do not have the ability to improve their situation through legitimate means. So, just as the avaricious and uneducated teenager living in the slum sells crack to buy Nikes, the ex-convict, returning to the slum, continues to live a marginal existence engaged in criminal activity. I have watched the revolving door of prison spin round and round, and what defines the men that I see over and over again is their lack of education and skills. I am fortunate to have acquired both.

The state, however, deserves none of the credit for what I have managed to accomplish. In fact, the Department of Corrections impeded me more than it assisted me.[11] Since a college education was unnecessary to prepare me for work upon release—I am, of course, serving a natural-life sentence—administrators maintained there was no justifiable basis for me to earn a degree. This would come as no surprise to Stephen C. Richards, a criminologist and former federal prisoner, who explains:

> [M]any prison employees, despite their work experience, do not have a clue or a care about what corrections is or could be. They simply are not interested in considering the potential prisoners may have for personal growth and transformation. Instead, they operate penal facilities that focus almost exclusively on inmate management and control.[12]

This mentality pervades corrections.[13] In it can be seen what Theodor Adorno perceived long ago: "concern for the institution, a concern that reaches its culmination in prisons, takes precedence, as in a clinic, over that for the subject, who is administered as an object."[14]

For years, my requests to pursue higher education—at my own expense—were denied 'per policy' until, finally, I was transferred to a facility where the administrators decided that I did, in fact, meet the eligibility requirements for enrollment in a distance-learning program. The policy governing this decision remained; only those pulling the strings had changed. Through this experience, I learnt the meaning of arbitrary and capricious decision-making. Since this experience, I find it difficult not to despise these people.

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[11] Graham v. Florida, 130 S. Ct. at 2033 (2010) ("[I]t is the policy in some prisons to withhold counseling, education, and [other] rehabilitation programs from those who are ineligible for parole consideration[s].").

[12] Stephen C. Richards, *My Journey through the Federal Bureau of Prisons*, *in* CONVICT CRIMINOLOGY 120, 123–24 (Jeffrey Ian Ross ed., 2003).

[13] The reluctance of Philadelphia's prison commissioner to allow a non-profit dog-training program to operate in one of his penal facilities vividly illustrates this mindset: "We feed, we medicate, we maintain custody . . . The less programing there is, the more control, the more time and the more resources you have." Melissa Dribben, *Prisoners Pair up with Hard-to-Train Dogs*, PHIL. INQ., May 6, 2013, http://articles.philly.com/2013-05-06/news/39044244_1_inmates-prison-officials-early-parole.

[14] THEODOR ADORNO, MINIMA MORALIA: REFLECTIONS FROM DAMAGED LIFE 117 (1978).

V. TRULY REHABILITATIVE PROGRAMS

The value of philosophy, law, and history impressed itself on my life when I was drowning in the prison subculture, surrounded by nothing but bars and facing nothing but time. I had spent almost a decade doing little more than fighting prisoners and assaulting guards, until I somehow found the strength to turn my anger into something positive. Now I write term papers and legal briefs that benefit both me and others confined with me. My transformation has affected not only those who knew me when I was a menace, but also those who are just starting to serve their sentences. They see me as a role model and see what can be accomplished in spite of one's circumstances. No longer confined to an existence that the prison subculture glorifies, my intellect rather than ruthlessness is the basis for self-respect. This is the essence of rehabilitation.

Although rehabilitation is one of the putative purposes of imprisonment, a cursory review of recent history refutes that notion.[15] In the 1990s, legislatures raced to make prisons more inhospitable, and politicians vowed to get rid of cable television, weights, and everything else that supposedly made prisons proper abodes for the leisure class. When the remodeling was complete, almost all programs beyond basic education (General Equivalency Diplomas) were gone, and the quality of programs that are maintained is wanting, to say the least. Atif Rafay, a fellow prisoner serving a life-without-parole sentence since he was a teenager, highlights the paucity of basic education, explaining:

> In prison, the juridical equivalence of the GED to high school has resulted in the gutting of any curriculum that might prepare students for college or afford them any non-instrumental understanding of education. GED textbooks focus on what they call "skills" and "strategies," and most students who obtain the diploma do so without ever reading a real book or writing more than 300 words at a time on the most basic of topics ("What would you do with a million dollars?").[16]

