

GOOD MORNING

LADIES AND GENTLEMEN

For the record, I am Benjamin La Guer. And I can honestly say that I welcome the opportunity to be here, for this may be that final gate---that last check-point before I cross my own, if only imagined, "Shiny City on the Hill."

I am a bit nervous, so please forgive me if you hear me speaking slow or in pauses from time to time. I suffer, you see, from a speech impediment, a stutter, which I manage to control by taking calming breaths between some words and phrases. So please bare with me. And I promise not to strain your generosity of spirit.

I should start by saying that, in real terms, there is no way but one for any man or woman to defend his or her life; speak the truth, as we all know the honest heart can, without sentimentality. So with that in mind, I feel it a privilege to render unto you, as well as this public, a full accounting of my life.

As I prepared, in the weeks leading up to this hearing, the image of Saint Peter of Judgement Day repeatedly pressed on my mind. This morning, you will hear and read from the Book of my life. It can almost take one's breath away.

I came this morning from the state's penitentiary at Norfolk, a place where abnormality is

the norm. I have lived, honestly speaking, in that state of abnormality for fifteen years. However, I believe myself to be a rare exception.

What I have endured in prison cannot always be described beyond the simplest literary narrative. I cannot hand held for you the full spectrum of my life, as so few of us are gifted enough put words to our extreme joys and pains---but especially that pain which visits us from the depths of our humanity. However, this morning, I pledge to share with you the life I have led.

As you all probably know, informed doubts about my guilt have lingered in the public square as well as with members of the judiciary for many years. I ask you to consider these voices when deciding whether I possess the moral character to rejoin a community of democratically free and God fearing people.

Against the advise of counsel, due to an appeal currently before the Massachusetts Court of Appeals, I have made a choice to answer all of your questions. I have never once shied from tough questions; not when initially questioned by police, not during the trial and not ever with family or friends. Not with journalists or scholars. Nor a cleric.

In these fifteen years, ladies and gentlemen, not a single day has elapsed when I did not ask, Is there anything I could have done better today? At the end of the day, asked myself, Could I have made

that one last effort to again extract truth from that one puzzling detail?

Could I have appealed, through telephone or through letter, to one more of those Best and Brightest in order to help me vindicate my life?

In prison, I have sat up many nights wondering, Why does the District Attorney flat out refuse to allow for a joint DNA testing. How many times, in how many ways, am I to say that I am not afraid of the truth.

As I was preparing for this hearing, one night some weeks ago, I stopped to think for a split moment, What if I had been a better judge of the egos and fragile personalities in this case, many of whom probably think I should not have exposed, as though it was not my place, their errors---human fallibilities---in such a public way. That I ought to have somehow remained quiet.

For my life, personally, this is still a profound and relevant question.

In spite of having said this, I have resided on the inside fence of my conscience. Ladies and gentlemen, I have abided by the ways of my father, trusting in God and in another sunrise. And for her significant part in my life, the deities of my mother have brought me comfort and courage---a sense that I was never alone in my battles against men in fancy suits and black robes.

I cannot imagine you asking me a single

question, not even if you stretched the bounds of your unlimited imagination, that I have not already asked of myself and others. From the scatter of bloodstains to the racism in the jury; from all the twists and turns of the pseudo forensic science particular in this case to the sublime biases in the record of findings, I have left nothing to the winds.

The courts however have met me with eyes of indifference.

I am almost single-handedly responsible for, and I say so seeking no credit, us being abundantly clearer today about what happened that terrible summer night, in 1983, than we ever thought ourselves we knew at trial.

To be perfectly honest, ladies and gentlemen, I believe I have a right to be angry. Why should I not admit it? What I have no right to is hatred. The Merlin Wizard within me has taught me a lesson: Live your life as though, in reflection, you will not find a single day of your life to regret. I have awaked each morning anew. Refreshed. And purposeful.

In the deepest and darkest corner of my psyche, I have grown and matured and transcended a dark age. If it were not for my family and friends, I am sure, I would be wrecked in a ditch of hatred. My eyes, moreover, have seen the glory of forgiveness.

In the quietness of prison nights, I have

heard the voice of my conscience louder than African drums beating near.

I would feel remiss in not saying, always hoping to be credible, that I have stood second to no one in deploring, in abhorring, in feeling moral revulsion about what happened to Ms Lennice May Plante. What she and her daughter Elizabeth might still be experiencing, even as I compare my own horrendous ordeal, I think our conscience should be forever shocked in their favor.

I say this as a human being, a son, a brother to three sisters, an uncle to six nieces, a nephew to ten aunts, and a friend to women from all walks of life.

What happened to this woman has diminished me, in that way the sexual abuse of any person harms our collective sense of honor and trust for one another. And this is why sexual abuse is particularly evil---a scourge against culture.

I wish, ladies and gentlemen, all of this had come to me in a foreign language; in symbols instead of pain, because you cannot imagine and I cannot describe the pain I have felt in my chest.

