



The Fancy Broccoli Show

Prison Talk & Jazz
A voice for some of the voiceless

on independent radio
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06 May 2007 Interview with Sonny Rudert. Sonny was incarcerated for 23 years. He earned two masters degrees while behind bars, and became politically active.

J: So it's time for our interview. We'll tell you first that the opinions expressed today are those of the Fancy Broccoli Show and it's guests and do not necessarily reflect the opinions of the station management or the college administration.

My guest today is Sonny Rudert. Many of the listeners will know his name and possibly even his face, because...

SR: Surely both.

J: Hi Sonny.

SR: Hi, how are you, Julie?

J: Good. So Sonny was incarcerated for 23 years and he got out seven months ago.

SR: Right.

J: And currently has a job and an upcoming new job in the works...

SR: Yes, yes.

J: Well, let's start off, Sonny, with your background – how you ended up in prison and how you ended up out of prison.

SR: Ok, well, before I even do that, I want to say, Julie, it's a real honor and privilege to be here and to represent all my brothers on the inside, and I hope I do that well. For a long time I listened to this show, sat in Otisville and imagined what this studio might look like and some things are pretty close to the mark, some things are a bit different, but I'm just really excited to be here.

J: Welcome.

SR: You wanted me to start with my personal story then?

J: Yeah, yeah.

SR: Well, basically I was involved in a drug lifestyle to put it bluntly: full-time addict, full-time criminal. I had been in and out of prison, in and out of jail, in and out of rehabs before. I was really kind of bumping along life's path. And during the process of what was really a pretty routine activity to me I went with some other fellows to stick up a drug dealer in 1983, and up until that point nobody had ever gotten hurt, let alone killed. The unforeseen happened on what was supposed to be an easy, in-and-out thing. It turned complicated, it turned into a rumble, and a ruckus broke out. A man was shot and killed. I subsequently wound up convicted for that, and I served the time for that. That's what I went to prison for.

J: So what was...you said it was the unforeseen. You'd been happily pursuing a criminal lifestyle. What happened for you when you found yourself behind bars for the long bid?

SR: Well, you know, initially I was looking at the up-side of 20 years to life. For anybody who's in that unfortunate circumstance, they can probably relate to what I'm saying right now. You know, you really don't see the end of the highway. What I realized early on was that life was relinquishing controls for me – you know, life made that decision. I wasn't going to be a participant in a whole lot of things on the outside and I kind of...I embedded myself further into the prison culture and just made this day-to-day life my only reality because I realized that if I really thought too far outside those walls, it would lead to psychological difficulties. I really had to further confine myself. so I think the initial recipe for successfully doing a bid like that...at the end you have to recondition yourself for possibilities that didn't exist for quite a long time. That's my experience.

J: Meaning the possibility that you're in for life?

SR: Yeah. Well, that and also the possibility that you're not (laughs). As in the case with me making my second parole board in the height of the Pataki years...it's nothing short of miraculous in some people's eyes.

J: Now while you were inside, eventually you turned to education. You started going back to school. How did that happen?

SR: Well, you know what? So many other things in my life kind of happened for the wrong reasons...I found myself in Attica and I wanted to get over to where a group of my friends were, and they said, "Sonny, if you sign up for these college courses you'll get moved to C block and we're all over here hanging out." So I made the move to get over there. And what happened was the education bug bit me. I wound up going into the courses and actually liking the stuff. Before hand, I had been a classic underachiever, an intelligent kid who never really applied himself. And now I wound up looking at the upside of this 20 to life and all bets were off at this point, and here I was faced again with this proposition of a classroom setting learning things. And I said, let's see what happens if I apply myself. And what happened was that I actually developed some talents. I found out that I could write, you know...and as important as the academic subjects, I think, was that nurturing that the volunteers, the staff, the professors that came in here to a correctional facility, a prison, Attica, which at that time was pretty much the bottom of the pit of inhumanity in terms of what it was like...And I was experiencing my own humanity in these classrooms, right there. Suddenly my opinions mattered, what I thought about things, and it just became contagious.

