

Murder, With Aggravating Circumstances

By James Lambert Copyright 2024

I pulled up at Parchman, the state's largest maximum-security prison, under cover of darkness. As instructed, I arrived two hours before the appointed time. I gripped the pass to my friend's execution and waded through an angry crowd of death penalty protesters and victims' rights advocates. Both groups were venting their spleens and waving placards backing their respective views. Several people held huge photos of the two women Freddie kidnapped, robbed, and murdered twenty-eight years ago in 1995. These same placards and photos had been on display at the Clemency Board hearing where I testified a few weeks earlier. Those photos and the angry, painful testimonies of the victims' family members had been like a bucket of cold water for me. Their pain and anger had been on a tape loop in my brain ever since.

I made my way to the security shack where I presented the pass from the Department of Corrections along with my driver's license. A middle-aged woman in a DOC uniform took my license and scanned the bar code into the system. I was instructed to place my personal items into a basket and then walk through the metal detector. A drug sniffing German Shepard sat as a sentinel nearby. After retrieving my wallet and keys, I entered a waiting room where several small groups were talking to

each other in hushed tones. Some were Freddie's family; others were the victims' family and friends.

After a few minutes, a DOC employee announced that everyone was to depart for Unit 17 where the execution would be held. "Two buses through that door. Victims to the right, all others to the left." Both victims and the condemned had been allotted fifteen representatives. A few members of law enforcement, some outside DOC officials, reporters, and some officials from the district attorney's office also boarded the bus.

Sitting next to me was a middle-aged lady wearing the black cassock and white collar of a priest. She sat down next to me, and asked, "So, how did you come to be here tonight?"

"I met Freddie in a spiritual program up here. A little over five years ago. I've seen him once a month or so. And you, are you his spiritual advisor?"

"I am, seven years now. We meet once a week. I'm a parish rector in town. St Timothy's Episcopal."

"I'm Joe Klein. I helped a group stage a retreat on Death Row. We're called Inner Kingdom Prison Ministry. I testified at his clemency hearing last month. You know, about the spiritual growth I've seen. Lot of good that did. Those men on the board weren't interested in the least in what any of us spiritual people had to say."

"Yes, I know, I sent in an affidavit. Same type of testimony. At least we showed up for Freddie and tried," she said. "I know Freddie was touched to know that you testified for him. It meant a lot to him. His lawyer couldn't get any of his family to go down to the capitol and testify, not that there many to start with."

“That was my first time around any of that -- the board, the victims,” I said. “I listened to the victims’ family. The husband, the brother. It was gut wrenching. I can’t get it out of my mind.”

“Yes,” she said. “One big Shakespearean tragedy. No winners, just losers.”

The two buses arrived at the death house after a five-minute drive. The victims’ bus unloaded first and entered the building. After a few minutes, a DOC official showed the family members and other representatives of the condemned into a room with folding chairs set up facing a large drapery. We took seats, with Freddie’s family taking the front row. At five minutes before the hour, a drapery was opened on a large window through which the death chamber was revealed under a blinding white light. Directly across the space was another window. Staring into the death chamber from the other side were the victims’ family members and friends. My eyes briefly locked gaze with the brother of the murdered teenage girl. In the middle of the room was a medical table on which the killing would be done. Next to the table was a stand holding three IV bags of poison which would be pumped into my friend’s body.

The prison warden opened a door and walked into the death chamber followed by a heavily manacled Freddie with two burly security officers on each side. The warden began to read the death warrant issued by the judge who presided over the court in which Freddie was convicted twenty-six years earlier. It was at that moment the question the priest asked flashed into my mind. “How did you come to be here tonight?” It’s a long story, told by both the living and the dead.

I first begged him not to hurt us, my daughter and me. Then I begged him to kill me and leave her alone. After he put a bullet between my eyes, I realized it didn't matter. I was with her on this side of the veil, and we were free of him. I also realized that he was dead already, he just didn't know it. Yes, my daughter and I were murdered by a dead man. Can you understand that? I doubt it. Like so many walking in the land of the so-called living, he bought in to the illusion because he didn't know better. I was that way before he murdered us. I guess he did us both a big favor, although no one reading this could possibly understand. Particularly my dear husband and son. It's been twenty-eight Earth years, and they are both still paralyzed by hate and fear. If only they knew the joy in which Bonnie and I rest, what love and laughter we share -- but how could they ever know?

I've watched Freddie Duke murder us many times, and I have watched the needle take his life, also many times. Here we are not hemmed in by Chronos, man's time. Our time is Kairos, divine time. We can be present for any event at any time. It's as though we've become untuck in time. Bonnie comes with me, but not often. The surprising thing about Freddie's execution at the prison is that it allowed him to really start living. You see after twenty-eight years, the body which was put to death was not the same body which had murdered us. The spiritual being which inhabited that body in 2023 was no longer the being who robbed and murdered us in 1995. But no one present in the death house that night could have known this. Most who hear my story will not understand. They understand what they can see and touch, like what happened on that dirt road on a hot summer day in 1995.