Vocational training survives in some states, but it fares no better, for the training is limited and its utility is questionable. As for college, distance-learning programs were essentially shuttered by the federal government: "We few, we happy few"[17] with aptitude were barred from receiving federal Pell grants, thereby making our aspirations, all too often, cost prohibitive. This is the state of

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[15] WASH. REV. CODE ANN. § 9.94A.010(5) (West 2011) (One of the purposes of Washington's Sentencing Reform Act is to "[o]ffer the offender an opportunity to improve himself or herself".).

[16] Atif Rafay, *An "Impossible Profession"?: The Radical University in Prison*, *in* 95 RADICAL TEACHER 10, 16 (Winter 2012).

[17] The "happy few" at the Battle of Agincourt (1415) were outnumbered four to one—a ratio that I believe matches that of prisoners with the aptitude for college to those without. *See* WILLIAM SHAKESPEARE, HENRY V act 4, sc. 3.

correctional education. If public policy and prison practices are a barometer of whether rehabilitation is important in America, the answer is abundantly clear.

While countless studies show that there is a negative correlation between education and recidivism—the more college education a prisoner receives, the less likely he or she will commit future crimes—those studies are apparently irrelevant to policymakers.[18] After all, with the savings from reducing a prisoner's sentence by a single year, a state could pay for his entire college education at a state school. Were rehabilitation truly the object, surely releasing a man who has earned a college degree after serving nine years would be far better than releasing a man who has served ten years but has been spared the rigors of actually learning anything worthwhile. Unfortunately, the latter is the typical practice throughout the country.

Rehabilitation does, however, imply that the individuals undergoing it were, at some point, "habilitated": that education or training is restoring them to a previous condition of positive social functioning. From this perspective, rehabilitative programs only work to reform the prisoners—probably a small minority—who lived semblances of normal lives prior to being imprisoned. The overwhelming majority of prisoners, who come from chaotic, unsupportive family environments and dysfunctional communities, are beyond the reach of rehabilitation and can, presumably, be left to play basketball, lift weights, and engage in a host of illicit activities prohibited by the institution. Yet this triage is better than the alternative. Offering the corrigible minority of prisoners an opportunity to pursue higher education would undoubtedly do more to reduce recidivism than current penological policies and practices. Moreover, based upon my experience with University Beyond Bars, a nonprofit that provides college classes at the facility where I am confined, the incorrigible majority would continue to play basketball, lift weights, and engage in their favorite prohibited activities even if college programs were available to them in prison.

VI. PSEUDO-REHABILITATIVE PROGRAMS

Foucault observes, "The prison was meant to be an instrument, comparable with—and no less perfect than—the school, the barracks, or the hospital, acting with precision upon its individual subjects."[19] This ideal was, of course, never realized. Policymakers are nonetheless loath to admit that prisons warehouse marginalized populations that our society cannot incorporate into the economy. In order to maintain the façade that reform is a penological goal and reintegration is

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[18] William Tregea documents how college programs for those confined promote self-leadership, increase self-worth, and create positive role models within prison, while increasing the employment prospects of former prisoners and contributing to the likelihood that they will seek further education in the community. *See* William S. Tregea, *Twenty Years Teaching College in Prison*, *in* CONVICT CRIMINOLOGY 309, 310–13 (Jeffrey Ian Ross ed., 2003).

[19] Michel Foucault, *Prison Talk*, *in* POWER/KNOWLEDGE 37, 39–40 (Colin Gorden trans., 1980).

an objective, and assuage liberal voices who steadfastly hold on to the rehabilitative ideal, public money is grudgingly allocated to fund programs touted as being 'evidence-based,' a term used to aggrandize 'cognitive-behavior' treatments that yield, at best, marginal improvements.

