

**From Prison To
Kennedy Center Stage:
Starting over at the top**

**By
Dennis Sobin**

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Front cover photo: Author Dennis Sobin incarcerated at the
Correctional Treatment Facility, Washington, DC (*photo by Carolyn
Cosmos*)

Back cover photo: Author Dennis Sobin performing on stage at the
John F. Kennedy Center for the Performing Arts, Washington, DC
(*photo by Donovan Berry*)

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Chapter One

A Producer in Prison

My friend and fellow convict Jim was the first to inform me that my date of expected release held special significance for the planet. It had nothing to do with the fact that I was returning to the so-called free world after ten and half years behind bars. It was that the day, January 6th, was the Day of the Epiphany—a widely celebrated church festival. It's when the three kings arrived in Bethlehem to bring gifts to the baby Jesus.

The word epiphany, of course, has a second, more generic meaning. The dictionary defines it as “a sudden striking understanding of something.” What would this forebode for my return? As I sat in a bus terminal on January 6, 2003 playing my new guitar, it started to come together.

The instrument was a welcome home gift from an outside friend. Too bad I didn't have a home to go to at the time. But I still had an automobile somewhere in Washington, DC, though I could not remember where I had parked it. No, it must have been towed, or rusted away, by now. Probably towed. Nothing rusts away in the nation's capital. People and things get melted down. That happens often. Recycling. Maybe the steel guitar strings I was playing had come from my car.

About the epiphany I was experiencing, it was the thought that freedom is not so much a place as a state of mind. During my time in prison I had learned to become happy; truly happy. I was limited in where I could go, but not in what I could think. Before my stay in prison, just the opposite was true.

My trial in a Bible Belt section of Florida in 1992 was a casebook example of injustice to the extreme. Without facts or evidence to convict me, the prosecutor told the jury to consider what was going through my mind when I produced a documentary for cable television. Its subject: clothes-optional beaches and resorts in the state known for oranges and political outrages. The video was done tastefully; it was wholesome. But the jury was asked to consider what if it fell into the wrong hands? What if children turned on a television or video player and watched?

In any other part of America, prosecuting someone for such a work of media art would be absurd. But not in Pasco County, Florida, where fundamentalist churches abounded and the resorts that I captured in my documentary are both a legal embarrassment and a closely guarded secret. The prosecutor himself, now in private

practice representing defendants, seemed miffed that an over-zealous vice cop had arrested me. But he was caught in a bind. He couldn't go against the police since they were on the same team. So he offered me a plea deal that my attorney said I'd be crazy not to accept. I could walk away with a small fine if I pleaded to a minor, mundane offense. Trespassing would do. I wouldn't, I didn't and today, if I had to do it over, I still wouldn't. In fact I was so outraged at the time that I spoke out boldly against the prosecutor, the police and local politicians in the press. I had taken my naïve notion of America as a free society to heart. But they were all twiddling their thumbs and reading their Bibles while they watched this travesty unfold. This was more than a town without pity. It was a place without common sense.

The prosecutor didn't like my words of criticism. So he moved forward on all counts. He even added a few as he went along. I would not only be charged in state court with producing a potentially hazardous video, but in federal court for not having all my financial ducks in a row. I'll be the first to admit that my bookkeeping was not the best. But my dealings with people were always honest. Even the prosecutor couldn't find anyone who could claim otherwise. But honesty and observing financial regulations are not always one and the same.

So I went through two trials. Acquitted of most counts, I was convicted of others. Throughout the ordeal, I felt as if I were being chased by an angry mob, each member with a Bible in one hand and a gun in the other. The barrage of bullets came at me like a hailstorm. Inevitably, some hit. When the smoke cleared, I found myself on my way to spending the next 10 years and 4 months of my life in state and federal prisons serving consecutive sentences.

One of the attorneys who wrote to me while I was in prison about the injustice of my situation, said I wasn't unique. "The criminal justice system in America is a cesspool." He said this after reflecting on some of his clients who had drowned in it. He had handled the cases of death row inmates, some of whom had been victims of mistaken identity. The government had made errors in condemning them but was not about to correct itself. Better to bury its mistakes.

By the time I had gotten the letter from this sympathetic attorney, I had heard from other people on the inside and the outside about mistakes. From fellow prisoners I got alarming tales, from outsiders I got facts and figures to show that what happened to me is common.