J: Did you find that, as you started getting educated, that your friends who weren't following that path...did you grow apart from them, or did it cause trouble for you in any way?

SR: Not really. It never caused too much trouble for me. As you can see, I'm a pretty big guy, I've always been able to handle myself. I think I've always...my personality is kind of big too, and the things that excite me, that are good in my life, I've always tried to pass them on. In fact, that's what I found out, it's kind of like a chain: as I was being mentored, I was mentoring others. And I brought some guys along with me for this trip and they wound up doing well, and others drifted. But they did other positive things. Really, it has to be said: the books are not for everyone. There are some very, very good, positive people that might not excel in academics, but they're still very good people and they changed their lives in prison.

J: So you mentioned mentors. Who were your mentors when you were first starting?

SR: Hmm. Well, actually, the first person that comes to mind was a volunteer named Kathy Boone. She was an English teacher and she liked my writing and took a personal interest in helping me develop it. And I guess over the course of that relationship structured around English and writing and everything, she... When you're doing that kind of work, you're also getting a taste of people's analyses and their world view and everything else because you're writing *about* things, so I think she helped me really shape my perspective on things, which was changing at this time.

J: In what way?

SR: I started to see myself as part of a larger human family, of a larger community. I think when you lead a criminal lifestyle, especially on drugs and everything like that, it's a very isolated thing, it's a day-to-day schedule. You're not really thinking ahead or anything, you're just coming up with money and getting drugs and going on like that. Things are happening to you, you don't see yourself as being a responsible participant. And what I started to realize was that I had a say in my fate, to say the least. I had some control. I could develop where I was going in general – if not physically, at least spiritually and intellectually.

J: So you mentioned the one English teacher. Were there also other incarcerated folks who were educated and who you could take on as role models?

SR: Oh, there were definitely guys that I met along the path. Definitely. I'll try to... Jerry Balone. Jerry Balone is a tremendously positive person. (talking to George in the studio) Um, George. I don't know if I'm supposed to talk on the side like that...

Julie: That's fine.

SR: But he's here in the studio and I can't front.

J: George nods, "Yes." (laughs)

SR: You know, he was a guy that... it just seemed to me he could always focus on something and share that focus with others. I think when I started getting active about social justice issues... he may not know that he was a mentor to me, but he was, because I think I appropriated some of his style. Just his look... you know, it's like anything else in life. You're trying on hats and you look to see who's wearing it well, and you say, "Ok, let me try to put that on," and you kind of do things the way they do things until you develop your own methodology.

J: So how did you... tell me about starting to get socially active and politically active while inside.

SR: Well, Jerry was the first one who told me about this outfit called CPR. We were in Elmira at the time...

J: Coalition for Parole Restoration.

SR: Correct. Yes. And I thought, well, wow, this is an interesting name, based on the uphill battle at the time. This was around 1999, we were having this discussion. This was at the height of what was then going to predictably be a big problem. (talks to George) Ok, I see George making hand signals over there...

J: (laughs)

SR: I don't know if I hit a wrong button or something. All right. (laughs)

J: So you heard about CPR back in '99, which is when they were getting started.

SR: Yeah. I wrote them a letter and they sent me a postcard back and everything. I realized for the first time that there were other people, especially people on the outside, that had good will and that were concerned about some of the injustices that were associated with parole practices. And I found that inspirational.

J: So you'd already been inside for over 15 years...

SR: Right.

J: ...when you first realized that.

SR: Yeah, well it's funny. I wasn't enormously politically active at first. People who know me today probably wonder what I was doing but I really was into the academic thing and I was working on myself a lot. I found myself in transition too and anybody that's ever done that, especially given the circumstances, knows that it can be pretty consuming. I just started hearing horror stories about circumstances where people didn't seem to be getting a fair shake, and it wasn't something foreign to me. I knew that I could possibly be on that list too, so I had a self-interest in it. It wasn't just this great altruistic impulse. But I did have that impulse also. I did start caring about others as well as myself.

J: And how did you start working with that?

SR: You mean, what proactive steps did I...

J: Yeah.

