



Episode 36: Tell Christy I Love Her
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Krissi Khokhobashvili: [00:00:00] Hey, this is Krissi Khokhobashvili. I'm the Acting Chief of External Affairs for the California Department of Corrections and Rehabilitation. The following episode of *Ear Hustle* contains language and descriptions of graphic violence that may not be appropriate for all listeners. Discretion is advised.

Tom Morgan: [00:00:18] I had a very ritualized process that I went through. It was almost like every day preparing almost for a battle. I had a silhouette target up in the basement and I'd spend five minutes drawing and dry firing against that target. I would run scenarios in my head in spare moments, you know, about what happens if some guy comes out of the alley and points a gun at my patrol car— what am I going to do? If I'm in a grocery, or you know, a liquor store, you know, gettin' a Coke or something and somebody bursts in with a shotgun— what am I going to do? If I'm on a burglary call and you know, I find a suspect crawling through a window— what am I going to do? It was a perpetual constant state of preparation. And when I got in that car, I was ready to go.

[00:01:05] [Minimal version of opening theme begins with rhythmic heartbeat sound in background]

Earlonne Woods: [00:01:09] You're now tuned into *Ear Hustle* from PRX's Radiotopia. I'm Earlonne Woods.

Nigel Poor: [00:01:15] and I'm Nigel Poor and on this episode: a violent night, and it's decades-long aftermath.

[00:01:21] [Opening theme continues]

Tom: [00:01:32] We piled in the car and headed out to my beat. On our way out there, we received a call of shots fired in the area of Brooke and Madison. Pretty sadly routine call for that area. We were heading Northbound on Madison and we saw a light-colored Pinto with two heads up through the rearview mirror. We lit up the car, told the dispatcher where we were at, and then I had my trainee approach the car 'cause I wanted to see how he did.

Jason Samuel: [00:02:02] I was sleeping in my car. It's late at night. And, uh, as I'm sleeping, I hear a tap at the on the driver side window that woke me up. And I turned and look it was a sheriff's officer. So he asked us, could we step out the car. When I stepped out the car, it was the police telling me to put my hands on the car. So I did. He put his hand in my pocket first, pulled out an inhaler and then the next pocket, he didn't reach in, he tapped it. And he said it's a gun over here.

[00:02:33] [Slow, tinny beat begins]

Tom: [00:02:35] He yells, "I got a gun." And as soon as he said that, Jason broke free from him and began running north through the yards. I started chasing Jason. [Tinny beat continues and speeds up]

Jason: [00:02:49] Turned around and I ran. I jumped the fence of the house I was parked in front of. Police chase me. And the police went around the back way to cut me off.

Tom: [00:03:00] When I got around into the backyard, I saw Jason trying to force his way into a house— the house that he had run behind. He was kind of a dilemma. I didn't see a gun in his hands. My partner said he had a gun. So, I wasn't entirely sure that my partner hadn't gotten the gun away from him. My other problem was, I had no idea who was in the house behind him. I can't use deadly force. I've got to get close to him to use, you know, some sort of physical force or impact weapons or pepper spray. [Rattling sound]

Jason: [00:03:35] He pepper sprayed me. Telling me to stop resisting. He was trying to arrest me. While he was struggling with me, I seen his baton have felled close by me and I thought about grabbing his baton, hittin' him and running. And I realize I still had this gun on me and I took the gun out my pocket, turned around put it to his neck and pulled the trigger. [Faint chime sound echos]

Tom: [00:04:00] There was a bright flash of light and then I could feel nothing. [Bright, atmospheric tones that build in anticipation]

Nigel: [00:04:10] Tom Morgan was thirty-nine and had been a cop and Bakersfield for thirteen years. That night, he was on patrol with his trainee, Dave.

Earlonne: [00:04:18] Jason Samuel was seventeen years old. He was a runaway, homeless, sleeping in his car, and now he has shot a cop. Fired his gun point blank into Tom's neck.

Nigel: [00:04:29] The gun was a four ten caliber derringer. It sprayed pellets like a shotgun and a bunch of those pellets were now lodged and Tom's neck. A few also lodged against his spine and paralyzed him momentarily. [Bright, atmospheric tones end]

Tom: [00:04:42] And I was laying there and I can remember being very frustrated. Because I couldn't fight back and yet I was conscious. It was as if I was, like, floating on a salt waterbed or something. I had no sensation. And then suddenly I could move. [Low-pitched atmospheric tones begin] I sat up, looked up and saw Jason standing over me. I reached into my vest pocket and where I kept my backup weapon and pull it out and pointed it at him.

Jason: [00:05:12] And I seen that was alive, pointing his weapon at me. So I ran over to him. I hit him a couple of times in the face, snatched the gun from him, and put his gun to his head and pulled the trigger. [Low pitched atmospheric tones end]

Nigel: [00:05:30] Was he unconscious at this point?

