

'Counting Pictures' Segment

What follows is a segment from my book 'Counting Pictures'. It is currently (4/2017) unpublished. It's about my personal experience being accused, indicted and convicted as a 'sex offender', a term that is loaded down with negative connotations in our society. In many cases the connotations and inferences have little or nothing to do with the offense itself or with the laws now being employed to prosecute 'offenders'. There is in the Federal Legal System an atmosphere of ignorance and hysteria, a disregard for science and statistical record, similar to the approach that fostered the 'War on Drugs', with its impossibly righteous moralism. In my book there is a schism between 'Thoughtman', the fantasizer, and 'Speakman', the social persona and how this schism in my personality plays out in an incarcerated setting.

The segment offered here is about my experience with initial arrest and incarceration as a 59 year old man with no prior criminal record.

FRMartinez (4/2017)

THE 'LOBBY'

Booking at county prison, from the moment I stepped into the barren lobby, which consisted of multiple rows of wooden benches like those in church facing two heavy-set African-American females in full police uniforms behind a long desk, to the moment I was put into a double-occupancy cell alone, took almost fourteen hours. Before taking a seat at one of the benches in this lobby I had gone through check-in in a room that resembled a bank with uniformed officers in sectioned-off areas behind window-counters where all pockets were emptied, IDs, wallets, personal items (scarves, neckties, belts) and cell phones were confiscated and personal information was logged into police computers.

While in the 'lobby' I was called up only to be photographed and fingerprinted. For the rest of the fourteen hours I just sat there. The place was packed with lowlifes, prostitutes, people coming off booze or drug highs. The racial ratio was mixed but not as obviously as one would have thought considering the demographics of my city (50-60% black). Every age group was represented, from barely legal to old men with canes and walkers. It seemed my little Southern city was, like Thoughtman, an equal-opportunity predator. The ratio of 'lowlifes' to 'average looking' people too was unexpected. Maybe 85% 'regular' types to 15% 'edgy'. (I know 'lowlife' is a prejudiced term but, hey, so is 'sexually explicit conduct', and the latter is being used by the Federal legal system to put people away in droves. (14,500 currently).) So I feel I'm entitled to a little 'prejudiced terminology' here. And did I just call my Southern town a 'predator'? We're all potential criminals. Few people realize just how easily any of us can become 'prey', even in the quietest most genteel of communities. (Beware of the 'quietest' and most 'genteel' - they may be the worst.) I didn't realize

any of this myself but I was about to learn the bitter lesson.

I had just signed up for the Great American Incarceration Project. I was on the ground floor. This was the gateway into the slimy underbelly of our Great Democratic Experiment.

Above us, on a support bracket attached to the ceiling by black steel struts, were three color television sets tuned to different channels, muted, playing silently. One of the sets had the subtitle feature enabled. The script ran out of sync with the images and with the usual atrocious transcription errors (e.g. '...sources say the man was an impostor...' became: '...sauces say the man was into pasta...') This was 2011. Subtitles are probably more accurate now. I don't know. I no longer watch television in prison unless there's something very special on, breaking news or some worthwhile movie (ha!) maybe a once-a-year occurence. I have no interest in sports, reality shows, music videos or other visual candy-trash that most people these days consider 'entertaining'. In any case, I wouldn't know if subtitling technolgy has improved because here we use radios or MP3's to listen to our silent TV monitors. In this way the Federal system insures that we'll be nearly deaf when we've completed our correctional processing.

Back to the 'lobby', the anteroom of the underworld:

It's nearly impossible to describe the surrealistic nature of this county prison 'lobby' but I'll do my best.

Built in the 1990s the place already looks ancient, tired, shabby. It's like being inside a ferry that has sunk and been salvaged. It has that moldy quality. The cinder block walls have the visual consistency of old cheese, made more stark by the everpresent prison lighting, cheap fluorescent, the sickly white-violet of a dying AIDS patient. The industrial tile floor is worn and grimy and scuffed from a thousand impatient shoes. The blondewood benches are scratched with graffiti, bolted to the floor so they cannot be budged. Everything in prison is bolted down. There is no mobility or hope

of mobility. If our bodies could be bolted down they would be. Life, movement, unpredictability is a threat to the system. The pervasive atmosphere is one of stifled desperation.