SR: I started writing. I started making a mental checklist of what things I did well that seemed to get my point across, and, increasingly, it always seemed to be writing. It seemed that my writing was getting the most attention. I was able to focus in on issues and disseminate, get the word out, mail it to people. When I started getting feedback that I was writing about things that a lot of people hadn't seen articulated that way before, just kind of laid down in a pretty straightforward format, and that some people on the outside were actually shocked to learn some of these things, then I felt like I had a real mission. Part of my mission would be to shed light on things that were going on in the dark. That's what I felt my writing was, and is, to a large extent.

J: This is a speculative question, but do you think you ever would have come to discover your writing talent had it not been for your prison experience?

SR: (laughs) You're right about that, it is very speculative. You know, I try not to think about "what ifs" and "could've" because to me it's always been an unproductive path. But let's take it just for argument's sake. I don't know that I ever would've gotten as far as I have in life without this jarring experience because I think the course that I was on was so negative that nothing good was going to come of it. And you know what? This has helped me formulate part of my political view, too, because I've never stated anywhere that there isn't a time for prison in some people's lives. In my life, there was definitely a time. I needed to pay a price. I'm still tremendously remorseful for the loss of life I'm responsible for and I work that through day to day. But what should be equally apparent is that there's also a time not for prison, and I think that's the thing people get twisted. Things don't just happen in this vacuum, this realm where you do an act and you're defined by that for all time, like this timeless thing...you're that act, that person, that time. People grow and change. Who's the same person today that they were ten years ago? 15 years ago? 20 years ago? And that's the stuff that gets me excited, when I know guys with more than 30 years in prison who've clearly changed their lives and they're not getting that recognition. So that touches me. And I want to write about it so it will touch others as well.

J: Are you writing now?

SR: Not as much as I'd like to. I'm busy with things, but I'm definitely doing what I do before I get written stuff out which is I accumulate a lot of notes. They wind up stacked up on envelopes and everything like that. And then out of that I'll put together some more. I do writing with the Prison Activist network. I wind up writing things for

Building Bridges newsletter with Judith Brink, and that's been my primary vehicle right now.

J: So you had the fortunate experience of being able to get educated while in prison and people today don't have that opportunity beyond the GED for the most part.

SR: And, you know...well, may I comment on that?

J: (laughs) Yes, please.

SR: Ok.

J: I'd like you to comment on that.

SR: You know, that's a tremendous irony. I think with this last political administration, the Pataki administration, we've seen this pseudo-call to public safety, but if you don't look at the social science data, and you wind up doing things that counter-indicate public safety, then how concerned are you really about the public? And the fact of the matter is this: every study from every state, crunching the numbers all different ways, has found a direct inverse relationship between recidivism rates and levels of post-incarceration education, which means simply that as education goes up, the recidivism rate goes down correspondingly. So no matter how you look at it, the more education a person has, the less likely he is to go back into prison, which means he's not doing an act that's going to be harmful to society. Now if you're really trying to make this safe society and you really care about public safety, why wouldn't you encourage education in prison? Why wouldn't you be doing everything possible, especially if you're going to call it the Department of Corrections? Otherwise, change the name to the Department of Warehousing and come up with these other ideas. Just keep people locked up.

Let me comment on that too. Because one of the best scenarios I got on that was from my friend, Bobby Remmy (laughs), whose contact called in before the show, as a matter of fact, and I hope he's listening right now. Because we had a conversation and he was talking to a friend of his on the phone who had this real hard-line approach, you know? "Listen, I know you guys, I know you, Bobby, but all this education for prisoners and everything, this is a bunch of crap. We don't need this. You guys should do your time, do *hard* time. When you finish it, do as much time as possible, and when you come out..." Bobby said, "Ok, fine, you feel that way, but now I'll take a guy who has been nurtured, who's been helped with the transition, gets educated, we'll take that guy and we'll take a guy with your program and you tell me who you want living next door to you when he comes out of prison. A guy who's gotten bitter and who's gotten no help with anything or a guy who's been nurtured to some extent." And, you know, the next time he called back up, he apologized and said, "You know, I hadn't really thought this through." And I think that's the problem with a lot of these issues and topics. People go for bumper stickers and slogans and sound bites, but they don't really give it a critical analysis. They don't think it through to the next degree. What's the implications of these policies?