Jason: [00:05:32] No, he was still alive. He was watching me do this to him.

Nigel: [00:05:38] That's crazy.

Jason: [00:05:39] Yes.

Nigel: [00:05:40] He wasn't struggling. I mean he was...

Jason: [00:05:41] ...No, he was just watching me trying to kill him, [Crosstalk] like...

Nigel: [00:05:43] Like looking at you? [Jason affirms]

Jason: [00:05:44] ...he was so weak.

Nigel: [00:05:45] Like eye to eye? You guys were— [Jason affirms] And what was going through your mind?

Jason: [00:05:47] Tryna kill 'em. He was trying to kill me so I wanted to kill him. So, that's how I was thinking, like, he was trying to kill me, but I'mma kill him first. [Somber atmospheric tones begin]

Tom: [00:06:01] He grabbed it out of my hand, turned it around, pointed at me, and pulled the trigger. He was unfamiliar with the weapon, so the weapon didn't discharge.

He racks the slide, a round pops out, a fresh round goes in, he points it back at me and pulls the trigger again. Round still doesn't go off because he still hasn't engaged the safety of the cocking mechanism. He does that one more time. I reached around and I found a stick. You know, like a board that was nearby that I felt. And I took the stick and I hit him in the head with it. He kind of, you know, staggers back a little bit, comes back and punches me right dead center of the eyes. I fall back by the time I lean back up again. He's gone. [Atmospheric tones continue and shift towards a dreamlike synth sound] I got up. I got around to the front of the building. Officers found me. Actually, Dave, I think was the first one to come across me. I have this recollection of telling Dave to tell Christy I loved her. [Dreamlike synth intensifies] And I remember thinking, [Ambulance siren wailing in the distant background] you know, every single breath I took on the way into the hospital was like, the last one. [Ambulance siren ends and dreamlike synth comes in] I just spent the time into the hospital, you know, just trying to concentrate and just eek out every breath, I was able to take. As the ambulance is backing up, I remember seeing the bright light. It was the emergency sign glowing and I remember thinking, "okay. I've done my job. I've got this far. It's up to somebody else." [Synth ends]

[00:07:45] [Abstract industrial whirring and rhythmic beeping sound of life monitor that all fade into an echoing chime]

Christy Morgan: [00:07:45] It was like about midnight and I had just gotten home from a class that I was in, in college. And just as I'm about to get in bed, my doorbell rings.

Earlonne [00:08:02] This is Tom's wife, Christy.

Christy: [00:08:04] Nothing good happens at midnight when your doorbell rings. So, I grabbed a gun and I went to the front door. And I saw Doug. He's a friend of ours who was a sheriff's deputy. He's standing there in uniform and I just start panicking. I know something's wrong with Tom. I know it, I know it, I know it. So, we have a deadbolt on the door that has to be unlocked with this key that like hangs up here on a nail and I had to reach up there to get it and I drop it about. I can't even hold on to it. You know, I just keep dropping it, and, I can't, then I can't get it in the thing to turn it. I'm like, you know, it feels like my fingers just won't work right. And I finally get the door open and Doug comes in and tells me that, you know, that Tom has been shot. The last thing I heard he's still alive. You need to get dressed. We need to go immediately. [Sound of motor and metal door closing starting up that fades out in an echo] When I got to the emergency room that night, they were working on Tom. They eventually let me go in to see him. And when I walked in, he was not conscious. But his head was so swollen. It was, like, twice the size of normal. He looked— [Voice cracks] he looked horrible. He looked like maybe he couldn't even— how could he be alive if he looked like that? [Pauses] Sorry, that's just a really horrible image for me.

Earlonne: [00:09:44] At this point during our interview with them, Tom got up, went over to Christy and put his arm around her, whispering that he's sorry she had to go through that. [Tom whispering inaudibly]

Christy: [00:09:55] [In a whisper] It's okay.

[00:09:57] [Medium paced synth beat begins]

Nigel: [00:10:04] Christy and Tom have been married for twenty-three years. He's big and strapping with a serious mustache. It's like he's out of Central Casting for a cop. And she's petite, seems fragile, but with a lot of intensity.

Earlonne: [00:10:16] Tom carries a lot of guilt about how this all affected Christy. When we were doing research for this story, [To Nigel] you read a lot about this incident, right Nige?

Nigel: [00:10:23] Yup, and there was a quote from Tom about seeing a TV news segment about what had happened and what he said really stuck with me. [To Tom] Sometime not too much later, you saw something that was on the news and you saw your wife walking down...[Tom exhales sharply]

Earlonne: [00:10:41] I think he know. [Nigel affirms]

Tom: [00:10:44] Yeah, that—that—that is always just— [Inhales loudly] The doors open up and the camera's shooting down the corridor and on both sides of the corridor are lined up all my co-workers and, you know, friends. And walking down the middle of the corridor, you know, facing away from me, you know, with her hands— arms crossed like this, is Christy. And when I watched that I thought, but for just a millimeter here, half-second there, you know, she might have been alone like that for the rest of her life. And, that's the image that I have when I think about my responsibility after that happened. Because Christy didn't sign up for that.