The United States is the world's largest jailer. We can afford to put millions in prison because of our great wealth. We do this because there is paranoia in a multi-ethnic, multi-idea culture. Diversity brings fear. Such fear can be overcome but the process is not easy. Sometimes it is easier to confine those we fear—people who look or act differently than the majority, who chose pot over booze, commercial sex over romantic coupling, and self defense over calling the cops. Because such individuals don't think like the majority, people often feel uncomfortable around them. Society puts them out of sight so they'll be out of mind. It's an expensive way to handle fear and prejudice. But a rich country can afford it.

Could it be worse? Certainly. We no longer have slavery, no longer have lynchings, never had a Holocaust as in Europe, didn't have a revolution where we beheaded and executed our leaders. Even the much despised George W. Bush was not harmed. Nor has his black successor to the White House, Barack Obama. Not bad for a country with a long history of violence, discrimination and hatred.

Still we send large numbers to jail. In one sense it's a way to vent our bigotries and frustrations. By having so many jails and prisons—more than 5,000 across the nation—we have constructed edifices telling citizens that we don't live in such a free society after all. We can't hurt others, not even their feelings. That's America; love it or leave it. You leave it when you go to prison.

Whose feelings did I hurt to deserve such expulsion? The answer, virtually everyone in a large swath of Florida who didn't want its shameful secrets revealed or its prosecutor, the elected keeper of those secrets, vilified.

My epiphany upon release from prison confirmed the insight I got during my decade there. America is a free society largely to the extent that people are free to get in trouble and be thrown in jail. Think of it in terms of living on a flat mountain top, a plateau. You're safe as long as you don't wander near the edges. If you do, you stand in danger of falling off.

In another country with a reputation for not being free, you have fences all around the perimeter of that plateau. Citizens are restricted in what they can read, what types of television they can watch, what movies they can see, what politics they can practice, and the rules go on. If you're not used to living in such a country, you feel intimidated, almost suffocated. That's how visitors react.

But the more one thinks about it, the rules there are clear, the fences are as obvious as they are imposing. To fall off the mountain, you're going to have to do some serious scaling of the barriers around you. In other words, unlike America, dropping off the side is not as easy as wandering to the edges.

My friend Ben brought this point home to me when we played music together in prison. He was my senior, a wise man who left a highly successful life behind him. He had operated successful businesses, making a comfortable living for himself and his family. Ben was one of the first entrepreneurs in America to recognize the enormous potential and profit of cell phones. He made his killing during the early days, and then knew enough to get out when the telephone giants entered and took over the field. It didn't matter at that point since Ben was able to bankroll other ventures in which he also excelled. If you met the man you would understand why. Kind and low-key in every way, people feel comfortable talking to him. They sense his honesty, his underlying energy, his drive to make friends and to make money.

I've met few people in my life who have embodied more of the American spirit than this hardworking, insightful, outgoing and dedicated businessman. Ben loved America with all its flags, traditions, history and affluence. And America loved Ben, bestowing wealth and pride in him that made his tall frame walk erect, his head held high. A strong influence on his children, they also excelled in the American dream. One boy brought particular honor to Ben by rising to major rank in the military. When Ben and I got out of prison, he would email me about his son's accomplishments. They weren't minor, as the military itself recognized. His officer son participated in public forums, a well-spoken man full of ideals and determination. Great at connecting with people, he was a significant asset to the goal of furthering the ideas and standing of his country. A chip off the old block in every way.

So how did such a model father and exemplary citizen as Ben end up in prison for years, losing his wife, much of his wealth, and nearly all of his sanity? His wife left him when she started and then stopped drinking, meeting her new soul mate and sex partner at an AA meeting. Ben's wealth dissipated because he wasn't able to manage it in prison where rules about "not conducting a business" are firmly enforced. His sanity slipped with the daily grind of prison life, turning Ben from a patient man into a short fuse. I remember when he yelled at a prison officer for no good reason. "I pay more in taxes on the outside than your entire salary!" he screamed.

What was Ben's criminal offense that required him to turn in his suit and tie for a shabby prison outfit? From being a taxpayer to becoming a tax burden? From occupying a spacious suburban home to living in a small barren bathroom, which best describes a prison cell with its toilet, sink and bunk bed compressed into a tiny space?

Ben had pressed the wrong key on his personal computer.

That was it. I know it's hard to fathom. If you believe that America is truly free as Ben did, you would think that a person can do as he wishes with his own computer. Even break it, as long as he doesn't do it over someone's head. Even if he presses a key that will destroy all of the data on his computer, what difference does it make if the data was his?

Ben in fact hit the save button on his computer so he didn't destroy anything. The prosecutor said he should have destroyed what he was looking at. Then he wouldn't have gone to prison.

What kind of double talk is that coming from the mouth of a powerful prosecutor? A person who can drag anyone into court. And whose authority is so scary that he or she can convince most people who are dragged there to plead guilty to something, anything, innocent or guilty. Or risk a sentence of double or triple what is being offered.