J: Are you hoping for some kind of work in social services now that you're out? So that you can continue with...

SR: Absolutely, yeah. What I have lined up...I have a start date for another, um, adventure (laughs), and this is with an outfit that's combating homelessness and AIDS. They have a COBRA program which addresses the AIDS aftercare, AIDS/HIV aftercare, and a home location program also. So I'm really excited to be doing this, because these are folks that need the most help and I've always been a networking type of person capable of giving help. And this is something I'm passionate about.

J: Great. Did you have any trouble getting the job because of your background?

SR: Yeah. Yeah, I've had trouble in the employment market, more so than I had expected, because...I mean, I knew that two master's degrees wasn't going to just make doors fly open for me because I also have 23 years in prison to account for too, so they kind of counter-balance, but in the social industry, if you want to call it that, in the counseling fields, there's a lot of people with incarceration in their history. And I thought that doors would open up a little bit more. But I see that there's a little bit of a backlash. George and I were talking before the show, and Amy, and he encountered some similar things too. One thing was I got out very far along the road with one outfit that had basically shook my hand and welcomed me on-board and then I got this nasty turn-down because of a background check and in the background check was a copy of my DOCS record for the sentence that I served the time for which I walked in the door with when I began the interviewing process. So I was pretty disgruntled about that whole thing, which was a tremendous disappointment. It was a big waste of time. But things don't just open up. You really have to do some work – a little more than I imagined.

J: Are you continuing your involvement in prison issues? Are you keeping up with CPR? You said you were working with Judith Brink.

SR: Yeah. Judith Brink is with PAN, Prison Action Network. I rubbed shoulders with a lot of the folks at CPR, Coalition for Parole Restoration. I haven't really gotten heavily involved with them but there's a nexus between our goals, we try to work together, and that's one of the things I hope to try and facilitate. There's a lot of groups out here and we all kind of want the same thing – we're trying to eliminate some of that double-work and some of that working in the blind, trying to get on each other's rolodex so we can call up and say, "Hey, what're you doing? We're doing this." Because I think it takes a lot of people working together to make positive things happen.

J: Are you able to work differently now that you're out? I imagine that communicating with people is easier...

SR: Oh, yeah! Tremendous resources. This is the experience of the 21st century. I joke with friends, I feel like they've taken me out of a cave and put me into the 21st century. I went from nothing to the internet and cell phones and laptops, and the technology, the capability, is just amazing.

J: Have you gotten comfortable with it?

SR: Um, to some extent. Somebody close to me is laughing over here.

J: (laughing) She's just smiling.

SR: She watches me struggle with some of this technology.

J: Well, you're not the only one struggling. People who have seen it all develop hands-on are struggling with it. But yeah, it's a pretty powerful way of keeping in contact.

SR: Absolutely.

J: You were instrumental in organizing the Family Empowerment Day, the first one two years ago, while you were inside. What was that like, to be inside and organizing this event and seeing it come to fruition? Can you talk about that?

SR: It was tremendously exciting. It had the aspects of both creation and letting go. We realized that putting this thing together from the inside, it was conceptually our thing, but that was going to change when we turned it over to the people on the outside. We realized that...I don't know, it's like watching a kid grow up or something like that, you know what I mean? Nice little boy at one point and all of a sudden he's driving a car. It was really exciting. I don't have a beef with any of the directions that it was taken because it was never really "ours" per se. I don't take ownership, there's no ego

fulfillment in these kind of things. I'm just glad that we were able to light a spark that's grown into a fire, and I hope it really spreads. We're working on a think-tank right now for number three and I have a couple of conceptual ideas about this. Our major goal for the first one was just to meet and greet. We've got a lot of people from diverse backgrounds. Unfortunately, I think I've said this before, New York state is a community of fences rather than gates. We're all in our own little enclaves. We're divided by ethnicity, by race, by income, by every imaginable means, and yet we're all together in the same boat and we're facing powerful opposition that isn't divided, this prison industrial complex. So the first one was a meet and greet type of thing, and the numbers weren't too great but they were ok, people were showing up. The second one...

