



FEAR, A Common Obstacle

Not so long ago, I lived right down the tier from the infamous Scott Peterson. Yeah, that guy. I spent nearly twenty years on California's Death Row, convicted of conspiring to have someone killed back in the summer of 2000. I am to a degree responsible for an atrocity before God and man that I cannot rectify. As such, I am truly remorseful. My irresponsible actions and obvious inability to properly convey my intentions absolutely belie what my true feelings were for the victim at the time of her demise. These actions were neither premeditated, nor for any financial gain as argued by prosecutors in the case against me. I was not at the crime scene, and did not kill anyone.

As you might imagine, I've had a few intimate conversations with guys on the row. Any number of subjects were discussed, but one in particular has resonated heavily in my brain since the 2016 untimely death of my father. Although the urgency of self-confidence coupled with self-awareness laid atop this list for a long time until I met and married the love of my life in 2018, what probably should've taken their place is how from beyond these myriad walls, one might master the components of ambition and opportunity.

Instead, I discovered that I didn't know how to take the leap from accepting my fate to actually changing it, and not just a little, but radically. Ambition's scale became irrelevant. What was holding me back was the fear to exploit opportunity's potential. Of course, being a death row prisoner didn't make things any easier, yet today, I'm using my fate as a tool to carve a path that no longer bows to inner-doubt or outside prejudices.

Learning to live one's ambition can feel an awful lot like an enormous research project --- one which nearly paralyzes the power of choice and seemingly limiting our every option. If you've read any of my articles here and elsewhere, you know that I'm a staunch organ donation advocate and have personally invested many years in

pursuit of national legislation which once-approved (see: SB1419) permits STATE prisoners to donate a LIVING vital organ to a biological, match-worthy, immediate family member in need on an inducement-free basis --- the ultimate restitution in the gift of life. Currently, The Federal Bureau of Prisons have this protocol on their books for what amounts to a meager 10% of the national prison population housed in federal custody. State prisoners across this country have systematically been denied these same inalienable rights, and I believe strongly after being denied to right to give my dying father a lung in his time of need, that legislation is the only clear path to this type of prison reform. To date, this has become my ambitious cross to bear.

As fate would otherwise have it, looking "inward" (what my late father would call "taking a moral inventory"), not just simply facing my fears associated with the likes of the unknown, suggests I must look beyond the limitations I've subconsciously set for myself. Understanding how work gets done, embracing fresh perspectives, and adapting to the framework of one's endeavor, remain crucial when attempting to push past what we are good at, and unleash the burden of the unfamiliar. Let me be the first to admit that sometimes fear will mask ambition.

Despite my personal worries that I'd never be anything more than a convicted killer, modestly, I began to move closer to knowing what I wanted for my future beyond that which was ingrained within my narrow understanding of what awaited me on the other side of reclaiming my sense of self, albeit incredibly challenging. I needed to experience the feeling of daring to want to thrive in a concrete world so cold and closed to such stark contrasts. Ambition and purpose are two subjects rarely met at the lectern behind prison walls, but they never lost their luster or allure for me. Fear however, became a seductive excuse for setting the personal expectation bar exceedingly low given my surroundings. In my hollow head, I realized a core tenet behind deciding what I want meant I needed to be the first one to step uncomfortably outside of my element before skepticism and hesitation prevailed, keeping me from doing anything at all.

Looking beyond the factors of fear, and embracing ambition made my palms sweat and my neck itch. Knowing what makes you tick and embracing that which you daydream about are what come first. Next, turning the ambition into action promises to deepen your insight, strengthen your resolve, and with any luck, clarify the subject matter --- what you want to do and why you want to do it. The logic of possibility will gnaw at your urges to surrender in frustration. I could write about the looming complex social problems associated with being a man in my shoes at 54 years of age, viewed through lenses that encourage the majority of society to fear and distrust men and women like me, but it might serve as a false indictment to many of our humanities. It all boils down to being aware of what's going on inside of you and in your immediate surroundings while remaining open to opportunities to express who you are and what you believe. If you can get an audience and a support network of like-minded folks in the process, well... that's the key to igniting you to something bigger than you are or will ever be. One's "why" of ambition is born in a fleeting moment. What comes afterwards, is probing your sense of privilege amidst shameful reactions of equity and suspicion by those who just can't see you with it. Envy is nothing more than a dream-killer. Take the time to be courageous and listen to that little voice in your head. Ambition is often discovered in emotional actions that cut against many of our natural instincts far outside our respective comfort zones.

In my case, I was forced to clear away all of the trash that was blocking my view while I sat and struggled with the apathetic medical policies within the California Department of Corrections and Rehabilitation, helpless and simply waiting for my father to take his last breath. Channeling my concerns about injustice, I saw firsthand how government with their imperfect tools actually provide avenues for men hungry for systemic reform like myself, a lectern to raise our voices. I learned that local governments have tremendous capacity to help prisoners unlock their potential, so much so, that fostering change which inures to the benefit of society, is often welcomed. Ambition means being proactive and forcing people to hear what you have to say, leaving little room for indecision while defining what you really want.

