



Affiliated with the Kwan Um School of Zen

1110 NW 16th Avenue
Gainesville, FL 32601
Phone: (352) 336-1517
E-mail: gatelessgate@hotmail.com
Web Site: <http://www.gatelessgate.org>

Making Peace

By **K.C. Walpole,**
Senior Dharma Teacher

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Non-action is the source of all action. There is little we can do for peace in the world without peace in our minds. And so, when we begin to make peace, we begin with silence--meditation and prayer.

Peacemaking requires compassion. It requires the skill of listening. To listen, we have to give up ourselves, even our own words. We listen until we can hear our peaceful nature. As we learn to listen to ourselves, we learn to listen to others as well, and new ideas grow. There is an openness, a harmony. As we come to trust one another, we discover new possibilities for resolving conflicts. When we listen well, we will hear peace growing.

Peacemaking requires mindfulness. There is no peace with jealousy, self-righteousness, or meaningless criticism. We must decide that making peace is more important than making war.

Peacemaking requires selflessness. It is selflessness taking root. To make peace, the skills of teamwork and cooperation are essential. There is little we can do for peace as long as we feel that we are the only ones who know the way. A real peacemaker will strive only for peace, not for fame. Glory, or even honor. Striving for fame, glory, or honor will only harm our efforts.

(Maha Ghosananda, "Step by Step" page 51)

Introduction

The objective of this paper is to report some of the pressures and problems related to assisting people on Death Row. All the incidents are related to my experiences with one person. Know that each person and state are different and as such, don't take anything stated here as a hard and fast rule.

Also, be aware that whatever I say may be warped by my own experiences and prejudices which I am sure will creep into parts regardless of my attempts to be general in nature and neutral in presentation.

Buddhism is growing in the United States. The death penalty is a reality. This is no attempt to validate or condone it. Our precepts are very clear and any discussion on that is pointless in a Buddhist forum. The reality is that Buddhists are going to find themselves helping people on Death Row. There needs to be some discussion on this subject if we are to build on our individual experiences to help those that call on us as a group or individual.

Legal business is for legal people. There are two sides to every case and any uninformed observer will most likely become befuddled listening to arguments on their points of view. There is a second issue of mixing church and state. Both require more time, energy, and effort than I have available to invest.

Medical problems are for medical people. I do not pretend to understand mental illness. I do know that at any time, an expert can be called upon to testify as to possibilities of any situation. They will all put their hand on the same bible, take the same oath and come to different conclusions with identical facts. Also, time will compound and confuse the equation. So, what was true yesterday may or may not be true today.

There is no attempt or effort to address the crime of murder here. I left the medical and legal issues in the hands of those who were better equipped to deal with them. Dan Hauser and I discussed the issues and his decisions were his decisions. The logic was his, and I will not discuss it in any type of forum.

The execution (Legal Homicide on the Death Certificate) of a person by any government is a highly charged emotional situation. Events will be colored with 10,000 shades. Without knowing any of the specifics, people will read meanings into events, especially as to what was happening in the minds of the participants. During this event, I saw the movie "American Beauty" and was reminded of how we can be driven to conclusions by occasional snapshots.

In a chance meeting we had in the front seat of my pickup truck outside of Florida State Prison following one of my visits with Dan, Rev. Kobutsu suggested that I write about Death Row. This is the incentive behind putting my experience into this document while events are still fresh in my mind.

A lot of very learned discussions and papers will follow the execution of Dan and its relationship to all the various issues. There is no question that Dan made some lousy choices in his life that caused and will continue to cause a lot of pain and suffering. I am not a judge, a jury, or a person with special knowledge. I leave all that to karma, the universe and those with special insights. My focus is Dan and the situation in which I found myself.

Make no mistake; executing people by the state is not only wrong but also a violation of our precepts. However, the political reality offers two choices: actively fighting the death penalty or helping the person who is going to be executed. Both sides need to be attended to and require intense dedication and focus as well as skillful means. Know that they are not mutually exclusive but individual situations may or may not make them that way. Any person working with an inmate that is going to be executed has to be very mindful that working with the state or other forces may result in the removal of your inclusion in the process.

