

E.R.: I talk to everybody – family members, old girlfriends or boyfriends, ministers, school teachers, DHS workers, former parole officers. We have to talk to them in person. We can't conduct the interviews on the phone. Maybe I'll talk to a distant cousin who hasn't been involved with the client for 20 years. They'll try to recollect and say, "Oh, they had the greatest dog. The dog was ..." and I'll say "Snappy." And they say, "Oh my God." I know more than almost any individual family member knows.

V.L.: *Do you ever contact a family member who says, "I don't want to talk about them. I don't want to have anything to do with them?"*

E.R.: Yes. I'll give you an example. I hadn't been able to get the mother of a client to answer the phone, so I showed up at her door. She said, "Defense or prosecution?" I said, defense. She said, "I don't know why the prosecution never comes to my door. I'd execute him myself. Get off my property." The attorneys told me, "You have to try to get her to talk to you." I came back and she said she was going to get a restraining order against me. I knew from other people that she was in a 12-step program. I wrote her a letter and suggested she go to her sponsor and talk about how she was going to feel if her son was given the death penalty and she had refused to talk to me. After she saw her sponsor, she told me I could have an hour of her time. Before it was over I probably spent 40 or more hours with her.

V.L.: *You often work with clients for long periods of time, don't you?*

E.R.: I've been on one case for six years. You see the client a couple of times a month. Sometimes more. Sometimes you've asked everything you can ask, but you're just keeping them calm. There is really no one they can talk to. If they talk on the phone it's recorded, if they write to anyone about their case it's copied, if anyone visits it's recorded. If they talk to other inmates, sooner or later there will be an informant. We tell them, don't talk to anybody about your case. What else do they have to talk about? The defense team has to go see them so they have someone to talk to. The attorneys have a bunch of other things to do. It's our job to hold the client together. The attorneys haven't traveled

around the country and met everyone.

V.L.: *You must have had to come to terms with your own life in order to listen so deeply to other people.*

E.R.: There has to be an emotional honesty that you bring. I can't just expect the people we represent to be accessible if I'm not. People know if you are hiding. And they will not come out for you.

V.L.: *Do some people really have to struggle to open up to you?*

E.R.: I'm OK with silence. We have time. I may know that someone was repeatedly raped by their grandfather and I'm never going to mention that until we have a very solid relationship. People trust you. They really trust you. Eventually in a close relationship people are going to talk to you. They aren't going to censor themselves. Even though it could be used in their defense it's still painful.

I've worked with people who've said they wanted to enter a plea just so their mother or family member didn't have to admit to what they had done to them. It's not uncommon that they're protecting someone in their family. People say, "Leave my family alone." And I say, "I can't."

V.L.: *Can you think of a case that was so awful you just wanted to walk away?*

E.R.: These cases are difficult and the better you get at what you do, the harder the cases are that you get. The normal murders, the drug deals gone wrong, of course they are tragic, but it's not someone who is abducted and mutilated, cut into fifty pieces, it's not a child or a completely innocent person who randomly gets in the way of this incredible violence.

People do violent, reckless things, such painful things they have lost their right to live outside of prison. Sometimes someone's life story is so terrible, so frightening, they are never, ever going to be OK. There is no excusing this behavior but sometimes you can say, "I see how this person got here."

I have a client who's difficult to talk to because he's angry about a lot of things. It's exhausting to be bombarded by his anger week after week. So I started talking to him about Thuggy, a squirrel in

my yard, and my partner's ongoing battle to keep Thuggy from eating the birdseed. The client liked the name Thuggy and that the squirrel always won our battles. He asked for a photo of Thuggy. He drew a picture of Thuggy and gave it to me. I framed it and sent him a photo of it.

V.L.: *(Ellen shows me a detailed line drawing of a feisty little squirrel.) You see people change.*

E.R.: That's why my job doesn't drive me crazy and depress me. It is this hope. People change over time. I'm grateful for that.

V.L.: *You see these people differently from the rest of us.*

E.R.: I think we are all a lot closer to being similar than we would like to admit. We are all broken in some ways. But some of these people are shattered and no one has ever just let them talk about it. My job is to find out why this happened. Not to sit in judgment. It's the Christian concept of grace.

V.L.: *Who are your role models?*

E.R.: Other people in the field are wonderful. I met Sister Helen Prejean at a death penalty workshop. She's the nun from the movie Dead Man Walking. She is very, very funny. She was supposed to meet Susan Sarandon, the actress who played her, in a restaurant. She was standing there, looking around and Susan Sarandon came up and said, "Hello, don't you recognize me?" And Sister Prejean said, "No, I don't watch movies."

V.L.: *When you talk about your clients you don't dehumanize them. You have the attitude that these people are worth talking to.*

E.R.: I do have that attitude. Both of my parents believed in the death penalty but I never did. I remember in high school we were given a debate topic and mine was the death penalty. I have always felt that the death penalty diminishes us as a society. What does it cost me to care about these people? What can it hurt? I can't write these people off.

Oregon is one of 32 states that still imposes the death penalty, with 34 people currently on death row. The last person to be put to death in Oregon was Harry Charles Moore in 1997. A 2012 poll shows that 57 percent of Oregonians favor the death penalty. Those numbers haven't changed much since a 56 to 44 percent vote legalized the death penalty in 1984. Gov. Kate Brown is upholding the moratorium on executions imposed by Gov. John Kitzhaber in 2011.



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