I have absolute clarity on what I need next and I'm a surviving example of the fact that no glory lies in having but one main goal. Look, when you decide what you want and more-importantly, why you want it, take action immediately. If you wait for someone's invitation, it is not coming. True ambition will fuel your imagination and refuse to be ignored while challenging your sense of wonder. Prepare to lose sleep (even if you are in prison).

With little on the practical purpose scale, fear is a paralyzing force that churns within the depths of your gut, wringing out immense anxiety and excuses not to act. Fear's logic manages to convince some of us with numbing familiarity, that now is not our time and as such, if we don't heed the warning signs, we'll fall flat on our faces in failure, embarrassment, inadequate, rejected, and unworthy of having anyone take a chance on us. Fear is instinctive, however being a learned response. We learn to surrender what we want, what we expect, because fear itself somehow trains us subconsciously to not see ourselves as more than what we've been told by others that we are. Apprehension makes complete sense.

With each flashing warning sign against the arrogance (how dare I?) in my inmate organ donor initiative, my certitude became shakier. Once my father passed, nearly five long years followed suit before I could even think about reacquainting myself with the headaches and heartaches tied to the apathetic rejection from the state prison system's administration. Enough had become enough. This insidious fear morphed into a constant disquiet forcing me to second-guess my purpose and plans I'd painstakingly laid out like a QuickBook's spreadsheet for more than a decade. There was a point when I grew reluctant to do the work because I just didn't want to hear the murmuring platitudes about how my pursuits would never come to fruition, and how I was wasting my time, because no-one would ever help me with it. In short order, I began to wave the bullshit flag and decided to confront this whole fear thing once and for all. Fear can become as familiar as the air we share, an automatic cautionary tale against bucking the system and/or its leadership.

If we intend to move forward, confronting the various layers of anxiety which holds us back is relevant. That said, fear must be deconstructed, otherwise would-be solutions promise to be painful and permanent. Addressing the possibility of failure and one's responsibility of success without abandoning our safety nets, whatever they may be might require us to cede authority to those who could care less about our needs and more about erasing our individuality by alienating us from a solid sense of identity. There is a bizarre irony in the fear of success being a very real fear.

Everyone is afraid of something. Our trepidation is generally grounded in stories that we may be familiar with, something from the annals of history. Courage, consequences, risk vs. reward, success, failure, love, heartbreak, etc. Lest we forget about validation and accomplishment. Any number of reasons abound for why we are often met with low expectations and our fear of imminent failure. The problem (at least for me) is that we learn to measure our degrees of opportunity and passion by the extent of our fear, not the anticipated joy we might revel in upon completing our desired tasks.

Our responsibility is to "own" opportunity when it presents itself. My late father always said, "if you stay ready, you'll never need to get ready". Profound, eh? I miss that man. It is our responsibility to confront and explore the reasons for our fear, however slight. It isn't simply or magically going to vanish. The message is this --- there's nothing like the vision of your failure to quell your ambitions and success. Your analysis must be internal (like that "moral inventory" I mentioned earlier), exhaustive, thorough, and brutally honest. Know your intentions, understand your methodology, and prepare to evaluate your results. Be accessible, authentic, and effective. These could very well be the keys to the balance you hope for in your pursuits, no matter where you are in life.

Embracing your authentic self means being concise as to how you want others to perceive and respect you. There will always be criticism, and understandably so. It is what it is.

At the very core of this screed, the bottom line is that you can do whatever you put your mind to if you really want it bad enough. I'm hardly the nicest guy in two shoes and I may never see or share the fresh air of society again. For myself, the painful discussion was forced upon my sensibilities when I faced the abundant aversion and unchecked hardship as I fought against the folks who thought my idea was too big --- people who'd later prove to attempt undermining my effectiveness. Sadly, these naysayers made matters unnecessarily difficult, reducing my pursuit to that which had become of my life --- failure. All this did was compel me to find artful ways to reorient the subject matter and develop broader meaning --- the aftermath of which beget my participation in penning a formidable legislative initiative and California State Senate Bill (SB-1419 : Uniform Anatomical Gift Act: Prison Inmates) which did quite well, all things considered. There's still some work to be done, but I've come to realize that my cause is much bigger than the sum of my fears. For all intended purpose, I seem to have harnessed the fear into advantage.

If a man in my shitty shoes from beyond myriad concrete prison confines can accomplish something of this magnitude and importance, you can do so much more with your freedom. Never take them (freedoms) for granted. Life is fleeting and can change in the blink of an eye. Emotions regularly act without the benefit of intellect.