Who wouldn't plead guilty to avoid that? I am the exception. Not that I am completely alone in my stubbornness. But the percentage is small; in some regions of America as few as one in fifty defendants insist on their right to a trial. Can we blame Ben and others for pleading guilty even when they felt they weren't? I couldn't understand them for being so gutless. But in the summer of 2008, five and a half years after I exited prison, I followed their example. It pains me to admit it, that I stood in front of a judge and pleaded guilty when I knew I was innocent. But I was desperate to stay out of jail to be able to produce the second annual "From Prison to the Stage" program at the Kennedy Center. My sister had brought the action against me after I sought an accounting of my inheritance that she and my son had stolen from me when I was in prison. She was anxious to send me back.

So at the age of 64, I played the game for the first time in my life. Saying I was guilty, apologizing for my alleged crime, assuring the judge I knew I did wrong and that it would not be repeated. Then falling on the mercy of the court. Instead of years in prison, my sentence amounted to only days in jail; and I got time off for good behavior. Did I feel good a few days later when I was free again? Frankly, I was too busy preparing for the Kennedy Center to feel anything. I now know why innocent people plead guilty.

If what I did in communicating *by email* in a pleasant manner to my sister was a crime, Ben's action in pushing the save key on his computer wasn't anything but his own personal business. What did he save? He saved images that he found on the Internet that were considered to be "inappropriate." What were those images? I don't know since Ben didn't show them to me. He couldn't because when the police hauled him away they also took his computer. I suspect they involved pictures of over-aged or under-aged individuals in less than full clothing. Ben had been curious, so he looked at them. Can't a person in a free society do that? Even the prosecutor admitted that a person can. But he said that the line is drawn when it comes to saving such images, and Ben had crossed that line.

If that makes sense to you, you're a lot smarter than Ben and me. When looking at something on the Internet and you want to save it so you can see it later, why not push the save button as Ben did? Who would know this fine point of the law?

When a person pleads guilty as Ben did, the law is not questioned. All one does is stand before a judge, lower his head, and say he's sorry. Ben said to me in prison, "What's the good of living in a free country if it means you're only free to go to jail? Why don't politicians tell us how easy it is to wind up here? I love this country but we need to stop pretending that we're free. I'm not saying that I want freedom since I know it can lead to problems in the wrong hands. I just want to know what the score is up front. I want the government to level with us."

A truthful politician is like an honest con man. The term is an oxymoron. I once ran for mayor of Washington, DC on an honesty platform and was trounced severely. I could hardly get the truth out of my mouth about the absurdity of the drug war, the waste of using police for morality enforcement, and other issues before my opponents laughed at me. One of them was Marion Barry, the victor in that election. He supported the drug laws though he himself was using drugs at the time. When elected, he became careless and was caught in his hypocrisy. He got six months at the Federal Correctional Institution in Petersburg, Virginia. The same place that I would be headed a few years later.

I guess I was a hypocrite also in that election. While I opposed drug laws, I didn't personally use drugs. I had no problem with self control, with abstinence. So why would I care about the laws that force people to do what I did voluntarily? Laws that punish them if

they can't or won't abstain from drugs, commercial sex, questionable computer downloads or many other prohibited practices. Why wouldn't I, like other serious office seekers, want to keep these laws in effect? What right did I have to go against majority rule? If the bulk of the population wants a law, why speak out against it no matter how wasteful or selectively enforceable it is? Particularly if my behavior is not personally affected by it. Let the public have its fun by locking up millions of people who are different than they are. It's their money to run expensive prisons for their neighbors who they will be incarcerating.

Just like my coming around to pleading guilty to something I didn't do late in life, I learned my lesson on the campaign trail. When I run for office again—should that occur—I will not give the faintest hint of hypocrisy. If I again propose the decriminalization of drugs, I will use them boldly on the campaign trail. And if I don't use them, I will keep my mouth shut about proposing something to upset the majority.

When I arrived in prison after the election, I was asked by inmates who hadn't followed my campaign how I did. I said, "I got 2,000 votes and 10 years in prison." They were impressed, particularly the short timers.

No more mixing honesty and politics for me. It's too combustible a combination; the one ingredient is incompatible with the other.

In one sense, Barry went to prison for his being too honest also. He didn't hesitate during the election to tell people the truth in private, including novices in the political arena like me. "You can count on politicians to do just one thing," he said, "and that's lie." If I run again, I will not tell the truth. I have already spent enough time in prison, having spoken more truth than most people convey in 10 lifetimes. I hope that my constituents will forgive me this small exercise in survival.

