

## **A Journey to Solace**

The barbaric practice of legal execution has become so common - especially in the state of Texas - that many people often compare it with and see it no different, than animal euthanazation. It's easy to see the process as nothing more than putting someone to sleep. Unfortunately for those who find themselves condemned to execution, it is not that simple.

Execution by any means is a torture of the psyche. It is not something I would wish anyone to experience. But for those of you that would like an idea of the terror that someone experiences during those final moments before an execution, then continue reading.

Allow me to introduce myself. My name is José. I have been on death row for a little over two decades and have luckily survived 4 execution dates, including one this year that came within 3 hours of a successful lethal injection. I am not the first person to come so close and escape execution. Many more have come even closer. I personally know several lucky survivors. What we all share from this ordeal is a traumatic life-altering experience. What I hope to show you - the reader - is the deep level of anguish that I went through and the frightening realization that I came to in the end. Something only someone about to die can ever understand.

For the majority of my life I have been a blissful agnostic - a belief (or lack of) that I can no longer hold. Over the years there have been numerous Christians that have tried to change my beliefs, especially more during the last few months before my execution date. They see this as their last opportunity to convince me to accept Jesus so that I can die in peace. Every one of them Christians failed to reach me.

On the days leading up to my execution date, it is one celebration after another. My friends on deathwatch are preparing special meals, my family and friends on the outside are travelling great distances to come visit me, and the prison officials and administration are actually displaying a decency that I have never seen before. Sympathy for the condemned is soothing to a degree, but then comes the moment when all of that is forgotten. It's time to go die.

That exact moment begins when Assistant Warden Billy Hirsch comes to notify me personally, that my visit is over at exactly noon on what is to be the day of my execution, May 10, 2007. My family knows the moment is coming and so, we sit in silence. No one says a word, hoping that time would slow down or stop all together. My father's head is hung down, he looks dejected, utterly.

At that point I realize that I have failed to be a son that a father can be proud of. Hopelessness and helplessness start to seep into me.

I watch as my family is led out in tears. (Afterwards I discover that not only are my family escorted out of the prison, but several prison vehicles follow my family on their way to the Walls Unit, where my execution is to take place.) When I am escorted out of the visiting room, I see a dozen or so civilian-dressed people, all there just to get a glimpse of the condemned prisoner. I don't recognize any of them but they are undoubtedly VIP's, directors, parole-board members, wardens, high-ranking prison administration employees, all here for the show.

From visitation I am escorted back to 12 building, where death-row inmates are housed. On my long walk to the rear of the building where a strip-and-search cage is located, I notice that not only is the whole building on lockdown just for this special event but neatly tucked away in one of the side hallways is a five-man response team, all suited up and ready to respond in case the dozen officers escorting me

can't restrain me if I get uncooperative. In fact, when I get to the cage, Warden Hirsch steps up behind me and places his hands and arms in my back in a provocative manner presumably just to test me and see if I am going to get hostile. After a thorough search I am allowed to dress in all-new state clothes and I am escorted to the back gate where a transport van awaits. Warden Hirsch's last words to me are, "Thanks for being a man about this."

After I am loaded into a small, cramped compartment in the back of the van, it slowly starts making its way out of the unit. When I get to the end of 12 building, I'm looking in the windows for my friends and I see a brightly colored piece of paper waving back and forth to get my attention. The van is carrying me and five prison officers, who are given AR-15 rifles, street sweeper type shotguns, and small caliber handguns at the back gate. The van is preceded and followed by civilian vehicles and personnel also heavily armed. The drive to the Walls Unit takes about an hour because, for security reasons, they don't take a direct route.

When we finally arrive at the Walls Unit, the transport vehicles are admitted through the first of many gates. To get from the back gate to where the execution chamber is, the transport vehicles must maneuver through a maze of narrow passageways between huge buildings.

I feel like I am being swallowed by a gigantic beast.

When the engines on the vehicles are finally turned off, we are parked right outside the death chamber. From there I hobble the few feet it takes to get to the holding area next to the execution chamber. The prison employees along the way all stop what they're doing to gawk at the condemned on his way to death. Once in the holding area, the only door in or out is locked behind me. Immediately I begin to get claustrophobic because the ceiling in this holding area is too low for its long length and to make it worse there are no windows. It feels like I am in an underground dungeon. The air has an eerie antiseptic-chemical smell to it. The floor is polished to a glass shine. The lighting is dim. The only other door in this room is at the very end and it goes to the execution chamber, a dead end in more than just one meaning.

The holding area comprises a row of cells. The walkway in front of the cells has several tables of varying sizes and a few chairs. In the room with me are about a dozen hand-picked prison officers of no less than sergeant rank. Most are heavy-built and tall, more than capable of subduing a single inmate. To prove this point they began removing all the restraints that had me hobbling: leg-irons, handcuffs, hogtie chain, and the big leather belt around my waist. Then I am stripped of the new clothing I received at the Polunsky Unit so I can be thoroughly searched again and given new Walls Unit clothing. The old clothing is heaped on top of my property that has been following me everywhere I go. Two bundles of legal documents, records books, receipts, and other now useless paperwork I have collected over more than two decades. I'd given away all my valuables long before I started my journey to the Walls Unit. There isn't even a Bible in my property.

Once I've re-dressed, I am allowed to walk freely as I proceed to the table where an old, ranking official will take two sets of fingerprints to make sure they are killing the right person, I guess. Once finished I am allowed to walk to one of the cells. The cell is clean and the mattress, pillow, sheets, and a pillowcase are all brand new. The sheets are put on the mattress in prison fashion tied underneath and tightened down. The pillow is fluffy. After I wash the ink off my hands I lay down in the bunk. I'm exhausted and very sleepy because I haven't slept in two days and I'm told we await the arrival of the unit's Warden C. Thomas O'Reilly.

