

TEXAS AFTER VIOLENCE PROJECT

Interview with Marta Cotera

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SOLIS: 2009—we are here in the beautiful home of the Coteras here in Austin. Thank you for having us today.

MARTA COTERA: Thank you.

SOLIS: And I guess if we could just start maybe wherever you'd like. Like I said before the interview, I'd be interested to hear about you and your husband's activism with youth crime, and particularly death penalty, but you please feel free to start wherever you'd like.

COTERA: Okay. Well, basically, we've always had an interest in youth. Especially we've had an interest in what happens to youth that don't— children that don't have all the privilege that most middle-class children have. So we've been very concerned with that. We're very concerned about the treatment of youth by the local police department for example, by local authorities.

One of our very first activities that we became involved with here in Austin was called the Committee for Justice, which became organized after two teenagers— Latino teenagers—were shot down by the police because they had taken a car for a joyride. It was not a theft of an automobile for economic reasons. This was just young people who took an old car, and they were both injured. I can't—very seriously injured—so we got the community—the community got together and we started working on criminal justice issues and law enforcement issues and reforming the local police department. This is one of the first instances of our actually becoming involved with the way justice is applied, depending on who you are, the various differences. So we had kind of like a lifelong interest in what happens in the administration of justice.

SOLIS: When was this?

COTERA: I guess the Committee for Justice was maybe established in 1967. Some of the people that were involved in this were Mario Obledo, who then went on to set up MALDEF—went on to found MALDEF. Another person was Jorge Larabrow, who was a social justice activist here in Austin. So you know from that point on—of course this was before—we only had one child at that time, but this kind of started us on a lifelong interest in terms of applications of justice issues.

And I think the death penalty issue is an instance of the application of justice because, first of all, who gets arrested, who gets charged, and how they're treated, what kind of defense they have, who ends up on death row and who can avoid death row. So the ultimate punishment, which is the death penalty, is a tremendous concern to us as a community and as a state and as a nation simply because justice is never in this country administered justly. Regardless of what we have to say about it, it does have a lot to do with the resources available to you and the kind of defense.

So, I'm saying this as a family background because our family, as a family developed very strongly along the path of social justice and especially criminal justice. Of course, when our son—who is actually the subject of this interview—Juan Javier Cotera was born—and in a way the Committee for Justice was an activity that preceded his birth by many, many years because he was born in 1971—well maybe not that many years, 1971. But it was because of our fear, too, that being the parents of minority children, we knew that our children in the community at large were going to be treated differently from other more privileged children. So in a way we used that argument—we already had a little girl when this committee got started and she was three years old, Maria Eugenia.

We always felt that regardless of gender, when minority children become of age or young teens or whatever, they were more likely to be profiled. And even though profiling wasn't a big term in those days, we knew what profiling was. The minority community has always known what profiling is, and it was happening then. So there was a long trek in Austin that occurred from '67

to 1970 when we left to go to the valley for two years to work on the Chicano movement. And then we came back—actually we came back in '73 to Austin and continued activities to reform the police department—especially the police department. And the reform efforts were along the lines of professionalizing the police, requiring higher education standards for recruits, requiring a professional training academy, requiring psychological services, psychiatric services for them, requiring standards that involved—for example, if a police officer should be reviewed and if they were guilty of a domestic abuse, then the police department would hopefully have to get them off the force because you do not need abusers to be out there working with the community. So we have a long list of things that wanted to happen. And I think, as a whole, the Austin Police Department is better than most because of this. I'm not saying they've had, say in the last ten years, they have reverted to some very bad behavior, but now it seems like they're getting on the right track again.

But anyway, that started us on this long path toward social justice in relation to law enforcement, the Justice Department, et cetera. So our children grew up from a very young age with very strong standards, community standards and also family values in terms of what we valued ourselves as justice and how we ourselves saw issues like choice. We're a family of pro-choice with a caveat that you're pro-choice but should you indulge in abortion, that's a moral responsibility you have to assume as an individual. However, that's something that you don't want to impose your individual moral values on the entire community on private issues like that.

And it's always difficult to be pro-choice and anti-death penalty, because I know that a lot of people equate. But I think in one you're forcing the entire community, the entire state to not have a choice. That person is going to be put to death no matter how you feel about the matter. And on the other, I see it as a totally personal, individual decision that you alone have to be responsible for to your creator or creator-ess, but you have to be individually responsible and responsive to that issue.

