

AUTHOR AUTOBIOGRAPHICAL ESSAY

By Tom Richey

I lived my first eight years living in a council flat in Sighthill, Edinburgh, wearing used clothes my mum bought from the Rag and Bone Man. Then things changed. The small loan my dad got from my grandmother to buy a charter mini-bus soon turned into several buses, a coach, and a company yard. We moved from Sighthill to Barnton, where doctors and lawyers lived. I moved to a posh school. Life was great for awhile, but then my parents' marital problems from Sighthill found their way to our new big house, along with fights over infidelity, distrust, and whatever else. It resulted in dad beating my mum badly one night. He had hit her twice before.

Violence scared me growing up. My brother, Kenny, older by four years, was so unreasonably wired for violence, he would make up reasons to provoke complete strangers into fights with him. He won regardless of the size or age of his opponent. In my early teens, I joined a boxing club for a while, and then Kenny walks in one night. He decides to spar with the club's most experienced, best boxer in his weight class, and Kenny pummels him in the ring. For weeks after, the coach kept haranguing me over whether my brother would come back. I always felt the pressure to live up to his hardman reputation.

Dad's business failed, and we moved into our surviving grandparent's roomy house in the working class district of Tollcross near the city centre. By then, my parents' marriage was all but over. I awoke one morning at the age of 14 to learn dad had packed up and flew back to America, where he originated.

Kenny joined him within a couple of years. Mum began taking men into her bed, which I resented. My grandfather emigrated to Australia. A bloke moved with us to a dingy flat when mum could no longer afford the mortgage on the house. I was 16, and had recently left school with some GCSEs and one O-level in art.

My mum, who worked behind a bar, liked to drink often, and so too did her boyfriend. I awoke to the sound of him beating mum. The minutes that followed became pivotal in my life. I got out of bed, but that's as far as I could go. Cowardice held me, kept me from taking another step. I kept telling myself I should help her after each slap, but I couldn't move. I swore I would never be a coward again. A week later, her boyfriend beat her again, late at night. When I got out of bed this time, I dismissed my fears, raced into her room and attacked her boyfriend until mum pulled me off. If I thought she would kick him out, I was mistaken. He was back in her bed again two weeks later.

It was around then I sat in a cinema, watching 'Rambo: First Blood,' about a US Special Forces soldier whose training allowed him to defeat all comers and survive off the land. I didn't realise that Rambo was simply another Hollywood superhero only missing the cape (although he had a kind of plastic sheet that looked like a homemade cape for part of the film). I only knew I wanted to be like this creation on the screen. At the age of seventeen, I flew to the US and scored high in their army qualification test. I became the youngest special operations forces soldier in the US Army Rangers.

Rangers are trained to parachute or land behind enemy lines and operate there until extraction or until the regular army advances are in position. All Rangers have to receive top secret clearance by the Pentagon. The Ranger

decree is that they will go anywhere in the world within 18 hours and be ready to fight. This was taken seriously, and from five in the morning to five in the evening, we were trained intensely. My days were long. They typically began after morning formation at 5:00am. I then ran for miles followed by calisthenics then an hour of hand-to-hand fighting and grappling in the woodchip 'pits.' Then breakfast. The day varied after this. Sometimes we parachuted from planes or double-bladed Chinook helicopters, abseiled, went to the firing ranges to shoot a variety of specialised weapons, some which were top secret at the time, like the laser target designator (that allows a pinpoint airstrike on a target designated by the Ranger on the ground). I learned to be skilled with my hands, could weld a knife, and became an expert marksman. I spent hours kicking in doors of a mock city, shooting targets inside. My fellow Rangers and I evolved from chest shots of our targets to head shots. This would play a role later. In addition to the arduous physical training, we were conditioned to kill without hesitation. If we hesitated, we risked the life of the men beside us. My respect for life diminished, including my own.

I didn't see it then, but I was too immature and impressionable for such intense training. It had an adverse impact. I wasn't the only one. Four other young Rangers from my company of 150 men would stand before a judge facing murder charges within three years. One of them, Shane Kretzinger, had been my roommate.

Like other Rangers under the legal drinking age of 21, I began using LSD on the weekends. It was fun, and I didn't see any danger in it. We took acid before scheduled parachute drops to heighten the experience. But for all the good, fun experiences I had on LSD, this changed on the evening of Friday, 28

March 1986, after I took two hits of acid and drove off the base with the intent to buy a TV. I carried a small calibre pistol inside my jacket pocket behind my wallet as I usually did. I liked the allure of it, but it was also for defence. Muggings at gunpoint by the gangbanger population in Tacoma was a threat. The rising contention between 'Crips' and soldiers led to a big shootout in the Hilltop area of Tacoma in 1988, between Rangers and Crips.