Bonnie was attending a violin lesson at our church. I picked her up at five and drove to our bank to get cash out of the ATM. Bonnie was sixteen and devoted to the violin and classical music. We were all hopeful she could gain admission to our state university which had an excellent music program. We hoped she might land a scholarship which would help us with the budget. I needed some cash for groceries and pulled up beside the ATM. As I put my card in the machine, the left rear car door opened, and Freddie Duke plopped down and placed a gun to the back of Bonnie's head. Freddie was wearing a ski mask. I almost fainted when I saw this masked man pointing a gun at my daughter. He told me to withdraw \$500. I told him the maximum at my bank was \$250. He gestured for me to proceed. I gave him the cash. I begged him not to harm us. I'd give him the car and he could go. Just let us be. I told him we could never identify him. He told me to shut up and drive, to do what I was told. He directed me to drive south on the main highway.

Freddie had taken the gun down from Bonnie's head, but a sick fear gripped my gut. Why were we going south? He directed me down an asphalt county road, then down a dirt road, then another. He told Bonnie and I to get out of the car, but to keep the engine running. He told us to walk away from the car. He walked behind us with his gun. I could see no houses or farms, just woods. As near as I could figure we were off the road somewhere in the National Forest. Bonnie began to cry softly, and I was choking up myself from fear for my daughter.

"What are you going to do?" I whimpered. "For God's sake don't harm her. She's sixteen. Kill me if you must. You can drive off and we'll never know you. You've got the money. Take my car."

“Both of you, turn around and face me.” His voice was shaky and hoarse.

Immediately, he shot me between the eyes. An instant later he shot Bonnie in the temple. We were dead, at least in our earthly bodies, before we hit the ground. I saw a dead man drive off in our car. I visited his trial and his cell at Death Row many times, especially as his execution date approached. I watched as he was transformed by the love of God and the men of the Inner Kingdom Prison Ministry. I watched as he was strapped to the table and the needle was inserted into his vein, watched as his heart stopped. Neither Bonnie nor I took satisfaction in his execution. You see, where we are now, justice has a completely different meaning.

Members of the Board, I am Paul Frizell, husband of Betty Frizell and father of Bonnie Frizell. I have only two minutes for my oral testimony, but I have submitted my affidavit into the record for you to read. It's strange that we just have two minutes today, but I understand. Two minutes is kind of a speck, compared to the time which Freddie Duke has stolen from us these past twenty-eight years. Time I would have been talking with and loving my wife. Time I would have been listening to my daughter play her violin, walking her down the aisle at her wedding, playing with her children, my grandchildren who will never live in this world. Time I've since spent imagining what happened out on that dirt road where he shot them both. Imagining what my daughter was thinking as she walked to her death. Imagining what my wife was saying to him, begging for Bonnie's life. Imagining how I'd feel exacting vengeance on the killer of my wife and daughter. Yes, time is a strange and terrible thing. If I could only count the time he's stolen from me.

Now, this man, whose actions have sentenced me to a life of anger, hate and fear - he's asking you for more time. He's lived twenty-eight years longer than my wife and child. He's now asking you for a lifetime, a full life of three score and ten, rather than an end to his time on Earth. That's what the court and jury concluded in 1998, that his life should end. He claims he's changed, that he's found Jesus. Others claim that as well. Maybe so, maybe not. Some witnesses have said that his death won't bring closure to us. Maybe they're right. Maybe we won't get closure, or at least complete closure. Ok, maybe not. But I'll tell you one area where carrying out this death sentence will bring me closure. I won't have to keep coming back to these pardon and clemency hearings every few years. And, more importantly and I won't ever have to contemplate again how much I'd love to kill him with my bare hands. When Freddie Duke is in the ground, at least I can stop thinking of killing him.

Testimony of Dr. David R. Dawkins, given in the penalty phase of State v. Freddie Duke, September 13, 1998. Offered by the defense. (By Ms. Hutchins)

Q: Please state your full name?

A: My name is David R. Dawkins, M.D.?

Q: What is your profession?

A: I am a neuropsychiatrist, which involves the study and treatment of insults to and malformations of the human brain. We refer to these as neurodevelopmental disorders.

Q: How long have you practiced in this field?

A: I obtained my initial medical license for the state of California in 1983, and was board certified in neuropsychiatry in 1987.

Q: By what board?

A: The American Board of Neurology and Psychiatry.

Q: Are you currently employed?

A: Yes, I am currently teaching residents in neurology at the University of California Medical School in Berkley and at the law school teaching a course in criminal responsibility.

Q: You referred to neurodevelopmental disorders, can you be more specific?

A: I limit my study and practice now to the effects on the brain of fetal alcohol syndrome, juvenile strokes, traumatic brain injury, and congenital abnormalities of the brain.

Q: Doctor Dawkins, do you personally still treat patients?

A: Oh yes, both in the university hospital system and in clinic at my office. As a psychiatrist, I am able to offer them both medication and psychotherapy. I see them individually and, in the hospital, I work with both residents and other specialists who may be treating them.