I think that there is definitely an issue—I mean a difference—there because on one you don't have a choice and on the other one you do have. Pro-choice means you have an individual choice. We're not pro-choice when it comes to the death penalty. It's imposed on all of us. It's a value that whether you like it or not it's done in your name; where abortion, I feel, is never done in anybody's name but is carried out individually by the person that then needs to be responsive and responsible and answerable to themselves. I think there is a difference and so we're pro-choice with that long explanation and discussion with our children. I would never do it, hopefully, wouldn't have to do it, but if I would, I'm not imposing on everybody. I'm not making everybody responsible for my individual actions. Where the death penalty we are all.

The other issue that we always talked about a lot was, of course, the administration of justice, and criminal justice and the fact that it is very highly dependent on your ability to pay. That has a value. Another issue that was a big issue in our family was war. We are basically anti-war. And again, that is a very sad issue that we are killing people; that we really are not pro-choice when it comes to the war issue because our money goes to pay for those bombs that killed people. Most of them—a large majority of them we've learned in Iraq—are innocent people. And so war was another issue.

In fact, when our son died he was going to—and I'm not going to say die—when he was murdered—because you cannot also sugarcoat issues: He was murdered through the willful act of people that for one reason or another for whatever reasons they chose to do that. And they're going to be answerable to some higher being of authority we believe in that, for those actions. They don't have to be answerable to me, but they are certainly answerable with somebody. So on the war issue, when Juan graduated from U.T., he was looking at continuing his studies at the Carter Peace Institute. He was definitely anti-war, definitely anti-war, and felt that there were so

many ways that we could live in a world that could be at peace, that war wasn't something that you have to have.

But that's another issue that always brought the discussion of death and killing into the family table. That was the issue of defense, the issue of killing, for example, in self-defense, which in our family discussions a little bit like the pro-choice issue. This is something that if you had to take that action and if you are up to taking that action, if you did take that action, individually whether or not you were doing it on behalf of your country, individually you are still responsible for that life or lives you took. I mean that's all there is to it and so, along our family and in our family discussions around our family table, it was always about individual action and individual choice. And in that respect, we followed a very strongly Catholic value system.

Although I wasn't raised Catholic, but I was raised a very strict Christian in the Church of Christ—very, very strict Christian and followed very strong Christian values: and that value of course that is so important is the value of free will. So whatever you did do or decide to do of your own free will, you have that if you have that right to make that decision, but you're also answerable yourself individually for that decision. So we always felt that that was a very good value to pass on to our kids so they grew up with that.

On the issue of the death penalty, on the death penalty issue, it was the same kind of discussion that that was an issue like war where in a way it was taken out of your hands but in a way it was worse because it was carried out willingly by the state in your name, like war. But it was even worse than war because in a war you can get out of the front lines by saying—by being a conscientious objector. But in the death penalty issue you don't even have that choice, although I have to say that in war, like the death penalty, even if you personally get out of it—'cause if you're a woman you don't have to go—you'll never be drafted according to our present laws—or if you are drafted or somehow get in there—in the military—and you don't want to do it—you can become a conscientious objector. Still, still with war there's always this complicit agreement that we all pay for it, so we're all, like with the death penalty, ultimately responsible for that.

But the death penalty seems to be an easier issue to discuss because here, well we hadn't had it, then it was reinstated in the '70s, and states like Texas have been the leaders on this issue. That issue was clearly an issue like the war issue 'cause we can protest against the war, and a lot of us do so every day. But with the death penalty, it's blatantly done in our name. I mean blatantly done on behalf of the state and on behalf of all the individuals in the state. And so there's, I think, a very strong moral imperative, like with war, to get rid of it.

And so we always spoke about how wrong it was and we always spoke about doing everything possible that we could to get rid of it. And you know they talk about, well we don't have to publicly witness it, but we do. They put it on TV. I mean they actually haven't had—like saying this is someone's execution—but I've seen those images on TV when they show the families, victims' families, the families of the other victim that's being murdered by the state there. And they interview people, and they've shown the cases and they've shown—I've even seen the body behind the person waiting to die and saying a few words. I mean they are public executions. They're really horrible.

So we talked at great length about that and how as long as you were participating in a political system, you have the right to speak out and you should speak out and not that this is going to make you any less responsible—I don't think there are degrees of responsibility. I think that as long as—it's like slavery. The North felt that they were as responsible for slavery as the South did because they were in the same body together, and that's why they felt that it was so wicked, and I feel that with the death penalty it's the same way. We're all in it together and you cannot say that there are degrees because I don't think there are degrees. I don't see why everyone that's against the death penalty isn't out there at the Capitol when there are hearings because we're all

responsible for what happens in our state and nation.