Nigel: [00:11:37] Yeah, in my, I— when I read that I was really taken aback, and it seemed like the most beautiful description of love to me. And then you— it's the one time you kind of mention a what if, a different outcome, and it's about Christ. It's not about you.

Tom: [00:11:56] I mean, that's the kind of wonderful and terrible thing about all of this. It's— [Inhales deeply and exhales] There's very little that's motivated me more strongly to be a better human being than that image and that thought. And yet I, you know, blithely went off to work every day knowing that I could cause that. When I left, I always promised her I would be okay. And that felt like a broken promise when I had to watch that. [Warbly synth tones begin, followed by minor chords]

Earlonne: [00:12:44] Tom was in critical care for a month. Then, he recovered at home for about a year before returning to work and he couldn't go back to regular cop work. So, instead he started training other cops.

Nigel: [00:12:57] Jason was taken into custody the night of the shooting. And about a year later, he was on trial. The courtroom was crowded with Tom's colleagues. [Synth tones end]

Jason: [00:13:07] I was nervous when I seen all the police that had entered the room 'cause it was like fifty polices that came in and I'm like, damn, you know, what's going on?

Nigel: [00:13:18] Why are there so many police there?

Jason: [00:13:20] To support him. I was intimidated for sure. [Mellow bassline begins] They had Tom's shirt that he was shot in on a big poster or platform or something and it was all bloody and when people got up, and when they spoke, the shirt was right there next to 'em.

Earlonne: [00:13:40] One of those people testifying against Jason was Tom.

Jason: [00:13:44] When I had heard Tom testifying at the trial, was my first time ever knowing who this man was.

Earlonne: [00:13:51] Tom had been sitting in the courtroom with the prosecutors during the whole trial, but Jason hadn't recognized him from the night of the crime.

Jason: [00:13:59] And he was there the whole time I was going to trial and I just thought he was another attorney 'cause I didn't know what he looked like. And I noticed he had a raspy voice because I shot him in the neck. [Mellow baseline ends]

Earlonne: [00:14:11] Jason Samuel was found guilty. Before he was sentenced, [Somber synth tones begin] Christy got up and read her victim impact statement. It said in part, quote, "Samuel was a proponent of crime and violence in today's society and a very real threat to anyone with whom he comes in contact. I hope the sentence he receives today would make him rethink the choices he made." [Somber synth tones end]

Jason: [00:14:34] I felt that was she was right about everything she said in that impact statement. I wasn't hurt by it. It wasn't anything nobody can say to make me feel any worse than how I had already felt. So, I was already numb to everything that was going on around me. [Synth tones begin] I just wanted it over. I just wanted to start my time. [Synth tones intensify]

Earlonne: [00:14:59] Jason was sentenced to nineteen years to life. [Abstract industrial sounds followed by metal door closing and chains clanging that fade out in an echo]

Christy: [00:15:09] I was in such a dark, deep spot. I couldn't even see outside that.

Nigel: [00:15:16] And how long did that darkness last for you?

Christy: [00:15:20] The first ten years were heavy. [Nigel affirms] The violence, you know, of it, it totally destroyed my sense of security. And I was afraid that one of his gang banger buddies was going to come by and finish off the job or, you know, just I wouldn't even leave the house. I mean for the first ten years I hardly ever left my house.

Nigel: [00:15:47] And what was a typical day like for you, those— during those ten years?

Christy: [00:15:50] Laying on the couch. Watching TV. Not doing anything. I mean nothing. Not eating. [Laughs] Um, you remember how skinny I got? [Tom affirms] Just checkin' out. I just kind of stopped living.

Earlonne: [00:16:07] Probably, I know— you know, getting shot period is bad but I know it probably feels like, oh, he got shot in the arm, that would've been okay. But to be shot in the neck... [Crosstalk]

Christy: [00:16:15]...It was so personal, [Earlonne affirms] you know, that seemed so person— you're exactly right. It was so personal and I was so angry at Jason. I wanted to kill him myself. I wanted him dead. [Exhales loudly]

[00:16:34] [Dreamlike atmospheric synth tone with light percussive beat begins]

Earlonne: [00:16:42] To understand why things unfolded the way they did on April 24th, 1997: the night Jason shot Tom, it's useful to know about something that happened to Tom ten years earlier.

Nigel: [00:16:53] In 1987, Tom got stabbed while making an arrest. He says he didn't follow the procedure for securing a suspect that he had learned in the academy. [Atmospheric synth ends]

Tom: [00:17:02] After the third stab wound went into me, I pushed him away. He fell backwards. I drew and fired my gun. The first round went through his chest into his liver. He sprung up as if nothing had happened. He was on a high dose of methamphetamine. Uh, started to run across the street. Um uh, I fired twice more before he made it across the street. He stumbled, got back up, ran down to the end of the block, and I fired the last of six rounds at him as he turned the corner. I found him taking his last breath in the alley about, uh, maybe a quarter mile away from where the first incident occurred.