Q: You mentioned a course you taught to law students – criminal responsibility. How does that relate to the reason you are here today?

A: As a neurologist and a psychiatrist, I use my knowledge of any injuries or conditions to the brain of a criminal defendant to assist the jury and court make whatever decision they must make in a criminal trial involving either intent or the appropriate sentence to be imposed. In a case like this, I am here to explain to the jury the neurological insults

which occurred to the brain of Freddie Duke prior to his offense, and thereby assist them in their decision in the penalty phase of the trial.

Q: Have you been tendered to and recognized as an expert by trial courts in the field of neuropsychiatry in various states?

A: Yes, I believe I've been accepted by courts in eighteen states.

Q: Have you ever been rejected as an expert in your field?

A: Not to my knowledge.

Q: Have all your expert testimonies been on behalf of the defense?

A: Its true that most of them have been for the defense, although I have been called by the prosecution a few times in California to rebut medical testimony by defense witnesses.

Q: Can you give us an idea about how many times you testified in cases like this?

A: I'm not entirely sure, but I'd say it's between fifty and sixty over a forty-year period.

Q: You Honor, I'd tender Dr Dawkins to the court as an expert in the field of neuropsychiatry.

The Court: Any cross on his qualifications?

Mr. Halliburton (for the prosecution): None You Honor.

The Court: I find that the witness is qualified as an expert in the field tendered. Please proceed.

(By Ms. Hutchins for the defense)

Q: Dr Dawkins, explain what factual materials and input into this case you were given and had access to in order to testify today?

A: Well first, I had two sessions where I interviewed Mr. Duke at the state prison, each approximately two hours in length. I interviewed his cousin, Nadine Benjamin, and his aunt, Shirley Benjamin, each of those about an hour in length. I reviewed numerous medical records, mostly from Mr. Duke's pre-natal period, the medical records of his delivery and neonatal stay and from early childhood. I reviewed records from the Office of Child Protection concerning their investigation of abuse by his mother, plus there were medical records contained within the investigative file which bore upon the alleged abuse. I reviewed his school records from the Hinds County School District from pre-school through tenth grade when he left school. I ordered the administration of a battery of tests known as the Halstead Reitan Test Battery. This is a group of tests used in my field to determine the effects of organic insults to the brain and the ability of the patient to function with those insults. These were administered over a three-day period March 15-18, 1998. I also reviewed his Department of Corrections record including psychological evaluations and write ups for rules infractions.

Q: Let's turn first to the medical records of his prenatal and neo natal period and what you found there. Can you tell the jury what you found regarding any insults to the brain of Freddie Duke?

A: The records of the Hinds County Health Office show that his mother Felicia Duke was eighteen at the time of her first and only visit to the neonatal nurse. She reported having been raised in a home environment where alcohol and street drugs were regularly abused. She reported taking methamphetamine, cocaine and alcohol around the time of conception, but stated that she had terminated use when she tested positive for pregnancy. However, the visit was almost four months into her pregnancy. The nurse

strongly urged a continued cessation but noted her concern over the patient's mental status and ability to seek continued neonatal care.

The records for the county hospital where Freddie was born show he was grossly underweight at three pounds, four ounces. As an infant, he was noted by the nurses to have the classic physical malformations indicating fetal alcohol syndrome – a small skull, small eyes, and an upturned small nose. Based on these, the mother's history and a finding post birth of poor motor coordination, he was diagnosed then with the syndrome. I agree with the diagnosis.

Q: Now, turning to the governmental and medical records from childhood, did you find anything which bears upon the neurodevelopmental problems in which you specialize?

A: When Freddie was four years old, a complaint was made to the Office of Protective Services concerning the lack of care and violence in the home of his mother. I subsequently learned that the then anonymous complaint was made by his aunt, Ms. Benjamin. The investigation by a case officer showed the child was grossly malnourished and had not been seen by a pediatrician in over two years. Ample evidence of drug paraphernalia was found. His mother was belligerent and refused to cooperate. Hence, Freddie was removed on an emergency basis. He remained in foster care until age ten, when his aunt Ms. Benjamin was granted provisional custody. After removal from his home, Freddie was seen by a pediatrician who also diagnosed fetal alcohol syndrome. He was suspicious that the child had sustained a head injury and ordered Xray and MRI examinations of his head and brain. These radiological tests confirmed the presence of a healed basilar skull fracture. This is the type of skull fracture that is typically caused when the skull impacts some fixed object while being propelled at a fair significant

velocity and strikes that object while traveling backward. The child was seen by nurses and pediatric social workers for several months until he started the first grade. He was noted to exhibit poor coordination, lowered cognition, poor impulse control and a lack of empathic ability toward other children. Whether these were due wholly to the effects of fetal alcohol syndrome or the effects of the basilar skull fracture is difficult to say. Most likely a combination of both.

Q: What do his school records tell us about the effects of these medical conditions on Freddie as he grew into a teenager?