A satellite appliance store directed me to their mother store in the heart of Tacoma. As I drove there, I became gripped by a paranoia I'd never experienced. I heard voices, turned and saw no one there. My feet floated above the pedals of the car. I pulled to the side of the road. I thought about returning to base, but I chose to push on. I was mission oriented. The intensity of the paranoia increased. Even more so after I entered the store.

I've heard people convicted of murder claim they can't recall their actions. I don't believe them. Killing is such a traumatic, brutal event, the brain doesn't let you forget the details. That was my experience. The passage of time has blurred the edges like with old photographs. But I can still see the main images. It's as difficult for me to recount that day now as it has ever been. For different reasons. I'm still ashamed, still embarrassed, still horrified over what I did. Paranoia overwhelmed me and I became convinced the store clerk, Arlene Ray Koestner, and store manager, Kenneth Sanford, were out to get me, to report me for using drugs. I pulled out my gun, walked them to a back room. I asked where the money was in an effort to make them think I was robbing them, but I didn't take money from the store. Kenneth spun on his heel, startled me, and I shot him then shot Arlene once each in the head. The shots were

unhesitating, instantaneous, as I'd been trained to do. Arlene died. Kenneth lived and fully recovered.

The following day, after I sobered, I turned myself into the authorities and confessed. I received a sentence of 65 years.

I prefer to avoid talking about what happened thirty-five years ago. With age, I harbour a greater value for life. I deprived Arlene of hers. I'm ashamed of this. I also know others will forever judge me for this moment in my life, as I have been judged every day for over 35 years. People are aroused by curiosity and probably want to know whether a person with my history has positively changed? You cannot learn this by something someone in my position may say. Prisoners sit before parole boards every day and tell them whatever they need to hear in order to attain parole. These are the same 'changed' convicts that return to prison months later for reoffending and violating their parole.

I believe the better question to ask a person in my position is what they have achieved since committing their offence? About fifteen years ago, I wrote the Department of Corrections in an effort to contact my surviving victim and my victim's family. Maybe I had self-serving reasons. I lived with a heavy stone in my chest, and I wanted to be free of it. I thought it would help if I was given the chance to express my sorrow for the pains I caused, for the life I took. The DOC refused, saying I could have no contact.

I lived with the heavy stone for a while, and then I had an epiphany. I could let the stone weigh me down and I could waste my life like other prisoners playing cards all day, or I could make my victim's death count for something by compelling me to do positive things for others. I had noticed a glaring problem

in the Washington prison system. It was full of the economically disadvantaged, the disenfranchised, and the uneducated. There were almost no rich nor privileged people in state prison and none serving long sentences. While the majority of prisoners are probably guilty, some are innocent and a great many more are serving disproportionate and unfair sentences. I believed I could make a difference to the deserving, and I embarked on the study of law.

My first success occurred in 2008, when I argued that the crime of Attempted Felony Murder is not actually a crime in Washington State. The court agreed, and this resulted in two men being released from 20-year sentences. I continued to work on all manner of prisoner cases, relieving some of short, but unfair sentences, and some of the burdensome financial debts American courts manacle released prisoners with, non-payment of which often returns them to prison. These forced debts, common sense will tell you, encourage ex-felons to commit crimes in an effort to meet mandatory payments. It's one of the dumbest laws, with an immediate obvious adverse effect.

I also fought for basic prisoners' rights in the federal court system, to include the right to freedom of speech. I won cases in the Ninth Circuit Federal Court of Appeals, and won an appeal taken to the US Supreme Court by attorney generals from seven states who wished to keep prisoners' speech muzzled.

In 2018, I won freedom for an innocent black man, Chris Perkins, who had served nine years on a 34-year sentence for an assault and attempted robbery committed by three men. Chris's conviction relied on a confession coerced by threats from a dirty cop. I procured and produced evidence

supporting the argument that Chris's confession was coerced and that the cop had often demonstrated unprofessional conduct, for which he had been kicked off the force. As a result of my petition, Chris was set free, and he now lives happily with his son in Portland, Oregon.

I'll always carry a cross for my horrible actions as an 18-year-old. I can never change what I did. I can only change who I am. I've long believed I owe at least this much to my victims. No words can demonstrate atonement. Only actions can do that.