Of these fifteen years, I can remember three occasions. I remember these, as one might important events in one's life, because they pressed against the very meaning of sensory experiences.

The first happened in the prison's visiting room. It was a summer afternoon. My friend and

lawyer Robert Terk and I were sitting in one corner. A man in a suit walked in. He looked instantly familiar. We scanned each other. It was James "Jimmy" Lemire, the prosecutor who had had a hand in me being in prison. He was, by now, a private lawyer visiting his client. In short he came over, stood in front of me, and extended his hand. We chatted. I'll never forget him wishing me well. And that handshake, for me, has become a symbol of my progress.

Then there is that other solemn occasion, when, there was great hope that a New Trial would be awarded. The Best and Brightest minds were unanimous; the trial judge had no choice but to favor me in my arguments. My chin was high, as they say, confident that freedom was near.

The question of why this woman, the victim, had fingered me however persisted to lingered in my mind. So I decided to telephone her. She did not know it was me. I believe, I said, I was a priest. After about ten minutes, I no longer wished her pestilence and disease. I knew her broken words, her incoherence, were of a broken mind; the victim of schizophrenia. I remember, in the end, whispering, "I forgive you."

Then I remember the occasion of my dad dying, when I felt I no longer needed to rush home. To say anymore, right now, would rip my chest open. I have yet to come to terms with dad dying, and me in prison.

In between your impartiality and your impulse for wanting to avenge the rights of victims, members of the board, I only ask that you act with righteousness. I do so because second to the victim, I have paid the highest price and nearly half of my life in prison for a crime I did not commit. And my spine chills at having to ask, How much longer am I to pay this unowed debt?

It was never a debt for me to pay; would not have paid it except for a collision of fate.

If I were a lesser person, ladies and gentlemen, would it not seem reasonable for me to have accepted a plea bargain. I was not only forewarned if found guilty I'd be sentenced to life, I was told that is exactly what would happen if I went to trial. That plea offer would have put me out of prison more than ten years ago.

Truth however has always been a good friend to me. Even in retrospect, How could I possibly betray her? How could I have auctioned her off for a mere discount on sentencing?

I am guilty of no crime, thus I consider it a matter of Human Rights that I not be made to trade my claim of innocence for my right to liberty.

A few of my trusted friends, fearing for me, think it unwise for me to make this appearance proclaiming my innocence. One friend said: "Tell them people what they want to hear, Benji, and go home. I won't think any less of you."

I believe however that it would degrade each

of you, me included, if this process in any way aimed to coerce guilt from me in exchange for my life. It would be unAmerican, in fact, communistic to end this hearing with a coerced confession.

Ladies and gentlemen, if my words are stronger than necessary I apologize. But tomorrow will not be the day for me to regret not saying what I meant.

Another man might choose an easier way. It is not however the way of my fathers. I can feel pride. I owe it to their names.

In these fifteen years, I have helped men in prison overcome illiteracy, established AIDS Awareness seminars, and facilitated truces between competing ethnic and social clans. I have raised funds for children and famine relief.

The spirit of helping others was not new to me. Social Services has long been the business of my family.

When I was attending Leominster High School, I was not academically gifted. I was, though, elected President of the minority student body. For me, those remain the wonder years of my life.

In spite of the horrendousness of prison life, I have never turned my back on people in need.

While at MCI Gardner, as I had previously at MCI Walpole, I was elected President of the Spanish Inmate Counsel. I represented these groups before the senior staff with integrity and dignity.



I was instrumental in helping to launch Project Wake Up, a much praised program which once a week had inmates speak to teenagers in danger of delinquency.

I became Associated Publisher and Editorial Director of the Newsletter and Quarterly Journal all the while working toward a college degree.

I graduated magna cum laude from Boston University. Upon release from prison, I hope to attend Graduate School.

My prison writings have appeared in Boston Magazine, Reunion Magazine, Worcester Magazine, Boston Poet and the Columbia Journal of New York's Columbia University. I am 1998's recipient of the PEN Award. Currently, I have upcoming works in two anthologies.

Until recently, I was the Chair of the Penal Information Committee.

If I were to thank all the people who have given me hope along these long odyssey years, I would be here all morning reciting names. In the interest of time, I would like to thank a woman whose name nor address I know. She telephoned WGBH's "Viewer Response Line" after a documentary about my case aired in May 1989. She said: "I believe La Guer deserves a chance [referring in all likelihood to a New Trial] and I don't even like Puerto Ricans." I believe she is only one voice of a Silent Majority.

After reading a transcript of these callers to WGBH, not surprisingly all of them women, each one more convinced than the last that I was the victim of some wrong, it impressed me that---I just might be makin' real progress, in more ways than just my own, but not always trifling, protest of innocence.

I hope together we can make some more of that kind of progress this morning.

Thank you, you all have been very kind to listen. In the end, I hope you'll let me find my own place in life. And that place isn't in a prison cell.