A: The school records reflect persistent problems between Freddie and his school mates. Bullying was a problem early. Freddie lagged far behind his peers. Eventually, Freddie started acting out by fighting and violence. He was suspended and eventually expelled on numerous occasions. The school counselors were fully aware of his medical conditions, but apparently were clueless as to possible medical interventions which were available. I strongly suspect that economic factors play a role in the lack of medical care for Freddie after a certain age. As I said earlier, at age 10, he went to live with his aunt. According to my interview with her, she tried for two years to provide him with a basic level of decent parenting. However, after he was charged with a juvenile offense, she realized that his presence in her home was detrimental to her own children. Hence, after serving time in a youth prison, he was remitted to foster care until age seventeen.

Q: You mentioned a battery of psychological tests he completed earlier this year. Can you please describe these and your findings?

A: This is a comprehensive group of tests administered at my orders by a licensed clinical psychologist. These tests have been developed and refined by our profession

over the last forty plus years to detect and document the presence of brain injuries and resulting impairment, whether the damage is specific to one or more areas of the brain, or whether it is diffuse, meaning present throughout the brain but without a specific location. As I said, it is named the Halstead Reitan Test Battery and it consists of the following tests: the Wechsler Intelligence Scale, which measures general intellectual ability in many basic areas – Mr. Duke scored in the average range; the Aphasia Screening Test, which tests for speech and language impairment; several tests which measure motor and sensory impairment; and the Halstead Category Test, which measures abstract concept learning.

Mr. Duke performed consistently and reliably on the tests under the supervision of Dr. Samatha Smith, a local clinical psychologist. I have reviewed the results of these tests and found them to clearly demonstrate the presence of moderate brain damage of a diffuse nature, very consistent with an individual exposed to large amounts of alcohol or street drugs during the prenatal period, and quite consistent with damage secondary to head trauma resulting in a basilar skull fracture during early childhood. It is my professional opinion that both insults were synergistic, meaning that they worked together to result in the brain damage and impairment which we found in the tests.

Q: Dr. Dawkins, you conducted two clinical interviews with Mr. Duke. Please describe for the jury your pertinent findings.

A: I can say that in light of the medical records I already reviewed, and the results of the testing I just discussed, that my interviews with Mr. Duke were much less formal than a regular clinical interview I might conduct where there is much less objective evidence of possible impairment.

Q: Please explain what you mean?

A: In a regular case where I am consulted, I may conduct the interview first, and usually there is not such clear medical evidence of brain insults as we have here. So, in those cases, the interview will be a bit more formal. I might be looking hard for signs of injury or impairment during my meeting. Here we know Mr. Duke suffered damage in utero – the doctors noted skull malformations. We know from X rays he suffered a skull fracture which is known to produce diffuse brain damage. So, my two interviews with him were more like conversations. I wanted to put him at ease, while at the same time eliciting his views on his family, his schooling, problems he had with peers, his interface with the legal system, and most importantly we discussed how he functioned both before and after his incarceration. I was also looking to determine his credibility, for signs of malingering, denial, avoidance, and projection of his problems onto others.

Q: And what did you find based on your four hours with Freddie Duke?

A: I found Mr. Duke to be cooperative, pleasant, and aware of my role in his evaluation. He unsurprisingly has a flat affect and would describe him as mildly depressed and remorseful of the events which led to this trial. Obviously, we at no time discussed the specifics of the charges against him or his role in the crime. I leave that for his lawyers. Freddie exhibits a level of verbal competency which is consistent with his testing. When asked about his early childhood, he claims that his earliest memory is of entering the first grade, when he was still in foster care. The only loving figure he recalls from childhood is his aunt. He knows nothing of his father, except that he was a drug dealer. He claims to have met his mother only once during his two-year stay with his aunt. He was told when he was thirteen that his mother passed away from AIDS.

Freddie said that in school, he had terrible problems with other children. He was the subject of bullying due to the shape of his head, resulting in many fights and school suspensions. After leaving school, he left for New Orleans, where he lived as a homeless drug addict. He was placed in a rehab facility in another state but can't recall the name. I did not have access to those records. In approximately 1988, he worked in a series of strip clubs in the Houston area, where he procured drugs for the women workers. He reports some unpleasant sexual encounters during this period which he reports as humiliations. Seeking to break away from that life, he relocated to the area where the crime was committed. He went through a series of warehouse jobs but was fired from each job. He was chronically short of cash and was living with a former co-worker at the time of the offense. He had a plan to get to California where a cousin lived.

Generally, I saw corroborating signs in my interviews that Freddie Duke is in fact moderately impaired from a neurological standpoint due to the childhood insults of fetal alcohol and skull fracture. His presentation matched what we see in the medical records and the testing.

Q: Dr. Dawkins, can you share your medical opinions concerning Freddie Duke with the jury?