J: You were actually there, in person, for the second one?

SR: The second one, I was there, and more importantly Will Thomas, who took seven hits before he came home, seven deuces, so he did quite a long time, he had just come home, I had come home...so our being there, I think the theme of that one was kind of...and also *Graziano v. Pataki*, that suit had been filed and had gotten past the first hurdle, and Peter Sell and Robert Isseks were there also...so if I was to label what that one was all about conceptually, I think it was hope. I think people were seeing hope, there was a time for hope. The fight was growing stronger, some people were getting out and we were giving back to the community, like George Oliveras has, and Amy, and others too...but here was a visible thing, two of us that were involved in putting together the first one being out for the second one. So yeah, I think it was kind of inspirational. This one, if it's going to be a conceptual thing, I want it to be "make some noise." Honestly, I really do. I think the time has come to hold people accountable. That's what our doing time was all about: we were accountable for our misdeeds. We believed that this next administration was going to take a turn towards intelligent criminological policy, including intelligent parole policy, and up till now a lot of us feel that haven't seen that happen. We're starting to see glimpses of it, and I'm hopeful that we'll be seeing some more, but in the meantime I don't think we should take a position to just sit back and wait. I think if you're going to do the right thing you have to begin doing the right thing right away. Because it affects lives.

J: My guest is Sonny Rudert. He's been out of prison for seven months and he's got a big personality. (laughs)

SR: (laughs) Well I'm a big guy.

J: We're going to take a short musical break and then we'll be back to talk a little more with Sonny.

MUSICAL BREAK

J: All right, that was Steve Turre from his album "The Spirit's Up Above," and the tune was "Three for the Festival." We're speaking today with Sonny Rudert. He was incarcerated for 23 years, he got out less than a year ago. While inside, he earned two master's degrees and got politically motivated. So...

SR: That's a pretty tight synopsis. (laughs)

J: (laughs) Well, expand on it! Go on.

SR: Well, the master's degrees, they helped, certainly...and they made me "notable," I guess, credible, whatever, but I'm still the same guy. I think what it is is that on the road to getting those master's degrees, along the journey, the path, the process, at least with me, is what *inspired* me to get politically motivated. The first one was from SUNY New Paltz and that was in sociology, and the second one was in urban ministry from the New York Theological Seminary. What we're talking about there is being involved in the

human process from a couple different angles, from a humanistic one and a theological one. So you spend a lot of time thinking about the human condition and your role in it, and what you can do to better your circumstances and the lives you're going to touch. I know with me it was also an atonement thing, because I had spent a lot of time...the lives I touched weren't better at all, they were worse off for running into a guy like me. So when I developed a social conscience, and my faith as well, which is a personal matter, I'm not going to put that out over the airwaves, but it did have significance to me, because...I realized that there's a I debt to pay that goes beyond what we do with the Department of Correctional Services. Far beyond that.

J: So you feel like you're giving back, or attempting to?

SR: That's a tricky thing. You don't ever technically give back, but what I think you do is, like, that pay it forward concept?

J: Right.

SR: You know what I mean? You kind of just...

J: Yeah, keep passing it on.

SR: Keep passing good vibes on and hoping they'll touch other lives, and move forward like that.

J: Do you have family in the area? Are you back with family, or...

SR: I have...thank God for that term extended family, because if it got down to strict bloodlines, my 90-year-old old man, Mr. Tony, for those of you who read some of my stuff, and I are the last of the Mohicans for the rooted faction. But along the way, I have a surrogate sister, I have some very close brothers, and we really treat each other like family. In some respects, you get stuck with your blood. Sometimes you like each other and sometimes you don't, and sometimes you're good folks and sometimes you're not, but when you have an extended family that you select, it's a real proactive thing; you really want to be together and you really want to be supportive. I'm very grateful for that in my life.

J: So they were supportive of you throughout your term?

SR: Yeah, tremendously so.