It takes about 10 minutes for him to arrive. All the while there is an officer sitting right in front of the cell

watching everything I do. The rest of the officers are off to each side or walking around. The other tables in the room are for refreshments and snacks. Three huge containers of hot coffee, tea, and juice. Milk is chilling in a container of ice. The one item that stands out most is a big silver platter with all sorts of sweets on it: Cookies, buns, rolls, pastries, etc. This silver platter must go back a long way. It probably served hundreds of condemned prisoners. It certainly doesn't belong in a prison. Even if I wasn't terrified and was capable of eating, I probably wouldn't have wanted to touch any of the sweets on it. Not that I am offered anything; the party doesn't start until after the warden has had a chance to talk to you.

When the Walls Unit warden shows up, he starts off by explaining to me what all is going to happen: At three o'clock they will allow me to walk into the next cell where I will be behind a screen. Then my spiritual advisor will be admitted and I can visit up to an hour. At 4 p.m. they will bring the last meal. He has a copy of my last meal request in his hands. First he comments that I have a lot of food listed (pork chop, fajitas, spicy fried chicken, beef enchiladas, re-fried beans, Mexican-style rice, pico de gallo, guacamole, shredded cheddar cheese, sliced jalapenos, black olives, garlic clove, corn tortillas, flour tortillas, empanadas, and a whole truffle) and then he asks if I'm really that hungry. Of course, I wasn't hungry at all, even though I hadn't eaten in at least a day, but I answered that I only wanted to sample everything. He then said they would fix most of what I requested but they weren't going to be able to find the truffle. He then says he is going to leave and I won't see him again until 6 p.m. or when the courts notify him all my appeals are finally exhausted. At that point he will return and say, "It's time." I will then walk out of the cell and walk directly to that door (he points at it and I can see it clearly from inside the cell). "On the other side of that door is the execution chamber," he continues "You will be helped up into the gurney and you will be strapped down. Then two medically trained personnel will stand on each side (one on each side) and they will proceed to insert a catheter into each arm. A sheet will be placed over your body up to your chest. Then I will stand behind your head and the chaplain will stand at your feet, holding one of your ankles if you want him to hold you. Then I will ask you if you have a last statement. "Do you have a last statement?"

I answer him that I am still undecided. I certainly didn't have a last statement prepared and all the jokes I contemplated saying (To hell with all of you if you all can't take a joke; I'm here to be Vincent Gutierrez's stunt double, hope I'm not too late; I hope everyone can forgive me for what I did to that midget and pony) were the last thing on my mind. So the warden continues, "I will give you about two minutes to make your last statement but I'm flexible depending on what you are saying. I have two rules: One, no profanity or cursing, and two, it must be in English because I don't understand Spanish."

Then he tells me that if I get a stay of execution the chaplain will come inform me of it. Finally he asks me if I have any questions and it is at this time that I am supposed to ask for any special requests, like the telephone. The warden tells me that I can call as many people as I want but the person must live in the continental US and all phone calls will stop at 5 p.m.

When the warden leaves, that's the cue for the party to start. The chaplain pours me a tea and offers me the infamous silver platter. I ask for milk instead. Then I get right on the phone. The first person I talk to is my friend of 27 years.

But I'm not doing much talking because I'm trying to choke down the sobs. Right then I am more scared than I've ever been in my whole life.

I talk on the phone for about half-an-hour and then the chaplain informs me that I had received a stay of execution. Immediately the special privileges are terminated and the party is over. But now I'm crying tears of joy. The mad hurry to transport me back to the Polunsky Unit is immediately underway. The

return trip is much quicker but on that ride back to death row I have the following revelation:

Dying is like walking through a one-way door. Once you step through, there is no coming back to this side. When you are about to cross that metaphorical door to the unknown, that's when you comprehend the staggering losses you will have. You are going to lose everything you value and love. What will you gain on the other side? Certainly not any of your family and friends from this existence.

When we die, the bonds in our relationships with others are severed. You can't even count on having someone waiting for you on the other side. For an agnostic there is little to look forward to. Christians, Muslims, Buddhists, Hinduists, all have something to expect. I, on the other hand, had nothing.

Everything I had done to make my final days pleasant - the parties I had with my friends on deathwatch, all the "final" letters I left for my family, all of special visits I received during those days, the special Shout-Out show that played hours of my favorite music on KDOL 96.1, the treats on that silver platter, my last meal, and even being able to call anyone I wanted to - none of that mattered. I realized that at 5 p.m. I was going to have to stop talking on the phone, my friends from deathwatch were not going to be in the cells next to me. In the execution chamber no one was going to be there with me except some chaplain I've only known for a day. Even if my family and all my loved ones could have been there holding me during the execution, this was a journey that I was going to be making by myself. It wasn't dying that I was so scared of at that moment. It was the fear of God. Afterward, on the ride back to the Polunsky Unit I realized that I almost died outside the grace of God. Instead of indulging in those materialistic gifts the State of Texas (and possibly Satan) was using to distract me, I should have been on my knees praying!

Since returning to death row at the Polunsky Unit, my hands stopped shaking after two days and my sleep returned to normal after three days. The experience of visiting the death chamber as a potential participant instead of a tourist has changed my life completely. The person that went to the Walls Unit is not the same person that came back. It is my hope and prayers that I never again find myself in that evil place. But the possibility exists, as my appeals have not succeeded; I have only won a temporary reprieve. However, if I must return to face the ultimate punishment, next time I will be in the grace of God.

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