A: Yes, happy to do so. Freddie Duke suffered organic brain damage of a moderate scale due to the twin childhood traumas of fetal intake of alcohol and possibly other intoxicants by his mother during her pregnancy, plus the damage done to his brain during a trauma which resulted in a basilar skull fracture. These insults have caused Mr. Duke to suffer functional deficits that result in poor decision making, low impulse control, lack of empathy toward others, inability to form trusting relations, and most

importantly a proclivity toward violence in dealing with others. These traits have been present from childhood all the way to the time of the offense and have significantly limited his life choices and his ability to function in society.

Q: Thank you, Dr. Dawkins, I tender the witness.

Cross Examination by Mr. Halliburton for the prosecution:

Q: Doctor, you mentioned that one of the findings concerning fetal alcohol syndrome is a lack of motor coordination, am I right?

A: Yes, that is a classic finding, and it was noted early by the staff at the birth hospital, and later in his medical exams at age four.

Q: And did your testing reveal this problem in Freddie Duke?

A: Yes, the testing was consistent with the earlier findings from birth and in childhood, thus another objective indicator of the syndrome.

Q: In this case as you know, Mr. Duke has been convicted of this jury with intentionally holding a pistol and shooting two women in the head. My question to you is whether the motor impairments you found would have hindered or prevented Mr. Duke from carrying out those actions of which he has been convicted?

A: No, the type of impairments noted and detected on testing are not the type that would grossly hinder the affected person in activities of daily living, nor in the specific activities you described in your question.

Q: Mr. Duke was found to have an average IQ, 91 I believe?

A: That is correct.

Q: Can he read and write?

A: Yes, in fact reading is one of his free time activities.

Q: Considering his general level of intelligence and considering all the impairments he suffered, would Mr. Duke have been able to discern right from wrong at the time of the murders?

A: Yes, I believe he would have been able to do so, but as you know Mr. Halliburton, we are now discussing the penalty phase of this trial. This is not a sanity hearing. I'm here to explain his neurological status, not to defend his actions. In fact, Mr. Halliburton, Freddie Duke made several general expressions of remorse for his actions during our interviews, although for legal reasons, we never discussed the details of the crime.

Q: You have opined that Mr. Duke suffers from an impaired ability to make decisions and lack of impulse control. It has been found that Mr. Duke lay in wait for this mother and daughter, kidnapped them, robbed them, murdered them, and then fled to Texas. Would that indicate the ability to devise a plan and then the ability and intent to carry it out?

A: Well, I suppose you can say he devised and executed a very bad plan.

Q: You concluded that his brain injury caused him to suffer from a lack of empathy for his fellow humans. Would placing a pistol to the heads of Betty and Bonnie Frizell and pulling the trigger be an example of a lack of empathy?

A: Counsellor, I think your question answers itself.

Q: No further questions, Your Honor.

Freddie Duke, DOC# 7138980

Death Row, Parchman State Prison
Hand Delivered to Chaplain's Office

Dear Mr. Duke,

I am writing this letter to you, to be delivered through your attorney and the chaplain's office as part of the Restorative Justice Project of the Mississippi Department of Corrections. I was persuaded to write to you and participate in this project by a therapist who I have been seeing for the last three years. I was told I could write anything which came to my mind, and I decided to do just that. I think the theory is that if we both start some type of dialogue, maybe something good can come of it. I'm not sure, but I am desperate, so here goes.

First, I'm not sure how writing letters or even talking is going to restore anything. You took from me the two most important people in my life. They are dead, and there is no restoring them. In doing so, you destroyed my life. I'm not sure there is any restoring that. In doing so, you destroyed your life as well, at least the freedom part of it. Whether you die for that, I don't know. But I'm pretty sure you'll never walk free again. I hear that life in Parchman is no piece of cake. So, I think it's a bit much for either of us to expect any kind of restoration from these letters. But one thing I've found from the many therapists and head shrinkers I've seen over the years is that to write out one's problems somehow helps. It doesn't give you a magical solution, but it helps. When the nagging problem in your gut is put on paper, it seems to lose a little of its power over you. So, here goes.

I attended every minute of your trial in 1998. I listened to the doctors describe how you never knew your father and that your mother was a drug addict who abused you. I heard how your brain was damaged by her actions of drinking and drug taking. So, I pity you for that loss, because you never knew what it was like to be loved by your mother. Mr. Duke, I was raised by two parents who loved and supported me and my little sister. On August 11, 1995, you took both my mother and my little sister from me. You shot them both in the head and stole my mother's car. I want you to realize what my momma and my little sister meant to me.

First, Mr. Duke, I want to tell you something you probably don't know. Both my sister and I were adopted by our parents. After serving in the Korean War, my father came back and married my momma. They wanted, like most young couples, to have a family, but because momma had female problems, this was impossible. In fact, she had a hysterectomy. So, for quite a few years, they tried to adopt a child. This was a long and difficult process. During this time, my momma became almost obsessed with having a family. After she died, my father showed me a scrapbook she kept filled with pictures of babies and happy families she clipped out of ladies' magazines. Finally, they got a call from Catholic Charities in New Orleans, telling them they had been approved, and that a three-month-old boy was available for them. That boy was me. They still had to go through various inspections and interviews by the state, but it was finally approved. Two years later, they went through this again, and adopted my sister, Bonnie. My parents always told us these stories because they wanted us to know how much we were loved and how much they went through to get us. They gave us a children's book to read called

“The Chosen Baby.” It was all about adoption, and how adopted kids were special. That’s how our mother made us feel – special.