There are parts to this process that are very distasteful and have not been included out of respect to the parents and relatives of Dan Hauser. Anyone actually dealing with a Death Row situation, and in the case where a Death Warrant has been signed, should feel free to call me and I will go over some of those issues.

Once again, issues surrounding an execution rise to the top of the emotional scale. It almost seems as if there is no middle ground. By the very nature of stepping into an arena such as this, you are going to become a target of one side or another. Dan was sent letters attacking my credentials and integrity as well as identical letters sent to Internet Buddhist discussion groups immediately prior to the execution. I am sure that the extreme situation justified extreme measures in the eyes of assorted individuals and groups. In a sense, this was a good thing. Know anyone undertaking such a commitment can be prepared for it and should prepare the inmate at the same time.

In Dan's case, it came as a thunderbolt out of the blue, but he was at a stage that he could accept the letters and passed them on to me for my information and action. However, this could be earth shaking to an unstable person within a couple of weeks of his execution. The impact could be especially destabilizing when receiving them from accredited groups and individuals. To be aware that such things will happen and prepared for them mitigates the impact.

Always bear in mind that the person being executed has a lot of time to himself. Even if you are able to visit with him 12 hours a week and he gets 12 hours of social visits, there are still all too many hours alone. Every one has his own way of doing time. However, this subject has to be openly discussed and dealt with by both the inmate and any person helping him. Ideally, the practice will take over here. However, this is not an ideal situation nor are we dealing with people that may have an ideal practice. I see no hard and fast rules. Be mindful and be creative as each situation is unique and constantly changing.

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Background On This Individual Situation

July 1970 Dan Hauser was born
September 1970 Dan Hauser was adopted
January 1995 Dan Hauser was charged for murder
August 2000 Dan Hauser was executed

Dan Hauser first came to my attention on March 4, 2000, when a Tibetan (KTG) group asked me if I could help get a mala for a Death Row inmate. I contacted Dan for more information. At the same time, I offered to send him books and visit with him. However, I also told him that if I were to visit with him, it would have to be as a chaplain because my pastoral status within the Florida prison system would be terminated with any private visits. (There are ten prisons that I visit a minimum of once a month.) He welcomed the visit, and we met for the first time that month.

In March, he told me what he expected as the timetable for his execution. I checked with the prison chaplain because it sounded awfully fast considering he had been on Death Row for such a short time. I was led to believe that inmates were not always a reliable source of information; it appears he was the only one who knew his situation.

Dan took precepts on Death Row in June. Shortly thereafter, the Death Warrant was signed, and he was moved from Union CI to Florida State Prison for execution. My sense is that the precepts would have been difficult, if not impossible, to do in the Death Watch area had we waited to do them after the Death Warrant was signed.

Pastoral counseling changes from one hour a month prior to the Death Warrant being signed to a maximum of 12 hours a week afterward. My situation was such that I could only make two trips a week for the first three weeks and three trips a week for the next three or four weeks. Visits after the Death Warrant is signed are limited to weekdays between 9 a.m. and 3:30 p.m. Visitation and travel meant the loss of an entire working day.

Get your affairs in order before you undertake a task of this magnitude. Know that your private and professional life is apt to go on hold, as this may become a full time job. In my case, working with Dan, helping his family, preparing the Zen Center for his family in case they became the object of unwanted attention in town, and continuing my own practice took up most if not all of my time. This is a job you cannot do and should not do alone. The one thing you will need is help, so don't hesitate to ask for it.

Points of Discussion

Emotions. There are a lot of very raw emotions that rotate around the issue of the death penalty in general, particularly in Dan's case. I would like to separate the players into three categories: individual players that are directly related to the situation, the condemned and professional players.

Individual players are drawn into the situation of an execution by circumstances and all too often become pawns of greater forces. They are catapulted by the situation into roles that are totally disproportionate to any life experiences and preparation. Their own guilt and feelings become the tools that professionals will use to further their own goals. Some are people that may have done a less than perfect job, are aware of it and would love to undo what they have done with the wisdom of hindsight.