The three televisions are placed in the center of this 'lobby'. The people in the front half of the room cannot see the screens. Underneath the televisions there are four telephones on metal poles inside acoustic half-shells. Jails and prison cling to old technologies. Smart phones and word processors and computers are too hard to control and contain. It is as if the system recognizes the liberating effect of these advanced communications technologies and needs to suppress them utterly. The fear of a security breach is nearly psychotic, like the fear of the man who marries a beautiful woman and imagines every man she comes in contact with is trying to get in her pants. The resulting jealous rage suggests the same high-pitched absurdity for security inside prison walls. Everything is designed to remind you that you're there against your will and nothing will change it. In the 'lobby' some people sleep with

In the 'lobby' some people sleep with jackets, sweaters or t-shirts pulled over their heads. They huddle in half-prone positions given that lying down horizontally on the benches is prohibited. There are fetal and limbless forms among the more alert ones. The phones allow only one ten-minute call. Each person that has been processed into the 'lobby' from the street has a code assigned to them. The code has to be punched in before one can dial the number that will connect with the person one is trying to reach. Sometimes the codes don't work or people punch the numbers in wrong, or they forget to press the star button as the instructions explicitly describe - STAR-CODE-NUMBER, your only connection with the outside world. The calls are collect so if the person on the other end refuses to carry you you're out of luck. Welcome to the monkey cage.

Some people offer to buy the codes off those who don't use them. Payment

must come later since we've had our money confiscated at the check-in desk. Hardly anyone sells their codes. Some trade them for cigarettes which have been sneaked in. There is no smoking allowed though and the guards sometimes put a stop to it. Prostitutes call their pimps or their fellow 'workers'. Drunks call their family, whoever still takes their calls. Thieves or drug dealers call their lawyers. Most of us need to call 'home'. Whatever that is. It takes me an hour or so to be able to get to the phone because of all the people waiting to call. There must be easily 80-100 people in the lobby. "This is nothing," says one of my fellow convicts-in-waiting. He apparently has experience with this situation. "You should see this place on the weekends." It sounds like he's talking about a popular nightclub.

I've already lost track of time. Yes. This is a Tuesday in April. There are no windows in the 'lobby'. No clocks. No calendars. Watches have been taken away, put into personal property bags. Ziploc plastic. Like trash. The outside world has ceased to matter. This is Tuesday. Tuesday. This is a Tuesday in April. I have to keep telling myself.

Interrupted Tuesday.

Finally I get to the phone and fumble with the code and the number. I imagine the phone ringing in my pleasant sunny home on the other end. It's as if I'm calling from a submarine under Artic ice.

My wife is still shell-shocked but she's already talked to her brother who is an attorney so the wheels at least are turning out there. I'm thinking this prison experience will be brief. I don't belong here. It goes through my mind that maybe some of the others in the 'lobby' feel the same way.

Now I'm starting to come out of Thoughtman's shell and into this crazy dirty place and I'm scared. This is my first glimpse into my new life as an inmate.

There are armed police in the lobby and at the door into the admissions area. Along the sides of the lobby there are holding cells in case someone

has to be isolated. In some of these cells people lie in single bunks under clothing pulled over their heads. I suppose horizontal stretching out inside the holding cells is permissible - possibly for those that are in bad shape, nodding from smack or in booze limbo. We're allowed to use the toilets in the unoccupied cells. There are plate glass windows. There is no privacy. Once cell for men, one for women. Toilet paper is scarce. Three ghettoheadin' guys standing by the 'restroom' cell spot me going in. They laugh at my clothes. "Hey, man, where'd you come from? The golf course?" Ha ha ha. He he he. My southern town hosts golf tournaments. Being white and conservatively dressed must signal to these guys that I'm connected with the golf-playing strata of society they're not a part of. "I wish," I reply sardonically sending them into further fits of laughter. I've provided entertainment. I don't tell them that I'm as excluded as they are from the strata they think me a part of. I've never played golf in my life. I hate the fucking game.

In this 'lobby' there is only one way in - from the street - and only one way out - into jail.

The processing is slow, endless. The black mamas take their sweet time. They take lots of coffee and food breaks. They come and go. They gossip. While we wait we're given bag meals: peanut-butter-and-jam on whole wheat, an apple and some strange brand of O.J. in a small carton that tastes like Tang mixed with battery acid. No one wants the juice. There's a water fountain and the line backs up. The black mamas have ordered fast food. Wendy's. We watch them eat, all of us drooling.

At some point during this long wait I sit next to an old black man. He looks like a Baptist minister, no stranger to sin, white hair like cotton, a cane, a deep Carolina baritone. "What did you do?" he asks politely.