Your responsibility is to yourself first and foremost. You can accomplish great things if you apply yourself, remain tenacious, expect success, and don't accept anything less.

It goes without saying that I am always hoping for meaningful advice and participation while welcoming stationery supplies, postage stamps, and like-minded, positive, correspondence. Postage-permitting, I'll answer all.

Memorandum

Date: October 11, 2021

To: **INMATE FLINNER, MICHAEL W.**
V30064
U-310L

Subject: **REPONSE TO CORRESPONDENCE**

This letter is in response to your correspondence dated September 22, 2021 which was addressed to the Warden of California Medical Facility (CMF), Daniel Cueva. Your correspondence was reviewed and forwarded to Associate Warden of Central Services, C. Snelling in order to address your concerns at the institutional level.

In the letter, you indicate the California Department of Corrections and Rehabilitation (CDCR) does not have a policy which allows for the donation of vital organs from inmates prior to their death. You are requesting CDCR allow inmates to gift their organs to persons in need. I would like to applaud you for your efforts to bring awareness to your cause. The initiative you showed set the ground work for the introduction of the Uniform Anatomical Gift Act (Senate Bill 1419) which unfortunately failed. As you may know, there is no current departmental policy which would allow inmates to donate vital organs prior to their death.

An inmate may elect to donate organs, tissues, or parts for transplant, therapy, research, and/or education, prior to their death, pursuant to the CDCR California Correctional Health Care Services Department Operations Manual Section 2.4.1. In closing, I recommend you continue to champion your cause by contacting your locally elected officials in an attempt to re-introduce the bill into legislation.


C. SNELLING
Associate Warden
Central Services



SB-1419 Uniform Anatomical Gift Act: prison inmates. (2015-2016)

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AMENDED IN SENATE APRIL 13, 2016

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

SENATE BILL

NO. 1419

Introduced by Senator Galgiani

February 19, 2016

An act to add Section 7150.16 to the Health and Safety Code, relating to anatomical gifts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1419, as amended, Galgiani. Uniform Anatomical Gift Act: prison inmates.

Existing law establishes a system of state prisons. Existing law, the Uniform Anatomical Gift Act, sets forth the methods and procedures for a person to become a donor of an anatomical gift.

This bill would authorize a prisoner in the custody of the Department of Corrections and Rehabilitation to elect to make an anatomical gift on a form developed by the department, as specified. The bill would authorize the prisoner to make that election at the time of admittance into the state prison system, or at a later time at the prisoner's request. The bill would establish a procedure by which a prisoner may revoke that election.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7150.16 is added to the Health and Safety Code, to read:

7150.16. (a) The Department of Corrections and Rehabilitation shall develop and adopt a form that will allow a prisoner in the custody of the department to elect to make an anatomical gift in the event of his or her death. The form shall be included in the prisoner's central file maintained by the department. The form shall be titled "Document of Gift—Donate Life California Organ and Tissue Donor Registry," shall be a document of gift as defined in paragraph (6) of subdivision (a) of Section 7150.10, and ~~shall at a minimum have~~ shall include, at a minimum, all of the following characteristics:

(1) Clearly indicates the prisoner's election to be added to the donor registry.

(2) Allows the prisoner to designate whether the prisoner would like to donate his or her organs or tissues for transplantation or research, or both.

(3) Allows the prisoner to state any donation limitation specifying the organs and tissues that the prisoner does not provide legal consent to be recovered.

(4) Contains an advisement that states all of the following:

(A) Electing to make an anatomical gift is completely voluntary.

(B) There are no repercussions for declining to, or benefits for agreeing to, elect to make an anatomical gift.

(C) The prisoner may consult with a medical professional or counselor about his or her decision.

(D) The prisoner may revoke his or her election to make an anatomical gift at any time, as described in subdivision (d).

~~(2)~~

(5) Contains a statement notifying the prisoner that by signing or placing his or her mark on the ~~form~~ form, the prisoner is legally authorizing the recovery of his or her organs or tissues for the uses described in this chapter in the event of his or her death.

~~(3)~~

(6) Contains the prisoner's signature, or mark if the prisoner cannot write.

(b) The form described in subdivision (a) shall be presented to the prisoner upon his or her first admittance into the state prison system, and the prisoner may elect to sign it or refuse to sign it at that time.

(c) The form described in subdivision (a) shall be made available for completion and signature at the prisoner's request, consistent with the policies and procedures of the Department of Corrections and Rehabilitation.

(d) A prisoner may revoke his or her election to make an anatomical gift at any time by delivery of a written statement to the official in charge of the facility where the prisoner is confined. Upon receipt of that statement, the Department of Corrections and Rehabilitation shall mark the document of gift described in subdivision (a) as revoked and shall retain the revoked document of gift and the statement received pursuant to this subdivision in the prisoner's central file.