My little sister Bonnie was almost like a twin to me. When we were young, our family moved a lot to keep up with my father’s job in the construction business. Sometimes it was after six months, sometimes up to a year on a big project. It was hard for me to make and keep friends, so Bonnie and I were our own best friends. I took up for her at school and on the playground, like a big brother should. We were each other’s teachers about the world as we traveled around. If she found out something, I’d be the first to know. Once, when we lived outside Atlanta, she discovered that if we crawled up into our attic and peered through a cupola in the roof, we could watch the movies being shown at a drive-in theater near our house. I was maybe eight or nine, so she had to be six or seven. It’s funny, when I think of her now, I mainly go to us watching some John Wayne movie at that drive-in without the sound. We’d use our imaginations and fill in the words ourselves, and just laugh our heads off. That’s how it was with Bonnie and me. When my eighth-grade girlfriend broke it off with me, Bonnie was the one I turned to because she knew me, really knew me. Maybe you never had a person like that, because if you did, you would never have been able to kill two wonderful souls.

Think about the best friend you ever had, or one person who treated you kindly, tried to help you along in life. I remember they said your aunt tried to help raise you. Would you kill that person? Could you kill anyone knowing they might be that person for someone else? Answer this question for me in your letter.

There’s one more thing I need to tell you. The day you killed my mother and sister, that’s the day God died, at least for me. I recall sitting through a funeral mass as a

seventeen-year-old. I felt nothing, nothing. I couldn't pray. Still can't. I hear you have found a relationship with Jesus. I hope that's true. If so, can you pray for me and my Dad? We need it. Can you see how a murder would destroy someone's relationship with God? It's weird. I'm not angry with God. I just feel nothing. It's like all that stuff in Catechism and twelve years of Catholic school and mass, it's all a joke, and not a funny one.

If you want to, write me. You can deliver the letter to the Chaplain's Office, and they will get it to me.

Sincerely,

Elwood Frizell

My journey to Parchman Unit 17 began many years before. The year was 2000. In a strange way, it began with a visit to a morgue outside New Orleans. I was in an AA meeting when I received a call from an AA friend, Sharon. Her daughter Jenny had overdosed. Sharon had been summoned to identify the body. Jenny was fifteen, one year younger than my own daughter who was being detained in a rehab facility out of state. Jenny and Lauren had been using buddies before my wife and I stepped in and sent her away for treatment. For a couple of years, Sharon and I had commiserated often about our out-of-control teenagers and generally supported one another. We traded books and compared notes on treatment programs. Sharon's husband was overseas. She needed

support. I wasn't sure if I could handle what I was about to witness, but I couldn't say no.

I met her at the coroner's office. A nice lady sat with us, muttering pabulum meant to prepare us, things about the appearance of dead bodies and the like. Then she ushered us into a bright cold room where Jenny's body lay under a sheet. Sharon gently pulled the sheet down to expose Jenny's face. I stood next to Sharon with my hand on her shoulder. She rubbed her hand down the cheek of her dead daughter, then bowed over and kissed her daughter's cold lips. Something in my gut grabbed from inside. I felt dizzy, mostly from the fear that I could be next. Sharon let out a low moan. I felt her knees buckle and I grabbed her around the shoulders. She turned back to the door, and we walked slowly out. We muttered a few things to each other in the lobby, then shuffled off toward our respective lives. As I drove back to my office, I felt a sense of hopelessness. Nothing Sharon and her husband did had worked. I had to admit that the same was true for my wife and I concerning Lauren. Our best efforts had failed. Lauren was safe because she was locked up, for now at least. That wouldn't last forever. I needed help. My way hadn't worked.

About two weeks after my visit to the morgue, I received a call from a former client who had become a good friend. My friend was a member of an evangelical Christian sect called Holiness Pentecostals which traced its traditions back to a charismatic movement which began in Los Angeles in 1906. It was known as the Azusa Street Revival and is the source for virtually all modern charismatic movements and denominations. My friend asked me if I would accompany him to a small rural church in Southern Mississippi which held a large service and dinner on the grounds each Labor

Day. For all our adult lives, my wife and I had been members of an Episcopalian church. We raised our children in that tradition. The ideas of speaking in tongues or being overcome by the Spirit were alien to me. For some reason that I still cannot explain, I accepted my friend's invitation. Perhaps I was desperate enough to try something different. I arranged to meet him at St. John Holiness Pentecostal Church. It was located under a grove of oaks and surrounded by horse pastures. Pickup trucks and cars lined the sandy road leading to the church. I met my friend and his two sons in the parking lot. He arranged for me to take a seat on the aisle and sat down beside me. The service began slowly. Bands played; choirs sang. Guest ministers delivered short messages. Two hours passed before the main guest preacher took the pulpit. Unlike the other speakers, this man was highly credentialed and spoke in an erudite and lucid manner. His message that day was that God is faithful to restore what has been lost. He used numerous Biblical references from both the Old and New Testaments. I wanted badly to believe him. My daughter was lost. She should have been living in our home. We should have had a loving and supportive relationship with her, but she was lost. She had yelled so many times that she hated us, that she wanted us to leave her alone. I had seen what all that led to – a child on a cold slab. But I was powerless. My dear daughter was lost.