Individuals on every side are drawn into the situation and played off against each other. The greatest sadness is that for them to be productive in the hands of the professionals, their suffering and pain has to be cultivated, exposed, and documented. Anyone found on the opposing side of a professional is fair game and will also have their suffering and pain cultivated, exposed, and documented. Be absolutely clear that there are no rules of compassion, decency, or objectivity.

Professional Players for the most part are people who get paid by a state, an organization, or whose livelihood and/or identity is in some way related to the issues surrounding the death penalty. A professional player may also be acting out of their individual issues and suffering. However, by choice they have a vested interest in this "dog fight" they have chosen to participate and the positions they have chosen to play.

No discussion would be complete without mentioning the press. By your position as a "spiritual advisor" in an execution, you and your phone number is a part of the public record; that is what I was told by a reporter from the Miami Herald. I chose to say nothing about the case to the press prior to the execution nor will I ever comment to the press or media after the execution.

Dan chose to say nothing to the press. His reasons were clear, his own and will remain so. When asked if he had anything to say on the gurney prior to his execution, he remained silent.

My experience with Florida State Prison is that the correction officers are the most professional I have known in the state prison system. They have a high visibility position, and the pressures must be enormous. I am

sure they are aware of the long-term consequences of the path they walk and do not need any commentary on my part.

The condemned is in theory, the person who has committed the crime, was judged and will now suffer the legal consequences of that judgment.

Death Row is a horrible place. The manipulation and mind games that surround it are never ending. Everyone has "turf" to establish or protect. Know that there are some people who are convicted of capital crimes that are innocent. However, everyone else is there by his own actions: the guilty, the custodial personnel, and the professional. I was there too by choice and so will you if you are called and choose to participate.

Death Row. The State of Florida holds (for the most part) those awaiting execution in Union CI. Once the Death Warrant is signed, they move the inmate to Florida State Prison.

Security. Security is king so get used to that idea. My experience is that 90 percent of security is the institution having confidence in you as an individual. Once you have their confidence, then most of the time, they are looking to help and support you. You lose it, and you are history. That may earn you a merit badge and a one liner on your politically correct CV, but it will leave the inmate high and dry.

When the correction officers at the in-processing gate are changed, it is a frustrating experience. They often do not know the names of various items of equipment or the paperwork was not there, and then you end up wasting valuable time. In some cases, it means an appointment gets cancelled. Calling a day ahead to make sure everything is OK normally alleviates this problem.

My subjective feeling is that most Death Row inmates get less than five visits a year. Among the general prison population the recidivism rate drops 20-25% when an inmate gets two or more visits a year. Most inmates I have known with five or more years in prison don't get any visits. You only have to look at the size of a visitor park in a prison with 1,500 or more inmates to get an idea of the small number of visitors.

A suggestion: Sit in your vehicle for at least five minutes prior to entering Death Row. My feeling is that I needed everything going for me prior to entering and upon leaving. I couldn't bring my prejudices and emotions into the equation. When leaving, I had to leave Death Row behind me as much as possible. Doubt I was very successful on either count.

Before Death Warrant

There are a lot of people on Death Row; some are Buddhists. However, I suspect that very few of them have access to any form of personal visits for instruction.

There is one observation that I would like to make about both Union CI and Florida State Prison. If I could show them that something was a part of a ceremony and they did not see that item as a security threat, it was allowed. To that end, I used both the Dharma Mirror (Kwan Um School of Zen's guidebook) and the Chaplancy letter as constant references. I had previously sent a copy of the Chaplancy letter to the head Chaplain's office, and I always tried to give them advance notice of anything I planned. It is inconvenient to do this, but it pays big dividends in building their confidence in you and granting permission.

Pastoral visits. Florida State Prison has determined that one hour a month is sufficient time for each inmate on Death Row for his preparation of death. This visit is conducted in an interview room with the inmate in handcuffs.

Union CI permitted books, kasa (no robes), timer, bell, Zafus, and moktok as a part of each visit. The table and chairs were set to the side, and we used the Zafu as a seat. Robes were out of the question.