Ben continued to love America when he got out of prison. He understood it better after his experience. Though not a free society, he considered it still a magnificent one. When politicians speak of the United States being the capital of the free world, he could now wink along with them. We are the wealthiest nation on the planet. Perhaps material abundance and personal freedom are not compatible with each other. How else to keep the poor and politically unconnected in check except to have many of them locked up. That means a multitude of pervasive, complex and often illogical laws.

Should individuals become troublemakers they will be accused of running afoul of them, and be removed from society. The wealthy and powerful don't have to worry. They rise above laws. It's one reason why people want to acquire riches, even if they don't value the trinkets money can buy. The person whom you are, rather than what you did, can keep you out of prison. That's why people strive for success in America. The autos and airplanes are nice, but the greasing of the system that money provides is better. Ted Kennedy didn't go to prison for drowning an extra-marital girlfriend. Richard Nixon didn't for burglarizing the Watergate, and Bill Clinton didn't for sexually exploiting an intern and then lying under oath about it.

Ben, on the outside, was soon back to his old entrepreneurial self. A sadder but wiser man, he could have argued with his military son about the shortcomings of America, as I did with my government lawyer son. But he didn't. As a result, Ben's son sent his father to glamorous places around the world. My son sent me to jail, albeit for relatively short stays. Once for entering City Hall to testify at a public hearing after he engineered a stay away order against me. I was impressed as I sat in jail, just as Hitler's father must have been impressed to see similar bold cunning and blind ambition in his offspring. In Hitler's case, the goal was genocide by gas; in my son's, patricide by law.

I was surprised that Ben didn't at least resent a relatively new development in America that restricted freedom. Statutes were suddenly being passed mandating that certain categories of law violators register with their local police departments, who would in turn put out their photo, name and address on the Internet. This would allow potential employers and landlords to reject them and for vigilantes full of hate to track them down and kill them. That's the way it played out in a number of instances. The yellow Star of David imposed by the Nazis on outer garments worn by Jews was in some ways more merciful. At least names and addresses were not printed in newspapers or scrawled on the walls of public buildings.

Affected by the new laws, Ben withheld judgment on them for a while. He wanted to know whether he had enough pull to get exempted from them. As it turned out, he had. So he remained silent. He let his lawyer do the talking, and then only to get his exemption. America worked after all. Why had he ever doubted it? You get what you pay for in a capitalist society, whether quality legal services or special exemptions. Ben was able to pay since he had set up a new and successful business with another son.

Don't think by the tone of this discussion that I am at odds with Ben in any way. Or even with his capitalist philosophy. What is

the alternative? Communism? We already know that it doesn't work. It's not just a matter of history but common sense. If everyone is going to be compensated the same despite unequal talent and effort, most people will not exert themselves. If new inventions or inventiveness go unrewarded, people will not think at all. They simply will do mundane, repetitive tasks needed to get by. To hell with motivation cuts and higher productivity. These things won't make a person any richer in a communist society.

You must understand that like Ben, I've had my share of special privileges. That short sentence I received in mid-2008, almost 16 years after being handed my 10-year sentence, was not solely because I pleaded guilty. It was because my standing and influence in the community was high. The judge knew about the annual extravaganza at the Kennedy Center that I produced, and also about the successful Prison Art Gallery I had created. He knew too about the classical guitar playing I learned in prison that got me publicity and appreciative audiences. And most of what I did, I donated without fee. I have never been materialistic, so this wasn't a big sacrifice. What can money achieve compared to the friends one makes when contributing to the public good?

In sentencing me to the few days in jail in 2008, the judge said "I'd sentence you to a period of community service, but you already do so much of that." I was relieved because court-ordered community service in Washington involves clearing trash from streets and sidewalks while you wear a brightly colored vest identifying you as a forced laborer. Its lettering tells the world that you are a criminal compelled by the court to do this. People look at you as if you are working on a chain gang, and the comparison is not farfetched.

Being on the same wavelength with Ben, more or less, I got along well with him during and after our time in prison together. He exited before me, which turned out to be a blessing. Shortly before Ben left, I completed the recording of 33 songs for a CD I was producing, *Prison Tracks*. It was done in secret at the prison with the cooperation of sympathetic staff. One officer in particular was a catalyst, providing a boom box for the project. The cassette player was normally used for exercise classes in the prison gym, which I attended. During one session of the class, I noticed that it had a recording capability. By then I had been in prison for eight years and never saw such a device on the inside. But here it was. An opportunity I didn't want to pass up.