At the end of his sermon, the guest preacher asked, "Is there someone here who needs help? Maybe there's someone here whose child is out on the street, and you don't know what to do." I was transfixed. I looked down the aisle leading to the dais where the preacher stood. I don't recall thinking about it; I just went. Before I reached the dais and the man offering help, I felt something -- a force, an energy, light, electricity, something so good, so kind and so powerful. That something, that force entered my physical body.

A few steps later, I arrived at the dais. The preacher was standing above me. He placed his hands on my head and began praying in tongues. Almost immediately, I felt the force welling up within. I don't recall the next few moments. Suddenly, I realized I was surrounded by a group of men, including my friend and his sons. They were supporting me and praying loudly for me. My legs felt wobbly. The love I felt was like a river coming up from within me. I began to hug those men. I could have hugged and even kissed everyone in that church. I staggered back to the dais and spun around to view the congregation – ladies with long dresses and beehive hairdos, men raising their arms in praise, small children running up and down the aisle. The band roared. The singers belted out songs of praise. Everyone was smiling and clapping. A few dozen others came down for help that day. I trust they received what they came for. I know I did.

After the service, everyone in attendance sat down for an outdoor picnic. My friend's minister sat down and spoke with me about what I experienced.

“Joe, have you heard of the Holy Spirit?”

“Of course, it fell upon the apostles in the Upper Room on the Day of Pentecost. It's part of the Trinity. I know it's supposed to be there for us as a counsellor, a helper. We read about it in our Sunday readings during mass. But I've never felt anything like that. I know something came into my body. Something outside my senses entered my physical body. It was powerful. It was good, so much love. I felt like I was drunk with love.”

“I think God has moved in your life, Joe,” he said. He put his hand on my shoulder. “He's got something special in store for you. Many folks, many in my own

church, wait and pray years for something like this. I hope you will take time to pray. Try to be open to what God is trying to tell you.”

Later, I drove home. I was about halfway home when I heard these words. “JOE, I WANT YOU TO START WORKING FOR ME. I’LL TAKE CARE OF YOUR DAUGHTER.” I can’t say now that these words came through my ears, but the message was received in my brain as clear as any auditory speech. I first picked up my cell phone and called my wife to tell her of all these amazing events. We agreed that God was trying to get my attention, but for what purpose? What was I supposed to do next? I wouldn’t have to wait long to find out.

I was leaving an AA meeting the next day when an old friend approached me. He had been severely injured decades before in an automobile accident. He suffered brain and spinal injuries and used a walker. He came up to me and after exchanging greetings, asked “Joe, have you ever heard of Inner Kingdom Prison Ministry?” I replied that one of my church friends had gone into Parchman with them to help stage a retreat a few years back. He had been inspired and had urged me to join in. There was no question in my mind but that this was my engraved invitation to serve God. I asked him how I could go about joining. He gave me the telephone number of a local volunteer. I immediately called the number and within a few months, I began a series of training sessions for a team which would stage a four-day Christian retreat in Parchman State Prison.

Two principles on which the Inner Kingdom operated were active listening and vulnerability. I was acquainted with these from my years in AA. Behind prison walls, these principles, combined with a healthy dose of the Holy Spirit, created a container so safe that men who had been forgotten by their families and society begin to feel the

Presence. They began to accept the counterintuitive fact that God loves them, despite what happened on the worst day of their lives.

An entire book could be written detailing the miracles I and others have witnessed during the Inner Kingdom retreats these past two decades. The stories are spellbinding, but my intent is to explain how I came to know Freddie Duke, and how I came to Unit 17 to witness his execution.

In 2018, the authorities at Parchman approached us about staging a retreat for a limited number of inmates on Death Row. At this time, Death Row inmates were held in a special area of Unit 29. This area was very separate from the other areas of the prison where the inmates are referred to as the general population. After their convictions on first degree murder charges, and after a jury unanimously voted to apply capital punishment for that murder, the convicted defendants are sent to Unit 29, which in effect functions as its own prison, albeit a very small one. In virtually all the U.S. states, such facilities are referred to as Death Row. There, the convicted live for decades while their capital cases are appealed through both the state and federal judicial systems. Two other volunteers and I attended a meeting with the head chaplain and the assistant warden over Death Row to plan an Inner Kingdom retreat. Prior to our retreat, all the inmates had lived lives which amounted to solitary confinement. As individuals, they were allowed one hour per day outside their cells during which they were to shower, dress, and then to walk, exercise or stand under a shed confined by a chain link fence top with razor wire. At that time, there were sixty-five men on Death Row.