Nigel: [00:17:42] And I just have to put a point, so he died.

Tom: [00:17:45] Yes, he did. [Crosstalk]

Nigel: [00:17:46] And you're saying that you feel responsible because you didn't follow the procedure?

Tom: [00:17:51] In essence, yes. [Nigel affirms] I feel my failure contributed to that— my being unable to take him into custody. I expected to be disciplined, at least talked to afterwards, you know. You really need to, you know, get better. I was given a medal.

Earlonne: [00:18:10] Tom was starting to have misgivings about what the job was doing to him and his colleagues.

Tom: [00:18:15] My approach to my job, at one point in my career, was when I'd get into a household, and I've got twelve calls backed up, and somebody starts telling me all of, like, their problems. What I would tell people sometimes is, if you don't see the solution to your problem on my gun belt, then you called the wrong person. I just need to get the job done, get the call taken care of so I can get back in my car and go to the next one. And um, [Exhales loudly] you know, as harsh as that seems, I think that you'll find in the heart of most cops, that's how they approach their job. You feel much more like you're just, you know, going from one disaster to the next.

Nigel: [00:19:04] I can totally see why that would be necessary, but that's one of the saddest things I've heard in a long time. To me, that's heartbreaking. I wonder about the toll that takes on an individual after ten years, after twenty years.

Tom: [00:19:17] Oh, it destroys some people. And they in turn, you know, go on and destroy other people's lives. [Nigel affirms] I mean, I have no doubt of that. [Nigel affirms] I mean, I could kind of palpably feel my humanity ebbing as I was doing the job. You begin to become very cynical about the people you're dealing with and I mean, it's just an odd position to be in where you know disasters seem to be like commonplace. [Guitar riff begins]

Earlonne: [00:19:49] When we get back, we'll hear why Tom said this to us:

Tom: [00:19:53] In many ways, like, I feel that the shooting, when I got shot, that's the best thing that ever happened to me. [Guitar riff continues with percussive beat]

[00:20:07] [Abstract industrial sounds with voices chattering and a metal door closing that fades into an echo]

Earlonne: [00:20:17] [Somber synth tones begins]. In 1998, Jason started serving time in High Desert State Prison in California. And over the years, Jason found himself thinking about Tom.

Jason: [00:20:26] This man, right, I thought about him. Ever since I seen him in the courtroom, I had seen other white officers like COs with mustaches. It would remind me of him, I think about him. We had this connection. Um, I shot this man. I tried to take his life in a very brutal way. Even though it was a negative connection, no matter what, I was connected to this person. And I wanted to know how he felt about me still after all these years.

Nigel: [00:20:54] Yeah, can you talk about that more? What is that connection like?

Jason: [00:20:26] It's like a marriage— kind of. That's how I look at it 'cause you like bonded forever. Life or death experience that we had together that that's gonna be there forever. I wonder, is he doing well? And, you know, did he get past everything that I've done to him? And— 'cause I didn't know anything— what was going on with him, and he probably didn't know anything went on with me.

Nigel: [00:21:24] Jason was transferred to San Quentin in 2014. In 2016, he went up in front of the parole board for the first time.

Jason: [00:21:32] I was scared the whole time. Um, shaking, trembling the whole time I was in the boarding area. They knew I was scared. I was kept telling 'em that I was nervous and I just wanted it to be over at the time.

Earlonne: [00:21:44] You never know who's gonna show up at your parole hearing. For Jason's hearing, Tom showed up. It was the first time they'd seen each other since he was sentenced. Our co-host New York asked him about this.

Rahsaan “New York” Thomas: [00:21:55] How did you feel when you saw the officer you shot at your parole board hearing?

Jason: [00:21:58] Uh, I felt...guilty, for what I've done to him. I felt shame. And I just wanted to tell him I was sorry, when I first seen him. But I— they told me not to look at him. And of course, I had to see him, I hadn't seen him in, at this time, almost nineteen years. So, I wanted to see what he looked like.

Nigel: [00:22:19] Yeah, what did he look like?

Jason: [00:22:21] He looked older. He didn't look the same. He's gray. He had a gray mustache now. He had gray hair. So, he looked a lot older from what I remember during my sentencing

Nigel: [00:22:32] Tom had come to the parole hearing prepared. He brought the same shirt that was featured so prominently at Jason's trial.