So Juan was twenty-five on June 30, 1997 when he was killed. We were here, and while they were looking, we didn't say anything publicly—but when they were found—because we weren't supposed to say anything publicly because they were trying to find the boys that did it. And we were trying—if you say something publicly it might drive them out of the community, so the police right immediately when things like this happen—like from Monday, June 30, to say, Wednesday—we had to be very, very quiet. We didn't know where they were and they were looking, and you don't want to say things that are going to make the people that did these things leave the community.

So they did find the boys, and they caught them, and the boys confessed. I have to say that all the time that the—for thirty-nine hours that the police were looking for these boys once they had clues, or they had indications of who they might be, they had Robert Smith from the—I mean Robert Michael Smith from the D.A.'s office with the police because they wanted to make sure that when they found them the police would not do anything that would jeopardize the case. And again, it kind of puts it back to privilege. The two missing boys where one was a son, Brandon Shaw was a son of a former—I want to say space exploration—

SOLIS: Astronaut.

COTERA: Astronaut, commander, you know, very prominent VP of Boeing. Currently living then in California, but they moved back to Houston to be close to family after Brandon's death, and then Juan Javier. Both of them in one way or another related to the School of Architecture, my husband being very close friends with the dean. Brandon was a current student in the School of Architecture. And Juan, our son, the dean of course knew. They felt that we were very well-known in the community and in a way from the very beginning the justice system works and sometimes when it works this way, it's probably a privilege on both sides because they wanted to be absolutely sure for our sake and the sake of the community that they had the right people and that the right steps were followed from day one. And it's unfair because I think it was being done more on our behalf, but it also provided a lot of protection against wrong judgment on the side of the boys that killed Juan and Brandon.

So, if every case was treated like it was a case involving a privileged person or persons, I think maybe you'd have a better brand of justice, because there was an assistant D.A. assigned to the case that followed it for thirty-nine hours straight: that everything that was done, the pursuit of the boys, the searching of the premises, their arrest, their treatment, in terms of—I'm not talking about physical treatment but rather their treatment in terms of confessions and statements made and all of that, where all of this treatment was properly done. And all of that was so that they could have as good a case as possible. To me, that's another side of the justice of the law, in a way. It worked to make sure that we had the right people and in that respect, it made us feel more secure. We would have been devastated if there had been any kind of question that the wrong people were being held and that the wrong people were being exposed, possibly, to a capital punishment charge, because if there was ever a case that could be made for capital punishment, this was it: car jacking, kidnapping, and murder—and robbery, because there was also robbery. So everything was right there. So that was a little—in a way a little disturbing, but in another way it was good for the boys, too, that committed a crime, because they then were assured the best possible—the most just treatment of the case. There was nothing left undone, which then made it possible for them a year later to plead guilty and not to go through a trial, which might have changed things had the D.A. not asked for the death penalty. I don't know. But it made it possible to have a very clean case so to speak, and a cut and dry case. And a case where everybody felt assured that the right people were being charged, and there was no possibility of mistake in that case. So our whole issue was for a whole year we kind of waited because these

cases, although they may seem cut and dry, I think if they're done properly they take a long time. They took a long time to do all the discovery; they took a long time in interviewing everybody. I mean it took a year. And from the very beginning, in the press when we were able to speak to the press on Wednesday, which was two and one half days after the crime, my husband was the first one to talk to them. They asked immediately, "Well, what do you want?" And we said, "We want justice. We don't want, definitely don't want them to face a death penalty," for a lot of reasons: our moral opposition to the death penalty, knowing that our son was also opposed to the death penalty.