I made arrangements with the amiable staffer to take the machine to another prison building where the music room was located. My prison job was to clean that room. For a few minutes each day I

cleaned, and then spent several hours playing the guitars there. It was a great job. Suddenly I would make it better by having not just a rehearsal space but a recording studio.

One of the things that inspired me to do the CD was the recent arrival on the compound of a master guitarist named Steve Andrew. He'd won awards for his playing on the outside. Hearing him play, I wasn't surprised. Steve didn't know it, but in listening, I was auditioning him. Before I told him about the recording project I was planning, I wanted to see whether he would fit in. We played some songs together. I concluded that we performed well as a duet.

I wanted the planned album to consist of instrumentals for a few reasons. First, I knew that it would have universal appeal. Without words, people of any language and culture could enjoy it. We even included Christian and Jewish religious songs. Who's going to take exception since not even the word God is used? No words are used since there is no singing. Also, no one can criticize the quality of a voice since we kept it purely instrumental.

In addition to artistic reasons for making it an instrumental CD, there were practical production ones. The recorder I was given to use was not high quality, to say the least. It could minimally do the job in recording the guitars, but couldn't handle a voice with any reproductive authenticity. It simply wasn't good enough. I was reminded of the early days of recording more than 100 years ago when piano pieces were performed on guitar because the six strings of a guitar, when plucked, rang clearly. Recording a piano with early equipment produced a muffled sound. A voice recorded in the same disappointing way.

A final reason for using two guitars—one played by Steve and the other by me—was that we had only two recording tracks available on the boom box and just two microphones that we were able to dig up in the prison so we would use one for each track. Steve and I positioned our guitars close to the mics. We first did a few tests to find an appropriate sound level. That meant moving various distances from the mics until there was good balance. Then we proceeded to do the recording. If we didn't like one of the takes, we erased it and did it over. Here was the ultimate in live recording.

One of the reasons we erased rather than saved inferior tracks was that we didn't have a lot of tape to spare. Finding recording tape in prison proved as difficult as locating the recorder and microphones. Ben was vital in helping us acquire tape, using all his entrepreneurial skills for the search. He located a supply of religious tapes in the chapel, befriending the inmate aide there who catalogued and kept an eye on the chapel tapes. Ben told him the importance of the project

for which tape was needed, without going into detail. Inmates know not to be too curious. It's a sign of disrespect as well as a way of putting oneself at risk if a project turns out to be problematic. In our case, we were trampling over rules that said "no recording" in prison.

A tape was located, one rarely used in the chapel. It would not be missed. I scratched the incriminating religious label off it. Steve and I were now ready to record over the sermon it contained, replacing the religious message with our guitar duets.

The recording of the 33 songs was done over a three-day period. Considering that we only had the mornings available, that was a lot of music to record. The afternoons were not feasible because an unfriendly officer who sometimes entered the music room started his shift at noon. We couldn't take a chance of the project being aborted. If that happened we would never have another opportunity to do it.

We accomplished the three-day miracle because we were well rehearsed. Steve and I had spent an entire month going over the music. We must have played the songs we intended to record dozens of times. When we finally got the boom box, the mics and the tape for the recording sessions, we were ready to breeze through the tunes. It helped that I could read music. I'm not talking about merely knowing guitar chords. More than that, I can read individual notes. If you put a piece of music in front of me, I can play the melody on the spot, despite never having heard the song before.

Steve was impressed. With all his guitar awards and competitive wins, he couldn't do it. I realize now that very few people can play the guitar that way. Had I known that when I set out to learn how to sight read in prison, I might not have tried. Sometimes it's best to approach a difficult task with blind optimism. I decided to teach myself how to read music when I was sent to the hole for a few months. How I got there is a long story which I have covered in other writing. Most people wind up in the hole for hurting someone. I was there for hurting the pride of the warden who tried to impose an unfair rule on all of us, a rule I ignored.

While in the hole, I had books and writing materials. So it wasn't a big hardship. I had a catalog of music books from which to order anything, thanks to the support of outside friends. I thought, what good is sheet music if I can only read chords? There's no guitar to use in the hole. In looking over the instructional books, I tried to find one that would teach me how to sight read notes to play with a guitar. But the catalog contained none. I thought this was odd. Perhaps sight reading for guitar was such an easy task that no one felt the need to write an instructional book on how to do it. Or maybe it

was so difficult that few people attempted it. After all, the guitar is not a concert orchestra instrument like the violin or woodwinds. Players of those instruments have to sight read so that they can play their parts precisely in ensembles. Guitar playing in bands on the other hand is simply a lot of chords and lead riffs, which are largely improvised. If the music has to be repeated for performances, it's generally done through rote memory. Even classical guitarists often can't sight-read. That doesn't mean they can't read notes, since most of them can. But if they can't relate the notes automatically and instantly to the guitar neck, they can't sight-read.