Tom: [00:22:39] The shirt that I was wearing that night is encased in glass and it's just like it was when it was cut off me— it's covered with blood, pieces of tissue, uh my pen, my badge, my name tag, and the notepad still in the pocket. I brought that with me and I was going to argue that he, you know, be denied parole because, you know, I kind of thought that was my responsibility. But then, uh, when he walked in, I remember, you know, writing on my notepad, you know, “not what I expected.” I was expecting this puffed out, tough, you know, mean gang banger to come strutting in. But instead, you know, this kind of downtrodden thirty-eight year old man who works

in the laundry and wears glasses and he's a little overweight and he's the last thing from intimidating

[00:23:28] [Twinkling synth with a hopeful tone begins]

Earlonne: [00:23:31] At parole hearings, they talk in detail about a prisoner's life and the circumstances that might have led him into crime. And Jason's parole hearing was the first time that Tom heard about how Jason grew up. We asked Jason to talk a bit about his upbringing. [Twinkling synth ends]

Jason: [00:23:46] When I was younger, my mother was addicted to drugs. And my father was selling drugs or in prison. My afterschool, basically this: hoping that I can eat. You know, that I'd have food in the house.

Nigel: [00:24:02] Mm, okay. And what about your siblings? Who took care of your siblings?

Jason: [00:24:05] Well, I was taking care of my siblings from seven to ten.

Nigel: [00:24:08] How'd you take care of them?

Jason: [00:24:09] By cutting lawns with a push lawnmower. I used to knock on people's doors to ask them to cut their lawn for five dollars for the front, five dollars for the back.

Nigel: [00:24:20] And we would you do with that money?

Jason: [00:24:22] I bought food. I went to the local store and bought bread, bologna, cheese...

Nigel: [00:24:27] Wow.

Jason: [00:24:28] ...and took it home and fed my brothers and sisters.

Nigel: [00:24:30] So, you were like the parent?

Jason: [00:24:32] Yes.

Nigel: [00:24:33] Was there any, like, physical or emotional abuse when you were growing up from your parents?

Jason: [00:24:40] Well, never for my dad because he wasn't really around. I didn't meet him 'til later. And then he really was like a friend instead of a dad. But my mother, she was very verbal and physical abusive. And that's doing because she was using drugs so.

[00:25:00] [Gentle synth tones begin]

Nigel: [00:25:01] His mom lost custody of Jason when he was ten. And he went to live in a group home. From there, he moved into a foster home for a while and then ended up living with an aunt.

Earlonne: [00:25:11] And like a lot of young black men, Jason saw cops being rough and unfair with the people in this neighborhood. [Gentle synth continues with soft percussive beat]

Jason: [00:25:18] Well, I never liked the police. I never respected 'em. To me, they was another gang. Um, just a more organized gang. So, that's how I looked at 'em.

Nigel: [00:25:29] By the time he was fourteen, Jason was in a gang.

Jason: [00:25:32] So I hung out with these guys that was around my age, little older, and, I was getting attention that wasn't getting from home. Feeling like I was being accepted by my peers. The older guys when they was— I got the acceptance from them, it was more like there was a father figure there. [Synth tones end]

Earlonne: [00:25:49] At the parole hearing, Jason said his gang was quote, [Soft, dreamlike synth begins] “the first crew that accepted me for who I was. They didn't care that I was poor, or, my mother was on drugs, or, that I was a foster kid.”

Tom: [00:26:01] I remember listening to him talk about his life, just to hear his story. And, hear him tell it with such kind of openness and willingness and thinking, oh my god, you know, this is just tragic.

Nigel: [00:26:19] Toward the end of the hearing, Tom got up to speak.

Tom: [00:26:23] I told Jason: I don't think I need to forgive you. Because I understand what happened. He and I were like two rocket ships on the same trajectory from different directions. He had been raised and trained in an environment that caused him to react exactly like you would expect a human being to react, given his training and environment. I was doing exactly the same thing, reacting exactly how I was trained. To me, it was almost inevitable what had happened.

[00:26:57] [Atmospheric synth tones begin]

Tom: [00:27:01] I don't need to forgive him. You know, I don't need— if he wants it, you know, if that's something that would be of value to him, I would give it.

Earlonne: [00:27:13] Tom had arrived at the hearing intending to argue flat out that the board should deny Jason's parole. By the end, he was much more conflicted.

Nigel: [00:27:23] He told the board that he trusted them to make the right decision. The board denied Jason's parole. [Atmospheric synth tones end]

Earlonne: [00:27:29] There was something else that Jason said at the hearing that really stuck with Tom. It was about an experience Jason had in San Quentin.

Tom: [00:27:37] He talked about a group that he'd been involved in, where a retired police officer had come in and had a conversation with Jason. And Jason said, and when he told this officer what he had done, that he'd shot, you know, another officer, this officer continued to speak with him. Treat him like a human being, you know, they had a conversation about what happened. And when Jason was telling that story at the first parole hearing, he started to cry. And show this genuine emotion. I can see how deeply that moved him. And I remember after the hearing thinking, wow, you know, if somebody that he doesn't even know could have that kind of emotional impact on him, you know, what if I were to do the same thing? You know, what if I were to, you know, speak with him and agree to talk with him.