In the very beginning, the other family was making up their mind what they wanted to do. We had talked to—their pastor had called us. We went to the memorial service in Houston on Monday, the following. Our son was buried on Friday, and we went to their service on Monday in Houston. And they weren't ready. We of course never discussed that issue but it—through the media we found out that they weren't ready to say one way or another. But during the course of the year, we spoke to them several times but we never asked. That's something you don't ask and it put us into a difficult situation because had they not wanted to—say we told the D.A. we opposed the death penalty. And the D.A. said that he would throw that into the pot of factors that would influence his, possibly influence his or affect his decision, not necessarily influence but affect it in some way. But that ultimately the decision was his because he is the one that has to make that decision. Victim families can express one way or another, but basically it's up to the D.A. to make that decision. And he told us something really interesting, he said, "The decision is made more than anything else based on whether or not the authorities feel that these people would be a danger to the prison population." So, people out there have no idea why, sometimes why these decisions are made. But I suspect that besides that "danger to the prison population," they're put into general population and not death row, then a lot of it, I think, is also based on community feelings, and how hot the community is or how enraged they are. Like right now, I'm glad the AIG people aren't facing charges because of the way people feel about 'em. But I think it depends a lot on that. And I would like to think that what might have affected our position here with the D.A. ultimately deciding not to pursue capital punishment is the fact that our attitude helped calm a lot of the community anger, although we got some hate mail because of our opposition to the death penalty. Still, I think the fact that you had an Anglo and Hispanic youth on one side, and then you had two, young Black men, that were African American men, that were, one of them was the son of a minister, I don't think he'd ever been in any trouble before. Another one, Williams, had been in some—had had some problems. And in fact, had had an outstanding warrant in Williamson County and I wished to God that those people had taken him in on that outstanding warrant that I think was on family abuse, domestic abuse. If they had taken him in, you know what if? But the fact that we had taken a certain position I think helped ease a lot of the community tensions that, had it been a different case, I think people might have gone after the D.A. politically, to force him into—not that you could force our D.A. into anything. He was quite his own man, but to maybe have some impact on forcing him and asking for capital punishment. And I think that now that I'm sitting here thinking, which Juan says is always dangerous, don't think if you can help it. But perhaps I think that if we had been very angry and if we had kind of asked, would've been granted perhaps, I don't know. And that's something that victim families do have a great responsibility there. Because I think depending on your stance you might foment or promote vigilante stance in the community or position in the community. And I'm sure that this happens a lot in death penalty cases—where the families are so enraged that the rest of the community then becomes enraged. And it's always for the D.A.—there are many, many factors in these cases involving the death penalty, because for the D.A., it's always a political gamble. Nobody really thinks about that too much, that the D.A. is an elected position and that they've got to look to the next election and that the position that they take on cases like this could be damaging to them one way or the other. But I think in the Texas environment, probably had we wanted the death penalty and had he not pursued it, I think it would have been very politically damaging than our not wanting it, our being very public about it. Then ultimately

on the final day, the other family not wanting it, then, I think maybe the D.A. factored in that this case would not hurt him politically if he decided not to go for it. In the case of Delia Meyer's brother, they went for it right away. I mean they went for it right away, so you never know. It's just one of these cases where somebody's life is put up for the lottery almost. I mean, you know it's put out there and you know there's race considerations, class considerations, political considerations, it's all just very politically charged environment. It's a horrible thing to have something like somebody's life being in that environment. The other—I was going to talk about something else that— so we had a whole year, we spoke about this right away with the D.A. We made it very clear to the D.A. and the D.A. is somebody we knew very, very well. We knew Ronnie Earle very well.

SOLIS: Just for the record, it's Ronnie Earle.

MARTA COTERA: Ronnie Earle. We know Ronnie Earle very well. We know his two children very well, because we're very active politically locally, so we let him know how we felt from the very beginning. And he was very upfront with us from the very beginning and said, "Well, ultimately I make the decision." He was very clear on that, on that issue. So all year long we followed the legal process more or less and we didn't really know, never knew until the last day, the day before the day of the sentencing, I guess. I guess it was that day around eleven that we were in his office and then we were going off to the court. And we already knew that the prosecutors and defense attorneys had reached the conclusion that the boys decided to plead guilty, which means there is not going to be a trial, which was really just wonderful. I mean it would have been a circus. There was not going to be a trial; there would be pleading before the judge. I don't know if the sentencing occurred on the same day, but we knew what the sentencing was going to be. It was, as far as I'm concerned, slightly better than the death penalty because it's two concurrent, not concurrent, consecutive sentences of forty years each. That's eighty years in prison. So anyway, that morning we were at the D.A.'s office, and we had the family from Houston. Kathy and Brewster Shaw decided not to come down; it was very, very hard for Kathy. I think her mother had just died and so they decided not to come down and we were at Ronnie's office and we got them on the phone and that's when we learned their final, final decision. So we get them on the phone and they say they do not want to ask for the death penalty. But we have a whole year where—and I'm thinking when you have just a year and you suffer the trauma of that year if you feel very strongly about you don't want any more deaths and you suffer the trauma that whole year of just waiting was so traumatic and so painful. And up to that moment, I almost felt like I had been holding my breath for a whole year. 'Till that moment where they said, "No, we decided not to ask for the death penalty," that's when we were finally free and we said, "Okay" then we can continue on with our lives as best as we can. So then Ronnie says that he's not going to ask, and it was after we heard that. So up until then, we didn't really know, because he could have still asked even if they if they had said, "No," too. If they had said, "Yes," they wanted to, I mean we would have had to go along. I mean it's like no less their loss than ours. I mean, I think we would have had to go along. I don't think we would have opposed them 'cause we had seen them many times during the year. I mean, we knew their son was twenty. Our son was twenty-five. I guess the only consolation we had in their deaths, both of us, was at least they were with somebody else. I mean each of them had somebody else to be with and they were not alone. And that's a consolation we had so we had to honor their wishes, we felt. We would have felt extremely responsible, anyway. I mean like I said, it's one of these things that you can't avoid. You have to feel responsible for every death that occurs in that chamber—everybody, because we're all in it together. But we would have honored their wishes. Juan and I had talked about that. So we go to court, and victims can speak out and we know that the sentence is going to be eighty years behind bars, and it's just so useless. But a lot of people asked point-blank what was one of the big reasons that you wouldn't ask? And a lot of victims' families talk about this, a lot of them, and they just simply say well there is your religious value, there are your religious values that have a very important impact on this, and your personal values. But there is also your