J: I was wondering...you say you got out after two parole boards at a time, at the peak of the Pataki period...

SR: Well, I made my second parole board.

J: You made your second board at a time when a lot of people were getting hit a lot more than that.

SR: Oh, yeah.

J: What do you credit, or do you have a sense of what might have helped you get out at that time?

SR: I think the amount of visible, credible support. People, community leader type people, leaders in the church, the DA who formerly prosecuted me, the judge who sentenced me...I reached out. I really showed them what I've done with my life. And that's another thing, too – with education and with those degrees I had tangible things to show them. It's unfortunate now that others can't follow that recipe, in my footsteps, per say, because these educational opportunities don't exist anymore. That's an aside, there. But I was able, thankfully, to put together this package about who I was and who I am and really have people help me sell it, which is what you have to do. You really have to promote this thing.

J: Do you have any advice for people who are still on the inside, now that educational opportunities are so limited, what folks can do now to help themselves in the way you were able to help yourself?

SR: I know guys that have and are doing that type of stuff. Mojo: John Flynn. What he's done with the aggression replacement training program – amazing. He hasn't taken the path to higher education that I did, but I couldn't touch him when it comes to running that program. I don't think many people can. It's phenomenal, what he does, and the changes he's helped facilitate in the lives of others. Unfortunately, it's getting out there, but not enough, because they keep hitting him. He's got over 30 years in there now for remote factors – you know, the seriousness of the offense, which occurred a long time ago – and yet he's a tremendously competent guy. I think what you have to do, what I would recommend, is to get some help from as many people as possibly to really talk about what the program is, that ART, and what his role in it is, and really promote what it does, and maybe get some testimonials from others. One of the things that I started doing with a couple other fellows is that we started writing support letters to each other on the inside, while we were still prisoners and saying, "Hey this guy has touched my life in a positive way." And there's nothing...in fact, 259i executive law says that it's important to know the interaction with your peers. So we hung our hat on that – well, we're each other's peers. They may not want this per say, but they're going to get it. Because we could tell a story. I think you have to be creative like that. I think you have to look at what's being done and I think you really have to get support from wherever you can get it in a credible way and get it in front of people. I would recommend by letter-writing, by fax, by email, by all routes, so when the parole board denies parole, they purport to speak for this hypothetical community. I think the only way to counter-man that is to have the real community in your other hand, say that, "Well, who are you speaking for? These are the credible folks that know me and know who I am today, and they want me home."

J: Yeah! Yeah, that sounds great. (laughs) What can people who are still behind bars...how can they be most effective? You mentioned letter writing and community support. What about actually creating political change?

SR: I think people have to decide for themselves what's most effective where they are physically and in all means. Something I did, part of my becoming outspoken, was realizing that I was going to say what the truth was on these issues, but I do it with a firm handshake and a smile, and I'd try to let people who would be my enemies amongst staff and people who could shape my life realize that, hey, our politics are at complete ends of the spectrum, but respect my personhood. You can hate my view and not necessarily hate me. I think by so doing, what I did and what others should do is let others know that they're not going to be a willing participant in their continued oppression. People will have to understand what that means on a personal level. I can't translate what that will mean to each individual. But I think you have to decide at some point that you are not going to continue to reward a system that doesn't reward you. Not only does it not reward you, it punishes you for doing well.

J: Punishes you for doing well?

SR: It's funny, I put my appeal in for the first parole hit, and I did a pretty lengthy job of it. I was working at the law library for an amount of time, and I did a pretty good brief, and I had competent help with it besides, and I talked about all the things I accomplished in my brief. And the attorney general's office, which was then being run by Elliot Spitzer, came back with an argument, supported by case law, that this boded for more incarceration, that I had done so well under current circumstances that this should

continue the prison arrangement. So I fired back in my answer and I said, “Would you say that if somebody had done very poorly in prison, that they should be thrown out?” (laughs) You know? And I also pointed out that this didn’t give anybody a logical recipe to follow for success. What do you do, then? If you do the very best you can in prison and then prison itself is going to get the credit for it, what do you do? You’re faced with a dilemma, and that’s the crux of the problem with parole. What do you do? Nobody knows what you do to make parole. You do your very best and they talk about something that’s 25 or 30 years old.