Nigel: [00:28:26] A year-and-a-half later, Jason was up for parole for a second time. Tom showed up again, and Jason expected the same thing to play out.

Jason: [00:28:34] I was waiting for him to deny me getting out of prison because that's what I was thinking that was going to happen. But it didn't come.

Tom: [00:28:42] I told Jason I said, you know, I appreciate all the work you've done But— but I would like to talk to you. I'd like to, you know, have a conversation with you, sit down, and if there's ever anything that I could do to help you, I would like to extend that offer to help you. Because it's a parole hearing, he couldn't even look at me while I'm saying this.

Jason: [00:28:57] He was telling the commissioners how he would do anything to help me get out of prison. He wanted to come see me. And that was— I was shocked. Like, I was so in shock and disbelief that this was really going on. I'm like, damn, this is really happening right now? I can't really grasp what was really going on. But when— after I went to my cell, I couldn't stop crying. I'm talking 'bout— I was like, wow, what just happened? Something amazing happened, like, I just feel blessed. Um, [Pauses] that happened for me. [Bright synth tones with chimes begins]

Earlonne: [00:29:43] Tom's feelings may have changed a lot, but the parole board's hadn't. Jason was denied parole again.

Nigel: [00:29:50] Tom wanted to be in contact with Jason, but incarcerated people cannot have any contact with their victims. It's prohibited.

Earlonne: [00:29:57] There's a workaround though, but it's a process. [Nigel affirms] There's something called the Victim Offender Dialogue. It's a restorative justice program where victims meet offenders.

Nigel: [00:30:06] Both the victim and the offender work with a mediator to facilitate this very delicate process. Sometimes the communication will be in letters, but occasionally they meet in person.

Earlonne: [00:30:18] Once a victim decides they want to meet their offender and they have a mediator; they also need to identify a support person.

Nigel: [00:30:25] And I think the logic is: this is gonna be a really hard experience. And you don't know how hard the meeting is gonna be. So, a support person is recommended to ease this potentially traumatic process. [Bright synth tones with chimes ends]

Tom: [00:30:38] I'm sitting in bed and I'm going, "Christy," you know, I'm trying to figure out who to be a support person, you know, and I look at her and she goes well, "what about me?" [Laughs]

Christy: [00:30:49] [From the background] It was a beautiful moment. [Tom and Nigel laugh]

Tom: [00:30:53] And, I mean it just, it took my breath away. I mean, up to that point, I was pretty sure if he'd walked in the door and she had a gun, you know, she'd have pulled the trigger on it. I mean, happily. But in that moment, I was so proud of her and a bit ashamed of myself that I didn't appreciate how strong she really was. [Twinkling synth tones begin] Of course, I kept getting surprised over the next several weeks. [Twinkling synth tones continue]

Nigel: [00:31:16] On May 11th, 2018, Tom, Christy, and Martina, the woman who ran the dialogue, went to see Jason in San Quentin.

Earlonne: [00:31:34] A CNN film crew was there to record what happened. [Twinkling synth tones end]

Jason: [00:31:38] [To Tom] I didn't feel nervous at first, until the actual day of meeting you. And that's when all the nerves came in. And I was like, I don't know if I was ready to do something like this. If it's the biggest moment of my life right now to sit across from a man I try to kill in such a fashion. And almost, be honest with you, almost chickened out.

Earlonne: [00:32:02] Tom and Jason met in the San Quentin chapel.

Jason: [00:32:05] When I first walked in here, he was standing up and he smiled at me. And all that fear and— went away and I asked him for a hug. And I told him I was sorry. [Low pitched, atmospheric synth tones begin] I felt warm. I felt liberated, um, [Synth continues with the addition of strings] like this weight has been lifted. And I felt love. I mean, I felt compassion. And I felt, I felt all the senses I think you feel from a father. If your daddy told you that he loved you and he meant that and, you know, that's how I felt like happy. [Synth and string tones end]

Nigel: [00:32:53] Christie was watching all of this on a TV monitor that CNN had set up just outside the chapel. She was Tom support person, but she didn't want to be in the room with Jason. She didn't think she was ready for it.

Christy: [00:33:05] One of the first things that I noticed about Jason was how remorseful he was. That was one of the first things that touched me when I saw that. And if a victim could see that the person was remorseful, can you imagine how much of their life they could save, not having to wonder? [Nigel affirms] They could think this person is at least sorry for what they did, that would mean so much.

Tom: [00:33:28] When she was sitting watching that video of him talking to me, and, he started sobbing, you know, [Laughs] you know, apologizing and when she came out to me at the break and said, you know, I want to talk to him. I mean, I'll never, ever forget that moment. I mean it was, you know, if I live to be a thousand years old, I'll never see a moment of more perfect grace than her. The courage and bravery it took for her to go, "well," you know, "I've suffered all of this time under this but I still want to go out and meet this man."