own emotional kind of values that come into play and that is that it is such a devastating loss and I think any time you lose a family member, whether it be mother, father, nephews, sons, daughters to murder, to someone's willful taking their lives away, it is so devastating, it is very hurtful. But you've suffered so much pain that the thought of inflicting the same pain on somebody else is almost unbearable. It's beyond state killing; it's beyond moral questions. It's just your level—I think it's your level of empathy and compassion. And the thought that you would willfully inflict the kind of pain that you have to go through for the rest of your life on another human being, it would make you inhuman. And that's what I don't understand sometimes: how can people that are in so much pain, so willingly say, "Well, kill them." It's a little bit like when Solomon is faced with—the two women are faced with both claiming the same child. Then one of them says "Oh yeah, sure the cut the child in half." I mean obviously that person was not the child's mother because the child's mother says, "No, wait a minute, wait a minute, let her have the child." It's kind of the same feeling. You don't want that pain, somebody else to go through that pain. You just don't. You just don't. I mean forget about having the deaths on your conscience, forget about everything. You just can't imagine you're willingly, willingly put that pain on another family, regardless of what you might think of the children or the family. I was very angry with the family and I did speak up in court, and I said that I felt that people that raise people like that should not be allowed in civilized society, that they should be sent away somewhere to raise their kids away from animals as well, because animals can be endangered by mean human beings. But nevertheless, I don't want them killed. Regardless of whether they're raising their kids out there in the woods where we never have to come in contact with them, I still don't want these parents to suffer the pain that I suffered. I just wish they weren't in civilized society with us, but I don't want them to suffer. I mean I don't want them to suffer. You'd have to be very mean to want somebody to suffer the way you've suffered. Not for one minute, I don't care what those kids have done. And a lot of family members say it's not going to bring the person you love back. You can inflict all the suffering you want on other people. You can kill them. It's not going to make a difference. So why damage your soul, blemish on your soul for that, taking that extra step?

The other thing that— why I think why we wouldn't have gone through that, we didn't want to go through that is, too, because if the D.A. had imposed the death penalty, what happens, especially when people oppose the death penalty, then you have to practically for the rest of the life of that person on death row follow the case, be committed to the case, and you're just as involved as the other family is and maybe more so because the other family may or may not care. I'm talking about the family of the kids facing the death penalty, but I know that in the organization, Murder Victims' Families for Reconciliation, that the families follow the appeals processes. They follow every single hearing that is held. They are there every day and honest to goodness, I don't know how you can do that. I mean, I had to go two times last week to talk on this issue to the legislature and I was a basket case. That would forever and ever and ever enslave you to that process. And again, I think that's very unjust to put victim families in that situation. And I'm talking about—I think it's unjust for the victim families, I think it's unjust, too, for the families of the people on death row. Because I was talking to my friend, Delia Meyer, on Thursday after the hearing and she said, "It's so sad since my brother's been on death row, my kids have really missed me. I haven't had chance to really be a mother to them. I have been so involved with this for so many years now," and it would have happened to us, too. And when I think of the things that we've been able to do in the last ten years, and continuing our lives as working on various issues and political campaigns and stuff, and I think to tell you the truth, it would have been a loss. Plus, both of us, both families, I mean we had children that were very involved. My son was very involved in politics. He was involved in Kirk Watson's campaign, he was involved in a lot of campaigns throughout his life and was very interested in doing political activism. And I honestly felt like, instead of retiring and letting him move forward, we've had to continue to be very active. I mean he would have been kind of like, we push him out there to work on campaigns and then we take a little vacation. Since that happened, we haven't been able to do