The equipment for the precepts included a statue of the Buddha, fresh flowers, fresh fruit, candles, incense and precept documents in addition to the normal equipment. The interview room table was converted into a Shrine.

While the ceremony has a fixed format, it had to be altered to fit the circumstances. Dan practiced and mastered doing the full prostrations in handcuffs.

Interview rooms usually have big windows and you become an item of interest for inmates, correction officers and everyone else. I try to position the inmate so that he cannot see people staring in the window as they walk by.

There are some on Death Row who become a Buddhist never having received a pastoral visit from any Buddhist group. These people write to many Buddhists. The Internet is a good place to post the names of people that would like a visit from a local Buddhist group. So, if you are writing someone on Death Row and he would like a pastoral visit, I would suggest a visit in addition to answering his letters.

After Death Warrant

This process presents a dramatic shift in everything. Immediately after the warrant is signed, the inmate is moved to Florida State Prison. The state now allows 12 hours of pastoral counseling a week, but now it is conducted in a booth with a Plexiglas partition.

The availability of 12 hours of pastoral counseling presents quite a problem for me. I have to not only earn a living but also pay for my work with the 12 other prisons I visit. Know that I get no money for this work from the state, prison, Kwan Um School of Zen or any other institution or organization. I do get donations from here and there, but they do not amount to 20 percent of the costs.

Security is tight. Even though there is a Plexiglas window between you and the inmate, there is also a correction officer listening to everything that goes on. The inmate is still in handcuffs and leg irons. However, he is also in a cage on the other side of the Plexiglas.

Whereas security is much tighter, in contrast I found the correction officers more relaxed and professional. Dan's comments were that he was surprised by their ability to be human and considerate.

The State of Florida freezes the visitor's list once the Death Warrant is signed. That means it is frozen for all: pastoral, family and civilians alike. The visitors' list is maintained in Tallahassee, and it can take several weeks to get on it, so early planning is important.

Whereas the security is tight, the prison is also willing to work out individual situations on a case by case basis if you are not considered a threat and there is justification for what you want. There were a host of special considerations in Dan's case and two big ones that I would like to comment on in particular. These were the four-bowl ceremony and Yong Maeng Jong Jin (YMJJ).

Dan elected to have his final meal conducted in the tradition of the four-bowl ceremony. The four-bowl ceremony and equipment list came out of the Dharma Mirror. All the equipment was turned into Security one week ahead so they could go over it with whatever kind of examination they deemed appropriate. Metal spoons were denied on security basis but chopsticks were allowed. A local restaurant that had been briefed ahead for what to provide prepared the meal. They also provided fruit for the Shrine as part of the meal. This did not work out as we planned, and at the last minute we had to make some creative changes.

Zafus and Zabutons are normally a big issue but proved not to be the case here. Two sets of cushions were provided to the chapel as soon as Dan was moved to Florida State Prison. This was done so that the officials could see what they looked like and Security could do a detailed inspection. Dan had requested that his last five hours of pastoral counseling be spent doing a YMJJ. The thought of sitting on cushions was alien to prison officials, but the availability of several issues of Primary Point magazine convinced them it was not only normal but also appropriate. Once it was blessed, it was a simple request to have one set of a Zafu and Zabutan moved to his cell so that he could have them to practice. He had both Zafu and Zabutan in his cell for six weeks without incident.

Dan requested and was permitted to sit the YMJJ in both his robe and kasa. The abbot of the Cambridge Zen Center provided the robe, and he had his kasa from the precept ceremony. This is also the dress in which he was executed.

A Shrine was constructed from Dan's footlocker, a Tibetan shrine cloth, a Buddha, fresh fruit, candles and incense. A time schedule had been worked out and provided to the prison. Dan was to sit five of the last six hours in meditation with a shrine and cushions. We attempted to get a man who had been ordained as a Buddhist monk to join us but because he was not on the pastoral list, he was not allowed to cross the line from the visitor list. However, that worked out well, as he was available to Dan's family.