Moral Reconation Therapy [MRT] is one such program.[20] Despite the grandiose name, little discussion of Kant or Mill occurs during these sessions. Instead, a correctional counselor, equipped with a manual, has prisoners draw pictures depicting their "Circle of Relationships" and "Pyramid of Life"; the counselor discusses the factors that he or she believes led to the prisoners' criminality; and, as a finale, each prisoner must detail, in writing, how they will accomplish realistic short- and long-term goals. The premise behind this therapy is that there is some elementary defect in prisoners that thirteen weeks of banal advice and reproach will mend. Never are the roles of social and economic inequities considered; a rationality-opportunity perspective on crime is omnipresent. If any prisoner disagrees, he is forewarned: "If the facilitator determines that your answers are not well-thought-out, or that you are argumentative, or that you are non-acceptant of the criticism that you might get, you will be required to continue working on the exercise. This means that you may be told to present the exercise in the next group meeting."[21] Play the game or else it will be "Groundhog Day," minus Andie MacDowell, every meeting thereafter.

The program is designed to convince prisoners that their lives are a direct result of their poor choices, for which they must finally learn to take responsibility. As the prisoner works his way up the "MRT Freedom Ladder," moving from a "state of disloyalty" to what, in an astonishing vulgarization of Christian doctrine, they call a "state of grace," the authors repetitively drum this theme home:

> Almost everyone behind prison bars is unhappy. Intensely unhappy. They blame the system—the courts, the police, the economy, or the President . . . . Others blame their family, their parents, or their

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[20] According to the authors: "MRT—Moral Reconation Therapy®—is a systematic, cognitive-behavioral, step-by-step treatment strategy designed to enhance self-image, promote growth of a positive, productive identity, and facilitate the development of higher stages of moral reasoning. All of these goals are ultimately demonstrated by more appropriate behavior on the part of the program participants. Over 120 outcome studies show that MRT significantly increases moral reasoning levels, enhances life purpose, facilitates increased social support, and gives participants more perceived control over their lives. Consistent research outcomes from a host of MRT implementations shows that MRT participants have significantly lower levels of rearrests and reincarcerations in comparison to appropriate controls. These results have been confirmed even in participants who have been released from the program for a full 10 years. MRT is widely recognized as an 'Evidence-Based Practice' as well as a 'Best Practice' by numerous official governmental agencies and treatment authorities." DR. GREGORY L. LITTLE & DR. KENNETH D. ROBINSON, HOW TO ESCAPE YOUR PRISON: A MORAL RECONATION THERAPY WORKBOOK i. (rev. ed. 2006).

[21] *Id*. at 52.

> upbringing.[22]
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> . . .
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> No matter how much misery you cause others in the world, you try to prove that you are a victim of circumstances, or society, or your childhood. You place the blame for your faults on everyone or anything else.[23]
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> You simply blame anyone else or everyone else for your problems. If you fail, it is the fault of the system. It is someone else's fault. Or you blame the rules, the law, or society. Maybe you blame your parents or your teachers.[24]

A criminal because he wanted to be, he is imprisoned because he chose to break the law. That is the dogma of MRT. The late Ronald Reagan exemplified this sentiment, declaring: "Choosing a career in crime is not the result of poverty or of an unhappy childhood or of a misunderstood adolescence; it's the result of a conscious, willful . . . choice . . . ."[25] He invites criminals to their own personal triumph of the will. Exercising his capacity to choose wisely, the prisoner self-rehabilitates; no longer blaming anyone or anything but himself for the outcome of his life, he succeeds by just lifting himself up by his own bootstraps. Classical criminology meets Horatio Alger—this is rehabilitation in the Department of Corrections.

VII. RETRIBUTIVE INJUSTICE

David Boerner, one of the architects of the Sentencing Reform Act of 1981, explains that Washington State's determinate sentencing scheme "is based on a just deserts philosophy under which sentences are to be based on considerations of the seriousness of the crime of conviction and the prior criminal history."[26] Some might be inclined to agree with the proposition that proportionality based upon an offender's prior criminal history and the seriousness of the offense are the only factors that judges should consider when imposing sentences—especially in a case such as mine. Many felt, and still feel, that a life-without-parole sentence is justifiable even if the defendant is only fourteen years old. Yet once punishments are divorced from rehabilitative, protective, or deterrent purposes, and focused solely on retribution, cruelties that even the most heartless would find difficult to endorse become impossible to avoid.