that. Since he's gone. But had we been caught up with nothing but advocacy, because the boys were on death row, it would have been a different thing altogether. And to me, that's so unproductive and it just doesn't make any sense. And then they might postpone the deaths for a while and it's so painful. And to me, you're putting the murdered victim families in a very bad situation. I mean, in a very hurtful, painful, nonproductive situation. That just doesn't make sense all around. Well, if you want to know the truth, I'd like to abolish prisons. I would love to figure out a way that people could do productive work the rest of their lives instead of being a drag on their families because the families have to continue to provide financial support while they're in the prisons. These are generally poor families to begin with, low-income families, and to have this on them— that's going to be our next battle as a civilized community is doing something about prisons. But right now, if we could just do away with this. What Juan and I did, we started working with a group of people, like Walter Long, that put us in touch with networks of people working against the death penalty for juveniles. And we did a lot of advocacy at the national level. So we were doing state and we were doing advocacy with other states that were trying to get the Supreme Court decision made, cases that were going up before the Supreme Court. And when that was finally done, I think it was three years ago, two or three years ago, then that was abolished by the Supreme Court, thank goodness. So then we moved our efforts as Walter did also, into working on abolition of the death penalty for adults. That's when we moved over to work with Bob¹ and to continue working with Walter and to continue our work with Murder Victims' Families for Reconciliation. Now, just this year in 2009, there has been a local chapter of Murder Victims' Families for Reconciliation established here in Austin. I think it's just recently established because I've started getting emails from them from the local chapter. Now we try to go— it's interesting because we try, I think we tried one meeting and so did the Shaws, of Parents of Murdered Children support group, and the Shaws did too, and they did not like it. Because what happens with these groups, of course, is that you have various positions, so that a lot of people in these groups and these support groups are at a different place than yourself. They're in very angry— they're very, very angry and they're very, very frustrated. At least we're only frustrated, not angry, but they're very, very angry and they can't see beyond that to anything positive. And, they're very vindictive and whatever and we opted to work with this other group that reached out to us very early, the Murder Victims' Families for Reconciliation. And they sat down with us and really were very, very influential the very first year. And we also had a chance to have a sit down meeting with Helen Prejean, Sister Prejean, that was working on all of the advocacy for abolition of the death penalty. Everybody has their niche, and for us it was just really wonderful to work proactively and to not be angry, to take a more positive direction. It's not that you don't get angry at the situation or you don't rack your brain trying to think of “what ifs.” That's always going to happen, but it's just not very productive to be angry at the people that did it, for some reason. And in our case, one of the reasons that my husband expressed very well to the media was the difference with youth. The fact that there are, and this just puts you in the column of bleeding heart liberal, and this is the kind of mail we got a lot and the kind of letters that came out in the paper. If you're in a position where you say, like Juan did, “We haven't solved an environment that is very unjust and very closed to minority youth,” especially minority youth in certain income brackets, certain incomes. So why are we surprised when we deprive them of humanity, when we deprive them of individual privilege, when we deprive them of opportunities, when we deprive them of this? Then we are surprised when they turn around and do something like this. Well we shouldn't be surprised. This is a product of our own making because we are such an imbalanced social system; it's so unequal. People don't understand that, they just think, “Oh, man here we go again, bleeding heart liberal.” And you know, the image of bleeding heart is also so hurtful to us because [el sagrado corazón de Jesús] is an image of the Catholic Church and that's the sacred heart of Jesus and Jesus is there depicted with a bleeding

¹ Bob Van Steenburg is the president of the Texas Coalition for the Abolition of the Death Penalty (TCADP).

heart. I hope that's not what they mean, but that's what comes to my mind when they accuse you of being a "bleeding heart liberal." And I say, "Okay, if you're saying, okay you're like Jesus Christ. Okay, I'll accept that as a compliment." Only they don't mean it as a compliment. They mean it as whatever. I don't even understand their meaning. But when you join support groups, you're going to come across people that are very angry. I also tried because we established an organization at UT that would look into youth violence, and it didn't go anywhere because the sociology department there, they've got some people that are not—that I think are not activists and that are not actively also working on issues of criminal justice. What they're working on issues of criminal justice is to train more professionals to keep minorities in check and to keep poor people in check. They're not working to solve the problem. So when we started looking—because our son, Juan, was extremely involved on issues of youth and violence. Can you imagine that? That's just the most amazing thing. And he was involved as a board member and he was one of the hardest working board members of the Millennium Center in Central East Austin. And that was a center that was funded to help turn minority youth in a positive direction, to get them a positive recreation venue, recreational venue and away from violence, to provide a place for them. So he was very much involved with that. So I thought—well and here's an instance where we felt like we needed to pick up the mantle. So, I started going to—well first of all, a friend of mine, Susan Roberts, and I started doing a lot of research on youth violence, and we wanted to set up a clearing house on youth violence prevention and maybe it will still happen at Southwest Key. I'm hoping we can still establish a clearinghouse for information. There were several directions that we wanted to take in relation to prevention of youth violence because I think if you can prevent youth violence that's going to go a long way toward cutting down on offenses of adults, of course. Like we did at the Mexican American Cultural Center: it is an arts incubator, a very positive direction for kids in the cultural arts and all of that. And hopefully as an arts incubator, they will become participants in the arts as adults because they learned to appreciate the fine arts, cultural arts, as a youth.