I also found myself doing a lot of yeoman work. Dan had been trying to close all of his accounts as best he could but found himself running out of time and the mail took too long. By using the Internet, we could contact the people he needed to and make final coordination with his family on the 10,000 issues that come up at a time like this. At first, there was great doubt on my part as to the appropriateness of this, but then I decided anything that would quiet and settle his mind would be OK.

The one thing that surprised me was the sheer scope and breadth of his contacts in the Buddhist community. Dan had corresponded with many names that are up in the god realm. This correspondence spanned more than a couple of years. By the time I came to him, he had more than a couple of years of direct teachings from some very informed individuals.

The family of the condemned. My sense is that most condemned will not have much in the way of family for their last visit. If they do, then they will not have much money, especially after years of expenses associated with supporting a family member with Death Row related expenses. They will have needs that should be attended to in this time of crisis. One of the greatest will be lodging and transportation associated with the final visits.

A lot of time and consideration has been dedicated to the condemned and his family. We might look to the victim's family as well. This is a time of great stress and anything that can be done to alleviate it for anyone should be done.

Death generates stress among and between the best of families. It will pop up in 10,000 ways. Sometimes it helps to keep them occupied with miscellaneous details. Sometimes it helps to give them a lot of down time. My sense is that a heightened state of awareness is required to deal with flair-ups before they become major issues. Rest, well-balanced meals and physical activity seem to be good tools to prevent flair-ups.

My guess is that there will be some confusion, doubt or curiosity about what the condemned found in Buddhism. Be prepared to give some sort of explanation about Buddhism to the family. However, don't burden them with more than what they seem comfortable. Chances are they will take away some of the 10,000 things you tell them.

Most likely nothing will go the way you anticipate. There is no way you can plan for every curve. Over planning and attachment to the plan can be a great trap. One of the things that will happen is the unanticipated at the most un-expected moment. The execution was called off in the middle of a sit. We expected there would be some interruptions but not this. You need to put some sort of contingency plan in mind. This is especially true for relatives of the condemned. My guess is that they leave the area immediately after the last visit. Any execution postponement prompts several questions. Can they retract their travel plans to get back for another visit, will there be another visit, can they be contacted to let them know of the change and so forth. Reliable cell phones are invaluable. In this case, one of the cell phones failed but there was a back up.

My sense in this entire procedure is that if family is involved, you will become the bridge. When they leave, you stay behind. The family asked me to be present during both last visits. My sense was to stay in the background as much as possible and to be there for whoever wanted your presence. Know there will be 10,000 questions. This is a moment of very raw emotions that will spill over to you with all the intensity of a forest fire.

At this stage, I wondered whether my job was more for the condemned or his family. Any stances on political correctness will once again earn you a merit badge and a one liner on your politically correct CV but remove you from this scene. Political correctness at this stage means your absence will not be replaced. This is not about you but them.

Execution

There are not a lot of options here. There are three parts to this phase: the last meal, the final "pastoral counseling session" of five hours and the execution. Dan decided to combine the entire period into one massive retreat ceremony. He had cleaned up all his final business so that there would be no interruptions.

He asked for and was granted the privilege of incorporating the last meal into the retreat and stretch the pastoral counseling session by one hour. Unfortunately, the stay came after the last meal. The restaurant providing the final meal was to include (at no cost to the state) enough food to feed the both of us as well as the correction officers assigned to witness the ceremony. An unexpected curve occurred regarding the actual

meal. The prison had cancelled the order to the designated restaurant and picked it up at another place. This was in part a security thing. I imagine it had to do with drugs or something. The food was put in prison trays. In this case, the prison was unaware of the importance of containers. However, the bars and pass-through port did not lend themselves to the meal. In the end, we tried to combine the prison trays and four bowls.

The sit was divided into chanting and meditation. Meditation sessions were 45 minutes long with 10-minute walks. The last hour was left open to possibly include an additional meditation cycle. Dan developed an interest in writing poetry while on Death Row and wanted to see if one last poem was in him. He planned to do this in his last hour. Dan was deprived of this opportunity by unsolicited legal actions.