Constructing a paper guitar in the hole with a complete fret board, I worked out my own system for sight-reading. I even wrote a manual on how to do it, which I have since shared with others. When I got out of the hole, I put my plan into practice. Indeed, practice is the means to all music accomplishment. By the time I sat down with Steve to record a year later, I was ready. Steve played chords while I played melodies. For the "breaks" or interludes within each song, I played chords while Steve did terrific improvisation on the melody. Not able to read music, he was as creative as he wished.

Ben's assistance in the production of the *Prison Tracks* CD did not stop after he supplied the vital tape. Equally important was getting the completed cassette off the compound and in the hands of Lee Amirault. I approached Ben about handling this difficult matter. He was in an ideal position to do it since he was leaving prison shortly. His sentence was finally coming to an end.

Lee had completed his own term of imprisonment the previous year; I would be leaving the following year. In fact, Lee and I had been set to exit together, but good fortune came his way. He won a victory when his lawyer appealed his case. The bulk of his conviction was thrown out. The appeals court said that, as Lee had been telling us all along, he was truly innocent. At least for the most part. The higher court allowed a minor charge to stand, equivalent to trespassing. We guessed that the appeals court had to give a small concession to the trial judge. After all, these guys were in bed together, and when out of bed they were on the golf course comparing their putting and the positions of their balls.

When Lee found out about the appellate victory, he had cause to celebrate big time. It almost certainly meant that he would leave prison immediately. The final decision would be up to his original judge who had to re-sentence Lee on the minor charge. We all

congratulated Lee, very pleased that he had triumphed in his appeal; happy that one of us had gotten justice. Unfortunately, his judge did not share that view.

You've heard the expression, you give someone an inch and they take a mile? Or, there's more than one way to skin a cat? Or the term, sore loser? All of these applied to Lee's judge. He didn't let Lee go home for "time served," which in itself would have been excessive considering he had already spent years in prison for something that warranted only a few months, if any, time. Instead, the judge in his resentencing issued an unusually harsh sentence that would keep Lee in prison longer. In his retaliation, the judge still had to follow the law. So he could go just so far. That meant Lee would leave prison earlier than if he hadn't won his appeal but not much.

We stayed in touch when he got out. I was excited to learn that he had followed through with his plans to set up a recording studio in his home. He was waiting for the tape that Steve and I had recorded. He would mix it and do the post-production work so that we'd have a finished CD.

But I had to get the tape to him first. Mailing it to him was not an option. Feeling the bulkiness of the cassette tape in an envelope, the prison mailroom staff would almost certainly inspect and seize it. We needed a surer way, and Ben was the answer.

When you spend years in prison you tend to accumulate a number of things. Books, letters, legal papers and personal projects ranging from art to prose writing. As a result, you usually carry a box or two out the front gate upon departure. Ben could easily take the tape with him when he left. There would be a brief examination of his boxes, but so superficial that it would not be detected. I have no idea what they look for in the possessions of departing prisoners. What could possibly be taken out that is of any importance to the prison? Another inmate concealed in one of the small boxes?

Ben agreed to do it. When he got home he sent the tape to Lee. Lee's modern studio, combined with his talent as a sound engineer, led to a good quality CD, despite its humble origin.

Later in this story, both Ben and Lee show up again prominently. They were important in making the Kennedy Center show a success—Ben in the first season and Lee in the second.

In Ben's case, he became a patron and helped fund the program. I admired him for doing that. It occurred to me, however, that it was nothing new for him, or for that matter, other successful business

people. It's a long-standing American tradition. Everyone from Hearst to Carnegie to Rockefeller have donated money to the arts. Carnegie Hall was named after the famous industrialist for that reason.

What had Ben's patronage been before the Kennedy Center show? Quite a bit. He couldn't give money in prison for support of the CD production or the concerts that Lee, others and I gave with our prison band. There is no cash in prison; the only purchase an inmate can make is with his commissary card. Functioning as a debit card it automatically takes funds out of an inmate's bank account. The account can be replenished with money orders sent by people on the outside.

Ben's money wasn't needed in prison where everything is free, including food and entertainment. Band members are not paid to rehearse or perform. And rehearsals can be intensive. Since the band is not just playing for friends but for neighbors, the quality of their music tends to be high. If not, they will be disappointing the people closest to them, in essence, everyone in prison. You've never really lived in a small town unless you spend time in prison. If you're good at something there, such as music, everyone knows about it. And if you're not, they know about that too. Word spreads faster than you can say, "guess who escaped today?"