So, we're thinking that if we can figure out ways, and I haven't given up on that yet, but if we can figure out ways of preventing violence in children and youth through health assessments when they're born, because when you read the literature you find out that a lot of people are born with certain parts of their brain disconnected. Neurons actually disconnected. And those parts that are empathy, compassion, whatever, they're simply disconnected, that there are strategies that can be taken at birth to neurologically to help these children connect up their little wires. Okay? In Hawaii, it is my understanding that—when we were doing the research back then, ten years ago, Hawaii was the only state that provides holistic assessment of children at birth that can catch these things, because a lot of violence is produced by biology, biological medical factors and some of it, if you read the literature on emotional intelligence, some of it can be taught. Violence prevention can be taught by working with children on their socialization skills, on their emotional intelligence development, which means their affective development as opposed to just cognitive development, okay? Unfortunately, instead of getting better, things are getting worse because through the new educational legislation, No Child Left Behind, the focus on cognitive development is almost one hundred percent to the detriment of affective development, your affective development is what develops your empathy, compassion, socialization, everything that is emotional intelligence is not being developed children. So instead of getting better things might be getting worse, actually. These are issues we were looking at. We were also, with this friend Susan Roberts and I, we were also working on early childhood development. Oh, we did a lot of work and we studied the work that Juan, our son, had studied at the Comptroller's assessment program. And they have developed some beautiful studies on the impact of early childhood development, on issues like early socialization of children, cutting back on violence, etcetera, etcetera, etcetera. And of course we took it to the state, and of course the committees would say, "Are you crazy? Texas wants a surplus. They don't want to spend money on kids and education, cutting back on violence. We'll just lock 'em up." So, we didn't get very far. We did a lot of work for about two years. We wanted to establish a violence prevention clearinghouse.

And of all the projects, probably— well two things have happened. In early childhood education, there is an organization called Raise Your Hand that is headed by the owners of H.E.B. and other corporates that are working on statewide early childhood education that will really help in socializing kids and giving them a head start, because it's not just preschool but early childhood education. They're working on it. So that has some possibilities and these are smart people that recognize that affective education along with cognitive education is going to be very important in cutting back on violence. So that's happening. The clearinghouse concept, we hope, I hope that someday soon when I retire I can go back and maybe that's something that we can set up at Southwest Key. Southwest Key's focus has been on youth that are enabled to finish school or to not get behind in school and go into alternative schools rather than juvenile halls where they just become pre-adult offenders. And so I'm very interested in going back to the clearinghouse concept and providing information on violence prevention to children, young teens, and families, so that might still be. We set up a violence prevention institute at UT which got absolutely nowhere because, as I mentioned before, training people to enter the criminal justice career is what all these criminal justice programs do at universities, and I'm talking UT, I'm talking ACC, I'm talking St. Edward's. They are not at all about prevention, not at all, and they're not interested in prevention. Prevention is hard, hard work. This other is low-hanging fruit. And they can get graduates, it's easy to train and out they are. So there, I get very frustrated that everybody's increasing, preparing for more than two million people in prison. And now we have I think one out of every thirty-three people in, or one out of fifty in we're heading toward one out of every thirty-three or we may already be at one out of every thirty-three. But anyway, so that's all that was going on. Juan will probably be able to talk more about our efforts in doing that because he was very hopeful and then he was very disappointed at what was said there, but basically the one very important issue that was said there at that institute, and that brought people from all over the world— and we had an actual meeting, and what was said there is “that we know what the predictors are and we know what the strategies are but nobody has the political will to do it, to prevent violence. But we know this, this, this, this, this, we know six predictors, six ways, six situations that exist that tell you this kid is heading in that direction.” And Brandon's mother, Brandon Shaw's mother Kathy, had been a school psychologist in Houston and she knew and she wrote a beautiful letter to the governor. She knew that— she said in her letter, "I know these boys. I don't know these particular boys but I dealt with these children every day and every day I cringed, every day I prayed that they would not go out and do the kind of thing that they did to my son, because I know darn well that they were heading in that direction." And so she saw it coming. I saw it coming. I would lecture my history classes at ACC just saying, "You know we've got a cancer in this city and in every community in this country, but we refuse to think that we have a cancer in our vital organs and we're in denial about it spreading." But it does spread, and it does touch you, and it does affect you, and that cancer is a cancer of bad education, poverty, and lack of opportunities. If you're not the right color and you don't have the right looks, what chances do you have in this world? And if you see the photos of these two youth, what chances do these two youth, sixteen and seventeen, have of getting a job at Chuy's Restaurant where they can get nice tips like nice, cute, white girls do that go through law school? Or, at Jeffery's or at Kerbey Lane, or at— When is the last time that any of us have seen a Black youth waiting on tables at any of the restaurants we deal with? The first time I went to Hoover's and I saw a Black waiter, I almost dropped my teeth because when we came to Austin in '63 you saw Black wait people and waitpersons then at least, believe it or not, that's a way a lot of people worked their way through college. But in Austin, in liberal Austin, when is the last time you saw a Black waiter? When my son went to apply, which I was totally against that because we both had businesses, we hired him but he didn't want to work with us in family businesses, he went to apply at Piñata for a wait job, and he's Mexican American, good-looking boy, and they put him in the kitchen. Okay, they wouldn't give him wait job when there was an opening. So they don't hire Mexican-American boys and girls. They're not going to hire African-Americans. And if you don't have any opportunities in your community, you have a cancer waiting to strike you at any moment. We are the victims of a course of our own making because we don't provide these