"I'd rather not talk about it," I reply.

"Drugs?"

"No."

"Did you kill somebody?"

"No."

"Did you steal anything?"

"No."

"Did you rape somebody?"

"No. No."

"Then you'll be alright. You'll be okay."

Six years after that conversation I'm doing a fifteen year bid in
Federal Prison.

. . .

INSIDE

It must be two or three in the morning when I'm finally called to the processing desk. The two black mamas have been replaced by similar entities. I see the charge sheet: 'Exploitation of a Minor'. The words jump up like snakes and paralyze me. They don't seem in any way connected to what I was doing. This is some alternate universe version of Thoughtman's fantasy. "Is that you?" the desk clerk says. There's no judgment in her voice. Everyone in the lobby is the same to her. We're all scum. "You'll have to be in PC," she says. 'Politically correct?' I think to myself, a puzzled look on my face.

"Protective custody," she says when she realizes I'm not 'jargon savvy'.

I learn much later that sex offenders are routinely beaten and even killed in this jail. (Thankfully I learn that after I've left. A good thing because I have a lot on my plate at that moment.)

Protective custody, as I would later learn, entitles you to be alone in a cell, segregated from the rest of the prison population. One hour is allotted per day to shower, to make calls, order commissary (which I had no knowledge of at that point) use the phone for collect calls and find books to read.

Once the paperwork is cleared I'm finally shunted past the two-mama desk and through the door on the left into the jail. There is another door on the right hand side. I'd find out two days later where that led.

After a pat-down search in a tight hallway I'm sent to a check-in counter and given a clown-yellow jumper (the color is actually somewhere between puke yellow and mucous green). I'm told to go into a curtained cubicle to change. I'm allowed to keep my briefs and socks. When I come out I'm issued a towel, a blanket, a small half-sized toothbrush, a bar of soap (Like the ones in gas station bathrooms), a plastic see-through cup (like the ones used for punch at parties and weddings), and a yellow plastic spoon.

"Don't lose that spoon," the mama behind the counter warns. I'm starting to think being female, middle-aged and black may be a job requirement here. She's behind a chain-link barrier that extends from floor to ceiling. "Unless y'all wanna end up eatin wid your fingers."

My street clothes and personal items, including a gold chain I've had since I've known my wife, a gift from her as a token of our love, my shoes and socks, everything is stuffed into a plastic bag and dropped carelessly into a plastic bin with my name and number tagged on it. I'm given a receipt and a pair of shower slippers and a pair of canvas shoes. The jumper I'm wearing smells of industrial detergent and of that gunk black men use on their hair. There's a last pat down search (no strip search at this point). I slip on my beach-like canvas shoes and a guard comes for me. I'm led through a heavy metal door - the esophagus of the dragon. "Don't lose your spoon!" the mama behind the check-in counter reminds me.

The security door closes behind me. I'm in the jailhouse in my clown jumper.

After one more seemingly unnecessary pat-down I'm led down a long hallway with yellow lines on the concrete floor on either side. The guard takes me to my unit. "Stay on the yellow line," he says in a bored voice, the boredom of endless repetition.

Don't think this is a small intimate little county lockup. This place is huge, industrial-plant like, with twenty foot high ceilings and exposed pipes, electric sliding doors and the ubiquitous fluorescent lighting. Blink your eyes and you might think you're in Costco. On the other side of the hallway I spot a woman, a pretty blonde I remember from the 'lobby' now in a prison jumper like mine. Hers seems to fit better. A female prison guard (yes, another black mama) leads her in the opposite direction. She smiles at me and shrugs, holds up her hands. She's been here before. The two women turn into a small alcove and a sliding door opens to swallow them.

The unit I'm destined to is at the end of this fifty yard hallway, on the right. The glass-paneled door slides open and my guard hands my paperwork over to a unit guard who sits at a semi-circular desk. With a pneumatic sigh and a thump the door slides shut behind us.

The unit is two-tiered with a canyon almost fifty feet wide separating two rows of upstairs and downstairs cells. The heavy metal doors on each cell have glass slits but no other openings. I'm led upstairs, half way down the corridor which is bordered with metal banisters to a half-open door, my room at the inn. After I'm locked in I curl up on a hard rubber mat and pull the blanket over me. The one end of the mat is slightly bulged to act as a 'pillow'. It's about as comfortable as a poolside recliner at a cheap motel. I don't have my CPAP machine with me so I know sleep will be next to impossible. I lie there groggy and half out of it thinking I'll be out in a day or two. My brother-in-law will bail me out.