Ben helped the band in various ways, including attending rehearsals where his comments and suggestions were helpful. They led to better shows. The fact that Ben played some harmonica, one of his prison accomplishments, gave him a feel for what we were doing.

He really shone, however, in the production of the *Prison Tracks* CD. The tape he contributed was better than a pot of gold. Even Carnegie could not have been more valuable to an arts project. When Ben agreed to get the tape to Lee on the outside, he showed patronage above and beyond the call of duty. Would Rockefeller have done it, an individual by all accounts who might have ended up in prison if not for his money to protect him? I'd like to think that he would.

Lee figured prominently in the second season of the "From Prison to the Stage" show I produced at the Kennedy Center after prison. We had written several musicals on the inside together, sometimes with the help of other theater-minded inmates. We intended to produce the last one together when we got out. Not only did we consider it our best work, but it was the only one still in our

possession. The others had gone AWOL. Literally, they had flown the coop with an inmate we had trusted. The inmate, Robert “Bo” Ayers, was released from prison before Lee, Ben and me. His sentence was only a few months. Of all of us, he had actually done something to land him there.

Bo had fallen on hard times in Washington, DC, and couldn’t figure out a way to rise to his former heights without resorting to illegal means. In the prime of his career as a musician he had been on the road in the backup bands of such icons as Elvis and Liberace. “Liberace was very generous,” he told me. “Elvis was very dedicated and took rehearsals seriously.” Bo proved his pedigree in two ways. He knew his facts about the stars he claimed to work with, and he played music so well that I could see why he was such an asset to legendary showmen. A piano player and organist of the first rank, he was unstoppable in the few months he spent with us. Also, unstoppable. There wasn’t a song he couldn’t play. Mention a tune and Bo would pick it right up. And if it was an obscure song, all you had to do was hum a little and he’d play it.

After Elvis fatally OD’d and Liberace contracted a terminal case of AIDS, Bo became small potatoes, though his big talent remained in place. He joined a successful regional group in DC called the Capitol Steps. They trusted his musical ability implicitly, and Bo never let them down. They also trusted his personal integrity; but that proved a big mistake. Bo wormed his way into the finances of the group, and then robbed them blind. He told me in prison that the devil made him do it, in this case the devil being his ex-wife. She had wanted more than he could give her with his reduced earnings. So he decided to supplement his income with embezzlement. Getting caught with his hand in the cookie jar, it didn’t get slapped too badly. Because Bo had a tangible victim whose limited damage could be measured, the judge felt compelled to mete out minor punishment. In the case of Ben, Lee and me, we had no victim except the conservatism and sensibility of society. Our judges went overboard to appease mass prejudice. In handing out punishment, the sky was the limit.

Lee, fellow playwrights and I at FCI Petersburg had finished writing our first three musicals when Bo arrived. These plays featured original songs and dealt in some way with the prison experience. The first was about contemporary prisons, the second about past prisons and the third about prisons of the future. We had fine-tuned these plays by doing readings of them to our fellow inmates and then performing the songs we wrote for them. The feedback we received allowed us to make improvements. Bo also

proved helpful in that regard. He told us that he wanted to help because he'd once written a musical himself. It didn't go anywhere but Bo did, unfortunately. Shortly after his play's rejection, he decided to give up efforts in legitimate theater and go for illegitimate income.

Did his prison term help him straighten up and fly right? Had he become a different person due to his months away from society? Can anyone benefit from an absence of normalcy?

If anything, Bo left in worse shape than when he came in. Sometimes when you lose your momentum on the outside, it's hard to get back into the groove. That's a factor that helps create the revolving prison door. A person who had problems on the outside before coming to jail will have more when he or she leaves. The very status of being an ex-prisoner is a problem. There's also the chip on one's shoulder, the desire to strike back. I'm sorry to say that the prison playwrights that Bo left behind, including me, were the people he found most convenient to hurt. I guess he viewed us as powerless since we were still stuck in prison.

Just as Bo had gained the trust of colleagues on the outside, so had he secured our trust on the inside. He set us up and we fell for it.

Did he believe in the concept of honor among thieves? Whether or not he did, he knew by the end of his sentence that he was unique in our theatrical clique for being the only thief among us. As a result he felt no loyalty. He stole from us just as he had taken from Capitol Steps.

Perhaps even his modus operandi was the same. I'm not sure how he got into a position to betray Capitol Steps but I surmise he volunteered to help keep their finances in order. The group didn't look a gift horse in the mouth, but it should have. It might have detected that there was a dishonest person lurking inside that animal.