Jason: [00:34:03] When she came out the room, she came out walking real fast towards me and I stood up, put my hands behind my back. Because I automatically thought that she wanted to harm me like, get revenge on. And so I was prepared for her to slap me, to hit me, to let her get her frustrations out on me, and I was cool with that. But I was shocked and surprised that instead of a hit or a slap, she wanted to hug me. And that was like the best moment of the whole dialogue right there, and it was very, excuse me. [Voice cracks] It was special for me. Because this woman hated me so much. And I didn't know how to— to explain in words that that wasn't me that harmed her— her husband that way. And um, she hugged me. [Very quiet synth tones begin to build] And I know she had forgiven me wholeheartedly. That was special for me, still special for me. [Sound of quiet crying in background]

Nigel: [00:35:29] This is the moment where Jason and Christy met. The audio is from the CNN documentary.

Jason: [00:35:34] [Audio from documentary] Thank you. [Soft crying in background] For seeing me for who I am today.

Christy: [00:35:39] [Speaks through tears] I see you and I'm proud of who you are. Everything you're doing.

Jason: [00:35:46] Thank you.

Christy: [00:35:47] Thank you for meeting me. [Quiet synth tones end] [Back to current interview] And I kept telling everybody I feel so light. I feel so light. [Speaking through tears] I feel like I could fly or something. Just Jason acknowledging, and— and just he was— he was ashamed of what he had done, and he showed that. And that meant the

world to me. It changed everything, everything. [Atmospheric synth tones begin] That much hate will destroy a person if you don't let it go. [Cries] Yeah, I had to let it go.

Nigel: [00:36:29] [Synth tones end] About a year after the dialogue, Jason went in front of the parole board for the third time. Christy was there too, to support him. And he was found suitable. [Bright synth tones begin with deep bassline and fades out] [To Jason] Now, what's the most delicious meal you've had since you've been out?

Jason: [00:36:56] Ooh! that's too hard.

Nigel: [00:36:57] We caught up with Jason recently, a few months after he got out of San Quentin.

Jason: [00:37:01] I'm having a problem with that right now. Like I eat too much. 'Cause everybody want to take you out to eat. [Nigel affirms]

Earlonne: [00:37:06] Praise the Lord, man. [Jason laughs] Somebody else, Allah, everything. [Nigel and Jason laugh] Uh, that's all they do!

Nigel: [00:37:14] I know, I know. Earlonne went through the same thing.

Jason: [00:37:16] Yeah, I'm talkin', I done gained twenty pounds since I've been out. [Nigel laughing] I know you can see it, you just ain't sayin' nothing. [Laughs]

Nigel: [00:37:21] Nhm. [Jason laughs] You look great! Nhm. No, I said you looked taller. [Jason affirms]

Earlonne: [00:37:26] For Jason, for Tom, and especially for Christy, the Victim Offender Dialogue did exactly what it was supposed to do: it helped him heal. And it gave Christy her life back.

Nigel: [00:37:37] It also got her very into baking. It's become kind of a healing ritual for her. She'll make these very elaborate desserts for friends.

Christy: [00:37:46] I think about them the whole time I'm baking or creating whatever it is. [Nigel affirms] And I think about the good things about this person. And my kitchen, I have it set up perfectly the way I want it. It's not very big but it's perfect. I have two large windows. The windows are almost always open. My dogs are laying over by the side. And I just create this ambiance in there. It's all about like zesting oranges and smelling things cooking in the oven. It's just, it's like this whole experience for me. And then they come to my kitchen to pick it up. And then I tell them the story of forgiveness with Jason and how that I now just pour my love into this baking. And I think about all the good things about them. And it's just all about happiness and forgiveness.

Nigel: [00:38:33] [To Jason] So what is your relationship like with Tom and Christy now?

Jason: [00:38:36] Oh, it's still— we still have a great relationship. We text each other every day. We actually got to meet, one time, me and Christy, because Tom couldn't come 'cause his job. But, me and Christy met up. We went to Planks, we bowled, and we had a good time. Then we went to Ben and Jerry's, had ice cream.

Earlonne: [00:38:53] Has she cooked you any dessert yet?

Jason: [00:38:55] Yeah. She— well, the day we met, she cooked me oatmeal raisin cookies with chocolate chip— chocolate chip, raisin cookies. It was a whole lot of them too. It was a lot of cookies. I had to share them cookies because I wasn't gonna be able to eat all those cookies. So, yeah. They was good too. She makes stuff that look like Martha Stewart. [Nigel and Jason laugh]

Earlonne: [00:39:18] She might be a little bit better than Martha Stewart. [Jason affirms] [Nigel and Jason continue laughing] I seen that page [Crosstalk] [Soft synth begins and starts to build in intensity]

Nigel: [00:39:20] Yeah, oh, that's cool.

Jason: [00:39:20] She's real good.