There is one hour between the retreat and the execution. There is a shower and body preparation for lethal injection. He wore his kasa, robe, lotus seed mala and red protective cord for the execution. In addition to the 100,000 plus mantras he had said, he planned to become his mantra if he had not become it by then.

I was asked where I wanted to be during the execution. My first reaction was as far from there as possible. Then in one of those defining moments with no forethought, I said as close as possible to Dan. Behind this thought was a fleeting memory of a PBS interview with a Catholic nun who was with a condemned man in Louisiana. Her logic was the person waiting to be executed should see at least one friendly face in the "Peanut Gallery" (my words) watching him die. If there were to be quiet mind, this would be a key moment.

Final disposition of the body. My sense is that in most cases there will have been no preparation for final disposition of the body in spite of the situation. Buddhist groups have something to offer that very few others have. We have monasteries and Sangha. Experience teaches me that cremation and scattering ashes on the grounds of a monastery can be an attractive proposition when there is nothing else. Getting some photos of the monastery, its grounds, the practice and Sangha there, can provide a sense of quietness for both the condemned and family.

Final Thoughts

Find your support personnel. One or more trusted confidants need to look at you. They need to be honest and forthright. They also need to tell you when you are getting out of line and support you when things are not going so well.

A Dharma supervisor. You will be challenged by professionals regarding your humanity and knowledge of Buddhism. I have had Buddhism interpreted to me by professional activists as well as other Buddhists. I kept my assigned point of contact from the Kwan Um School of Zen informed of all major events and debate. I did not hesitate to ask any questions when doubt appeared in my mind. This is the worst time to be a loose cannon on the gun deck.

In my case, there was a man who had been ordained as a Buddhist monk who had been assisting Dan for over a year prior to my entrance on the scene. Out of ignorance and a technicality, he ended up on the visiting list. In Florida, a person cannot move from the visiting list to the pastoral list. As such, his role was completely unknown and unobserved during the entire time. This proved invaluable, as I was able to use him as a reality check. You may want to have someone on the visiting list as well so that you can get two views on the situation. This is a very emotionally charged situation and your view can very well be distorted by one of the 10,000 possibilities.

There is often a discussion about what to wear in the prison. By that I mean, do I wear my robes or street clothes going in and out. In my case, they were adamant about not wearing robes while walking through the prison. However, once I was in the Death Watch area there were no problems. The "why" was beyond anything I could imagine. I asked a long-time correction officer about it and his response was, "You are in a place where there is not a great deal of education and lots of time for minds to speculate. You are in a maximum-security place where men are in an individual cell and on lock down all the time, so if you go walking through the halls in those robes during an execution, the inmates will think you are the executioner. That will drive this place ballistic. One of the things that will happen is a "wash-down" where all the inmates plug their toilets and they run them on permanent flush, flooding the entire area." The same response can be said with unidentified smells that meant there was no incense.

Another point to remember: chances are everything you do will be visually monitored and recorded. The full impact of this came to me on the second day. Unknown to me, the warden had shown Dan's parents live video monitors of the retreat in progress during one of the sitting periods. They were both impressed and relieved by the apparent serenity Dan had attained. This can work both for and against you.

A rest, retreat, or vacation is in order once the execution is over. I doubt there is any way to come out of a situation like this whole. You may come out considerably tempered but not whole. Also, be flexible in your escape, as there may be unanticipated and lengthy interruptions because of legal rulings that may delay the execution. Regardless of whatever happens, do take time to recover.

My sincerest hope is that others will be able to build upon this situation to better assist those who will suffer a similar experience in the future.

Peacemaking requires wisdom. Peace is a path that is chosen consciously. It is not an aimless wandering, but a step-by-step journey.

Peacemaking is the middle path of equanimity, non-duality, and non-attachment. Peacemaking means the perfect balance of wisdom and compassion, and the perfect meeting of humanitarian needs and political realities. It means compassion without concession, and peace without appeasement.

Loving kindness is the only way to peace.

(Maha Ghosananda, "Step by Step" page 52)