J: So what *do* you do? I mean, ok, I got a phone call before the show started from a woman whose husband is upstate and he’s been hit seven times, and she sounded kind of at her wit’s end. They hear at the parole board meetings about “guidelines” and they don’t know what “guidelines” are being referred to.

SR: My heart goes out to that person. And as long as we’re talking about someone that takes tangible steps to become community-ready...because I want to let people know that I’m in line with society. I have to admit this: if you don’t have it together and you’re going to be a danger to society, you’re not doing anybody any help, you’re not keeping the plate open for the brothers that want to get out and want to do right, number one, and we can’t endorse stuff like that. But we’re talking about somebody who has changed, I presume that after that amount of time they have and everything, and that they’re not being recognized for that change – that’s a terrible dilemma. I had that headache. I had that headache, and I laid my head down on the pillow and I said to myself, “Are these folks going to make me die in prison for the errors of my youth, for some poor judgment that I made years and years ago? Will they never realize what I’ve done with my life?” So that’s the challenge: how do you get people to look at your life how it is today? I think one of the things is that we really have to join together with these stories. There’s a story over here about that, there’s a story over there...I think we need to join together and put a common face on these things and let people know that this is now becoming part of the rule and not an exception to the rule, that there is this tremendous unfairness going on with people who have spent an enormous amount of time in prison and have really worked to change their lives, and that they’re not being recognized.

J: Do you have any information about the class action lawsuit that’s being written for people about the parole issue and the unfairness of the parole issue?

SR: Well, I know that Robert Isseks has been handling that – he’s on 6 North Street in Middletown, New York, I remember that much. I forget the zip...

J: But you’re not directly involved with that case?

SR: I’m not directly involved. When I was inside, every time I had a thought about it, I’d shoot it over to them, and they let me know that some were helpful and some were probably a pain in the neck, but I want to make sure that all the bases are covered, never take for granted the fact that you might think of something that nobody else does, and I see these guys at the functions, and they assure me it’s coming along well. It’s a staggering thing; the numbers are incredible. It affects a lot of lives. It’s unfortunate that people were made to feel like, “Take a coupon and stand on line,” but you know what? That just goes to show what a large problem it is. If there’s any comfort in that, it’s that you and your loved ones are not alone in this situation, by any means. The numbers show...in fact, the numbers are what’s going to win this thing eventually. People are going to have to look and say, “Hey, what’s going on here?” The state had a little bit of a racket going because of the way they were able to do the article 78 reviews, the special proceedings – they could just keep looking at them one at a time and say, “Oh, well,

there's no evidence of due process violation here." And they were referring to one brief. Boom. And they could just go down the line and stamp them all day long, seven days a week. However, once they got it to the federal court, they were able to take a whole bulk of very similar circumstances and say, "Now look at this en masse." And that's why it survived the motion for dismissal. They said, "Wait a minute, there is something going on here." So let's hope and pray that those in authority will realize that there is indeed something going on here...and I believe it's just been amended to include the Spitzer administration, as there is evidence that there hasn't been a significant change in policy as expected.

J: I'm sorry, so the Spitzer administration has put their two cents in?

SR: Well, no. They've made a motion to dismiss based on the fact that the administration has changed, but the counter motion made by Peter Sell and Robert Isseks is to include them because the policies continue. So what the former defendant, Pataki, was doing, the new defendant, Spitzer, has also attached himself to.

J: You had mentioned earlier that there had been hope before Spitzer came into office that there would be a noticeable change and that, so far, you haven't seen anything. Is that a fair summation?