Earlonne: [00:39:22] Her presentation is on point. [Jason affirms]

[00:39:25] [Synth continues with addition of percussion, high hat, and soft electronic chords]

Nigel: [00:39:38] Thanks to Jason, Tom, and Christy for sharing their stories. And you didn't hear on tape, but none of this would have happened without Martina Lutz Schneider. She's the person who helped Jason and Tom to be in touch and led them and Christy through the victim offender dialogue. Martina works with a restorative justice group called the Ahimsa Collective.

Earlonne: [00:39:59] Also, thanks to Jason Cohen and CNN for letting us use some of their audio from their story. It's called "Officer Down" from the program, *The Redemption Project*.

[00:39:38] [Electronic, bass heavy version of theme song begins]

Nigel: [00:40:13] You know San Quentin's been on lockdown recently, so, we haven't heard much from our inside team in the last few episodes. But we want to thank them for their huge contributions this season.

Earlonne: [00:39:38] Yes. Yes. Thanks to our co-hosts Rahsaan "New York" Thomas and to producers John "Yahya" Johnson and Pat Mesiti-Miller. Pat runs our sound design team. This episode was scored with music by Antwan Williams, David Jassy,

Rhashiyd Zinnamon, and Lee Jaspar. This remixed version of our theme you're listening to was made by listener, Matt Glasbey. [Electronic, bass heavy version of theme song by Matt Glasbey continues]

Earlone: [00:40:52] Our outside produces are me, Earlone Woods and Ol' Boy, Bruce Wallace.

Nigel: [00:40:46] Erin Wade is our digital producer.

Earlone: [00:40:58] Social media looking great.

Nigel: [00:41:00] It is. Curtis Fox is our senior producer and Julie Shapiro is our executive producer for Radiotopia. We want to thank Warden Ron Davis. And as you know, every episode has to be approved by this guy here.

New York: [00:41:13] Have you heard the last episode of the season?

Lieutenant Sam Robinson: [00:41:16] I have heard the last episode of the season.

New York: [00:41:18] What did you think?

Lt. Robinson: [00:41:19] I thought it was heavy. I don't know how many times in American media history where a perpetrator and a law enforcement official who were intimately involved, and the dynamics that were told in this story, how many times they sat across from each other, and you've gotten the intimate details of that. On the opposite end of how the relationship has evolved and bonding beyond that. So definitely it was probably the most thought-provoking episode of season. And so, this is Lieutenant Sam Robinson, for last time this season, telling everyone in the world that I approve this episode either.

[00:41:58] [Theme begins]

Nigel: [00:41:59] This is where we would normally say next time on *Ear Hustle*, but this is the last episode of season four. And I'm sad about that.

Earlone: [00:42:08] Nigel, Nigel, Nigel. I've been out in months and I haven't had a vacation. Can I get a vacation? [Nigel laughs] [Plucky synth begins]

Nigel: [00:42:15] For sure.

Earlone: [00:42:18] But I'm not going to get much of a vacation, am I? [Nigel laughs]

Nigel: [00:42:22] No, you will not. We'll be back in early spring 2020 with new episodes and who knows we might even drop some audio extras between seasons. So, look for that in your feed.

Earlonne: [00:42:32] And keep an eye out for us on the internet. We're on Twitter, Instagram, and Facebook @EarHustleSQ. Check out our website, earhustlesq.com. Sign up for our newsletter, see pictures of people in our stories, and it's also the place to buy *Ear Hustle* sticker packs, mugs, and t-shirts.

Aly Tamboura: [00:42:52] This is Aly Tamboura, who used to be a resident at San Quentin State Prison. I now work for the Chan Zuckerberg Initiative. This podcast was made possible with support from the Chan Zuckerberg Initiative, working to redesign the justice system by building power and opportunity for communities impacted by incarceration.

Earlonne: [00:43:11] *Ear Hustle* is a proud member of Radiotopia from PRX, a collection of the best podcasts around. Hear more at radiotopia.fm. I'm Earlonne Woods.

Nigel: [00:43:22] And I'm Nigel Poor.

Both: [00:43:23] Thanks...

Earlonne: [00:43:24] ...so much

Both: [00:43:25] ...for listening.

Earlonne: [00:43:26] 'ppreciate it.

[00:43:27] [Low, atmospheric tone crescendos and fades out in an echo]

Nigel: [00:43:28] Can you tell me about the first time you saw Christy? [Tom laughs] Ah, well, what caught me in my eye were her legs. [Both laugh] I remember she was wearing an attractive skirt [Nigel affirms] and I remember that flash of beautiful legs caught my eye. And I—

Christy: [00:43:47] He's never told me this. [Tom laughs]

Nigel: [00:43:48] Interesting.

Tom: [00:43:49] No one's ever asked me.

Christy: [00:43:51] I was wondering what you were gonna say. [Tom laughs]

END OF EPISODE.