opportunities. And because a community is colorblind and I mean color blind in the wrong possible sense of the word: they don't see color, they don't notice the lack or absence of color. They don't notice that in their restaurants they don't have any minority wait people, for example, that could be getting these opportunities. But anyway, so I started— another thing that I did, is I started looking at the networks of non-profits that were working on youth delinquency prevention— "supposedly" violence prevention. I went to a couple of meetings and some of them are headed by a couple of well-respected people or they have nice people that get a lot of money for their non-profits and for their think tanks and for their projects. And so I went to a couple of meetings, and I realized that they don't want to solve the problem. If they solve the problem, they don't have jobs. They don't want to get real jobs. They want— we are clients, and being in the client category, a consumer category for these projects, we are doomed to forever have these situations because these people are not interested in resolving that problem. And I just didn't see any solution there with all those think tanks at non-profits. I didn't see any will in there to solve these problems. These people don't live on the East side. There are no minority people. I think I saw a couple of Black people possibly working with some of these projects, but they are not interested in solving the problem. They'd be out of jobs. They'd have to find something else to do. And even the bigger organizations that work on this like Urban League that tries to work on this, Southwest Key, they don't belong to those networks. They're out there really working to at least make it better so they can stand the tide to some degree by taking the best cases of the children that might end up in juvenile hall and turning some of these lives around. So, I see another possibility that might help. Of course, I think the cultural arts centers, the cultural arts organizations, recreational organizations are very important to preventing violence and those are in place. Like we just got a multi-million dollar Mexican-American multicultural center built, that's working a lot. Unfortunately, I think a lot of those efforts are more utilized by the middle class, the minority middle class then they are by the children really need that help. And I think these children that really need this help— probably you have organizations like Southwest Key and Urban League working work more directly with them than a lot of the— and whatever extra resources they can provide through their institutions are more directly accessed by these families than the MACC² or the Carver³ or that even perhaps some of the rec centers. I don't know I haven't looked at them. But it would be really interesting to do an assessment, if one could be done, of which organizations that are working on violence prevention or pre-delinquent children, if you could have that term, or potentially children heading in that direction are the most effective, that are working with the graduates community. Not necessarily with the middle-class community, but with the grassroots community. Another thing that I think is going to be very helpful will be the charter schools, the successful charter schools in the geographic communities affected by the teen violence. And I think the charter schools will be because they're in the geographic community and not accessible to the middle class only. I think these are probably going to be important in arresting the spread of youth violence. I'm very supportive of that effort. In fact, I'm on the Southwest Key school board that's doing a charter middle school and middle school. Middle years are really important. So I see some efforts happening along this, along these lines but in the meantime, we've got to continue to work against the death penalty. Period. I mean we just have to. It's just ridiculous. It's not a deterrent. Everybody knows it's not. Why do people support it? I don't understand.

[end of transcript]

² Mexican American Cultural Center (in Austin).

³ Carver Library is part of the Austin Public Library system