SR: Yeah, absolutely. Absolutely. In all fairness, I have to say that that was up until this most recent month, as we enter May. April, there was from...references that I'm in touch with...some significant differences in the parole board, specifically some old-timers came home, some guys with positive stuff...Richie Hopes made his third board, and, if he's listening, I wish him well, he certainly earned it. He taught me some stuff along the way. And that's an indication that now maybe it's starting to get some teeth...so I don't want to misspeak if they really are going to proceed in good faith, I'm with them 100 percent. But if they're not, I'm against them the same way because you have to be held accountable for what you say you're going to do, and they gave an indication that they'd...Elliot Spitzer said that on day one everything was going to change, the corruption...these were his words, not mine...the corruption in Albany was going to be addressed. That was his platform. And certainly there has been nothing anywhere in Albany as corrupt as the parole process. It just doesn't do what it purports to do, and that is the very definition of corruption. So you're saying that from day one you're going to change these things. Well, from day one, precisely day one, we didn't see much of a change. But I'm thinking it may be after day two and day three went by he got around to it that he is revamping it. And I think that this new chairman, Alexander, seems to be more enlightened and more in line with following the letter of the law.

J: Chairman of DOCS?

SR: No, the chairman of the parole division. The chairman of DOCS is also more enlightened, Brian Fischer. I'm hoping that...there's two ways that that can be played out, that DOCS/Parole relationship. It can be a shell game where everybody says, "Oh, you don't want to see us for that, you want to see the other guys," and they can bounce you around like a tennis ball between the two with the shade of grey as to how they operate. Or, they can get together and they can say, "Hey, we're in the business of corrections, let's correct some lives, let's work together, and let's be as accountable as the accountability we expect from the people who sit before us. I'm hoping that latter scenario is what we're going to see.

J: Our guest today is Sonny Rudert. He is a formerly incarcerated person who's been out and is doing great work. We're just about out of time, is there anything you want to speak about that we haven't covered?

SR: You know what, yeah. I think the time has come in the public forum where people have got to look at a state that has 70 prisons and seeing the decline in educational funding and sees 50 cents on every tax dollar go right off the top to corrections, leaving the other 50 behind for the infrastructure, for the medical costs, and education, and I think that people have to table the question in an intelligent, public forum and say, “Should the role of corrections in any state, but specifically New York state, be to provide economic sustenance to one region of the state?” In other words, if you have a bunch of prisons built, should you have corrections up and running full-steam with the goal being to fill these prisons with bodies and to have corrections officers and all these people making an income as your primary goal? Or should corrections itself be a primary goal? So I think we have to be careful when we develop an economy that’s focused around solving a problem that it gets to a point where, if the problem starts to get solved, they solve themselves out of business. And I think that’s what we’re seeing now and I think people have to look at it and say, “Is this really necessary?” To have 70 prisons in this state and have all that money going to that issue – is that really making us any safer in the long-term? Because I think if we start addressing that, these other issues are going to fall into line.

J: I heard Eddie Ellis speaking recently about working with the Spitzer administration during their transition and saying how he felt that he and the governor were coming from different directions but with a similar goal and saying how the governor wants to save money and Eddie Ellis wants fewer prisons and that possibly there was a way that they could arrive at the same solution, that would help both sides.

SR: You know what? Transitional Services comes to mind. You could certainly shut down a few of these facilities and you wouldn’t lose that many jobs if you converted them over into the business of reintegrating folks who should be paroled anyway, that kind of solves the whole thing.

J: So retrain the correctional officers to be transitional counselors?

SR: Absolutely. I’m not trying to knock a person’s right to have an income, but let’s tie that income to an intelligent result.

J: Sounds good to me. Thank you, Sonny.

SR: Thank you very much.

J: Got any shout-outs?

SR: Oh, I got shout-outs to everybody. Cheapo...say what!? All the fellas. Mojo, hang in there. Flacko, pal too. Earnest, Henry, Zade, my man. All you guys listening. Dalton, hang in there Dalton. Diaz. Chris Patterson, Remmy, I’m gonna be at that Yankee game, look for me. Uh, Joe Rudd...too many guys...Heavy. You know, all you guys, man, You’re my heart. Shawn. I wish you all the best, man, I hope to help make things better for you, I know you’re gonna help make the world a better place when you get out. I can’t wait till we all join together. Thank you for allowing me to serve you.

J: Thank you, Sonny, for coming to the Fancy Broccoli Show.