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[22] *Id*. at 2.

[23] *Id*. at 15

[24] *Id*. at 33.

[25] Ronald Reagan, Remarks at the Annual Conference of the National Sheriff's Association in Hartford, Connecticut (June 20, 1984) *available at* http://www.reagan.utexas.edu/archives/speeches/1984/62084c.htm.

[26] DAVID BOERNER, SENTENCING IN WASHINGTON § 4.1, at 4-1 (1985).

Angela Freitag is a perfect example. One early morning, she drove her uninsured Porsche through a red light and sideswiped another vehicle. Her blood alcohol level was .16. Only a full presentation of the Washington Court of Appeals summary can convey the irrationality of the ultimate result:

> At the time of committing this vehicular assault, Ms. Freitag was a 23-year old honors student attending law school at Georgetown University in Washington, D.C. She had seldom drunk more than a glass or two of wine at any one time in her entire life. Even at parties where alcoholic beverages were freely available, Ms. Freitag often drank nothing at all. She had lived a law-abiding life of civic and social responsibility. During summer vacations she had worked as an unpaid volunteer for various charitable organizations, *e.g.* for a free medical clinic in Mexico and a social services clinic for the poor in Appalachia.
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> During school terms she had helped to prepare and deliver Meals-on-Wheels to the elderly and meals at Thanksgiving to the homeless. She not only had no counted criminal history whatsoever but also she had no juvenile, no misdemeanors and no civil infractions—she had never received so much as a traffic ticket.
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> A few hours before the accident, Ms. Freitag had flown cross-country from the East Coast to Seattle in order to participate in a friend's wedding. With too little sleep, and following a particularly stressful period in her life, Ms. Freitag attended the wedding rehearsal dinner. There, she participated in a series of ritual toasts to the bride and groom. Without realizing that she had drunk too much wine and was unfit to drive, Ms. Freitag did drive, ran the red light and crashed into Mr. Ly.
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> Once she sobered up, Ms. Freitag was horrified, grief stricken and filled with shame at the terrible consequences to Mr. Ly of her unthinking act. Well before her sentencing hearing, she contacted Mr. Ly's insurance company. Her only way of paying restitution for Mr. Ly's injuries was to pledge a substantial share of her future earnings. Ms. Freitag had already signed such a pledge by the time of the sentencing hearing. Ms. Freitag also expressed her desire to the trial court to make amends for her offense, not only to Mr. Ly and his insurer, but also to society.[27]

The crime called for a standard-range sentence of 3 to 9 months confinement, but the trial judge converted 89 of the 90 days imposed to 712 hours of community service—half to be performed at a free legal clinic, the other half at a health-care

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[27] State v. Freitag, 873 P.2d 548, 550 (Wash. Ct. App. 1994) (citations omitted) (internal quotation marks omitted).

facility that provided rehabilitation to accident victims. Anyone who believes that prior criminal history and the seriousness of the offense are all that should matter when sentencing criminals will be pleased to know that the Washington Supreme Court reversed the trial judge's decision—holding there was no legal basis for imposing a sentence below the standard range, and ordering that Ms. Freitag be resentenced to, at minimum, 3 months of confinement.[28] Instead of receiving the benefits of Ms. Freitag's social work, the state paid thousands of dollars to warehouse her. Not even Angela Freitag could escape unjust deserts.

VIII. CONCLUSION: THE RELEVANCE OF REFORM

Only those who ignore the overwhelming evidence to the contrary can continue to believe that rehabilitation has a bearing on our criminal justice system. Rehabilitation has become nothing but a sentimental, antiquated notion, a lost ideal. Yet if I am freed, the Department of Corrections will tout how thirteen-week programs such as "Victim's Awareness" and "Anger Management" contributed to my success. I will be used in statistical data to show that such cognitive-behavior-therapy treatments are worthy of more public money. Correctional officials will ignore the real factors that allowed me to successfully reintegrate into society. It is, indeed, only too easy to despise these people.

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[28] State v. Freitag, 896 P.2d 1254, 1256 (Wash. 1995).