When the same gift horse arrived in our prison, we too should have scrutinized it. But in prison one tends not to question, much less reject acts of kindness. There aren't that many that come your way. Bo said to us, "I'll be released from prison next week. Let me take your three plays and prepare them for production so you'll have them in a neat and presentable form. I'll even musically notate all the songs. That way you'll have the sheet music; then your plays will be complete."

We knew that Bo could do all he promised. He was a good typist and a great notater of music. It seemed like a dream come true for us. Our only hesitation was that we didn't want to impose on him. "Are you sure," I said, "that you're going to have the time to do it

when you get out? There are three full-length plays here and some 40 songs.”

“I’ll definitely have the time. What else am I going to do when I get out? I don’t have anything to go back to.”

We never found out if he had the time or not. Or if he did what he promised. That’s because we never heard from Bo again. It was tragic since we didn’t have a copy of our work that he took with him. It just wasn’t possible to make a copy in the week that we had before Bo left. The material was too voluminous and our copier connections weren’t up to the task.

So our hard work walked away with him. When Lee got out, he tried to find Bo, but the man had disappeared. I made the same effort when I exited prison. By then his trail was even colder.

In the years I’ve been out of prison, I’ve kept an eye out for Bo, and an ear open for our musicals. I fully expect to hear word that at least of one of them is being produced, perhaps in a small theater. That would be flattering; someone likes your material and thinks its potential is great enough to steal it.

That in fact happened to me once before my prison days. I had struck it rich in the pay-per-call phone industry, making over two million dollars in a single year. I was one of the first to introduce social chat lines where callers paid a modest amount per minute to join in conversations. The key to success was in promoting these lines. I did that through a newspaper I published called *Met Personals*, which not only featured personal classified ads but alternative articles like those in the *Village Voice*. I also produced a radio show which promoted the chat lines. But my most creative idea was to launch a TV series. I pitched it to a businessman in Philadelphia to see if he wanted to be my partner. I didn’t have the experience in this kind of production to do it alone.

When he didn’t get back to me I assumed he wasn’t interested. It wasn’t a big disappointment since I already had a full plate in my life. I guessed the idea wasn’t good enough to fly on TV, in his opinion. What did I know about that medium?

One day I ran into a TV cameraman whom I knew. He had just been hired to shoot a TV show, *my* TV show. He congratulated me for having such a great idea that would now be seen by millions. Stunned, I kept my silence. I wanted to pry more information from him. “You’re going to be at the shooting aren’t you?” he said. I assured him that I would and he told me where it was. I said I’d see him there. On the day of the shoot I entered the set nonchalantly. The man who’d stolen my idea was there in all his glory. He did a double-take when he saw me, but only a small one. Being in show

business he was obviously prepared for anything and he knew how to put on an act.

There was no reason to confront him since my being there spoke for itself. It would have been foolhardy of me to start a ruckus. I had designed a boat that could carry us to an island of riches. To do anything to cause the boat to capsize as the trip progressed would have been self-defeating. Let the boat arrive at its destination. Then we could argue about how to divide the treasure.

It never made it. The idea for the show—my idea—proved a flop. The thief had done me a favor by taking it off my hands and running with it. He ran right into a stone wall. Putting both his time and money into the project, he saved me from wasting both. Sometimes even our enemies can be helpful.

Had Bo done me and my incarcerated collaborators a favor? I believe that he had. Even if he did not produce the plays we wrote—which I assume he didn't—we benefited. Perhaps he threw them in the garbage. As a thief, Bo would not have done that if he felt the plays had value. He apparently did not think they did; and to this day, I trust his judgment.

At the same time it was flattering that he stole them in the first place. After all, theft is the sincerest form of flattery. I would have felt worse had he returned them. Or even sent us a note saying that he had no time to type or musically notate them, as he had promised to do. What interpretation would we have given such a note? That our plays weren't good enough to take up his time? That there were higher priorities he had? What priorities could a newly released inmate have who by his own admission had no plans or commitments?

In assuming our plays were so good that a person of Bo's competence and connections would steal them, we felt more motivated than ever to continue writing. That would not have happened had we started to doubt the quality of our writing rather than the content of Bo's character. The next play Lee and I wrote was our best, by all admissions. Eventually it would get its debut at the Kennedy Center.

Maybe playwright Arthur Miller traveled the same stony path before his work achieved great heights. *The Crucible* by Miller could not have been written in a single draft. It's too powerful and too carefully crafted. It also happens to be one of my favorite plays. One of the reasons is that it dealt with events similar to what I had