That's how clueless I am.

I'm fifty-nine years old. My first night ever in lockup is endless. I'm tormented by anxiety and doubt. I try to remember what I'm accused of and how that accusation spelled out in black and white on my paperwork measures up to what I've actually done.

It doesn't make sense. It'll take me some time to figure out it doesn't have to.

I'm now a criminal on a par with terrorists and biker gang members.

The way I've been tagged I make the character on that TV show 'Breaking Bad' look like Mahatma Gandhi.

As morning comes, a dull glow comes through a slit window almost the same size as the slit on the door. I hear voices and movement.

I get up and peer out my door slit and see other faces across the way

pressed to the glass, black faces, reptilian eyes. In the cell next to mine the inmate is an avid hip hop fan. I hear him bang out rhythms on his top cot which, as in my cell, is unoccupied. He raps lyrics over and over and I figure out he's trying to write a song. He adds a little more, gets stuck, goes back, gets more and goes on. There are pauses. I visualize him writing it down. I have nothing to write with. The 'composer' next door goes on and on. On the opposite side another inmate bangs and thumps and screams and sobs. Guards come take him away. He's broken something in the cell and his arm is bloody. There's an intercom on the wall. I press the talk button repeatedly but there's no answer and no one comes.

The cell is ten by eight feet: a metal toilet and washbasin combo, a writing desk which is just a slab of metal on struts bolted to the white cinderblock wall, the steel double bunk. There is graffiti. Some of it has been wiped ineffectively. There's the window through which I see a fence, concertina wire, a telephone pole, a tiny sliver of the asphalt parking lot.

At some indeterminate point a guard and an inmate roll the breakfast cart up the corridor outside and my cell door opens. The trays are stacked up. The orderly takes one off the top and hands it to me. Cereal. A biscuit. Something that might be a slice of sausage. Then there's the battery acid O.J. or some very watery tea. If I want water I can get my cup and go to the cooler outside at the end of the corridor but I better do it quickly since the guard's not going to wait long. I get the water and I'm locked in again and the breakfast brigade moves on.

Coffee? In your dreams.

The first effect of incarceration is to reduce you.

The size of the world is shrunk, physically and psychologically. The sense of personal space and safety is lost in the first few hours.

It's gone before you're even aware that it's gone.

. . . .

Time passes like mud through a sewer pipe. The hip hop writer in the cell next door is persistent but eventually he goes quiet.

My hour out of lockup comes. I go downstairs to take a shower. I find that one has to strip and shower in the same closet-sized cubicle. I start to strip outside but the guards yell at me and I get inside. The water's already spurting from the showerhead and my clothes get wet.

On my way to the phone guys signal to me from their cells on the first floor, faces pressed to the glass slit. I don't know what they want. I ignore them.

My wife tells me I need to chill. There's no word on when I can get out. I apologize to her again. We both cry. I call my relative, the mother of the child I photographed, the child I was supposed to be watching over and not taking nude pictures of. I assure her that nothing went on other than pictures and stupidity. An impulse gone astray, a thoughtless act. She's stunned. It's not something I ever knew I would do either. Thoughtman is to blame. The lizard brain. But how can I explain that? I don't even have words for it. I have to take responsibility for Thoughtman's extreme fantasies, his pornographic indulgences and addictions. Speakman has been left holding the bag and Thoughtman has retreated into brooding silence.

Back in my cell I mourn the life I have thrown away.

Memories sting me like curare darts.

I've never murdered, stolen, raped or sold drugs but it makes no difference.

I'm heading into sex offender status and I'm emotionally clueless.

I'm a stupid old man who should have known better.

But stupid old men pay the full price of admission just like anybody else.

I see Robert Blake the actor playing detective Baretta back in the 1970s, a successful young actor who was once a child star on 'Spanky and the Gang'.

I see him look up with that trademark Bob Blake sneer saying:

'And that's the name'a dat tune.'

'Deed it is, Bob. 'Deed it is.'

Years later, a wasted white-haired Blake would be acquitted of murdering his wife.

Acquitted - unlike me.

. . . .

Things I miss in prison:

- Making music.
 - Going for a ride in the car.
 - Going out to eat dinner with my wife.
 - My wife.
 - My wife's laughter.
 - My family.
 - Watching whatever I want whenever I want on TV.
 - Playing video games.
 - Sex.
 - Life.
-