Understandably, the attitude among the inmates on Unit 29 was grim. The chaplain wanted to stage a retreat not only for the ten participants, but also for the effect those

ten would have on the overall atmosphere of Death Row. The ten men chosen by the chaplain were believed to be ones who might influence others back in the cell block.

During our planning meeting, I recall being shown a modest conference room near the cell block. It was the only space available on Unit 29. Our two round conference tables would barely fit. The speaker's podium would be jammed into a corner. We didn't know how we would handle the space needed for music, food, and refreshments, but we agreed to make it work. There would be two circular tables, each named after an apostle. Five inmates and three volunteers at each.

I met Freddie sitting at the St. Luke table. He was very quiet that first evening. He introduced himself as a Muslim but claimed a belief in the Bible. Like so many others I encountered in prior retreats, he was a little suspicious of our motives. Nothing like this retreat had ever been held on Death Row. Several of the inmates were socially ill at ease, understandable after twenty years in solitary. The retreat is structured as a series of talks by the staff on various aspects of the Christian life, with heavy emphasis on self-forgiveness and reconciliation with God. Many long-term inmates have given up on God. They are the ones society wants to forget. Many have been forgotten by spouses, families, and friends. Freddie was no different. He felt abandoned from his birth. The God he heard of as a child was nowhere in his life experience. That first night, I looked into dead eyes as I stared at Freddie Duke across the table.

During a break on the second day of the retreat, I fetched a cup of coffee for Freddie and sat down next to him. I asked him what he did to pass the hours in his cell. "I'm a reader, believe it or not," he said. "They always told me that I couldn't read, that my brain was damaged. But its funny what you learn to do when all you've got is time."

“Wow, I’m a reader, too. Tell me, what’s the last book you read?”

“I just finished *Cannery Row*, by Steinbeck,” he said.

“Oh yea,” I said. “Read it in high school. Some crazy characters in Monterrey.”

“It’s a way for me to get outside the walls. Those rascals that lived in that old falling down house – I know those guys. Reminds me of a crash pad where I stayed in Houston. Just a bunch of lost idiots, trying to make it. But we had a lot of laughs.”

“So, I’ve got an idea,’ I said. How about we both list the three books we loved the most. Think about it, and maybe during the next break we share our lists with each other.”

“Ok, but I’ll need to think on that one.”

Later that afternoon, Freddie produced his list for me. “First, I read *Sophie’s Choice* at least once a year. Second is *Treasure Island*. It was the first real book I read on my own, so it’s very special to me. Plus, it takes me far away from here. Third, I listed *Siddhartha* by Herman Hesse. So, what’s on yours?”

I handed him mine. “*To Kill a Mockingbird* because it’s the perfect American novel. Next, one by a great Japanese author, Murikami. It’s called *1Q84*. It’s about time warps, destiny, and cults. Just read it, maybe you’ll love it like I do. Number three is a nonfiction book by the great Victor Frankl, *Man’s Search for Meaning*. I had to think hard on these.”

“Me, too,” he said.

I knew almost nothing about Freddie at that point. Obviously, I knew he was convicted of first-degree murder, which requires intentional murder along with “aggravating circumstances” such as rape, armed robbery, kidnapping, murder for hire

and a slew of others. Inner Kingdom strongly discourages us from asking about their crimes or delving into their background. We want to meet them where they are when we meet them. I knew nothing about his education or learning abilities, but unconsciously I made assumptions. I had assumed most of the Death Row inmates were of low intelligence. I was very surprised by the list he gave me. But I was intrigued as well.

“Your list,” I said. “It’s a wide one. How do you get these in here?”

“The prison library. They come by once a week. Unless it’s porno, they usually got it. If not, they can order it from the state library in Jackson. I’ve never had to wait too long for a book. Hell, they’ve taken everything else from us. I guess they figure they can at least help us improve our minds. Just watching TV all day is sure to rot one’s brain.”

As the weekend unfolded, Freddie began to open up during our table discussions on the various talks given by the staff. During one forgiveness exercise, he broke down and cried. The other four inmates at our table opened up as well. Vulnerability shown by the staff members during their talks helps foster a safe atmosphere where trust between the inmates can form. This is exactly how the Inner Kingdom program is designed. In the wake of a retreat, the chaplain helps the attendees form a prayer and support group where the traits of vulnerability and trust can grow among the men. These qualities are very rare in prison because almost all relationships are transactional. You give me something, I give you something. The prayer and support group is a safe place where the inmates can share their problems and ask for prayers and support from their friends.

Following our retreat in 2018, the chaplain went to extraordinary lengths to create a group among the ten Death Row attendees. Every week, with the notable exception of several months from 2020 to 2021, two volunteers from Inner Kingdom

made the journey to Parchman to attend and support the weekly prayer and to support the group. I was on a schedule which allowed me to attend one of these meetings each month. During these past five years, I discovered more about Freddie's life. I witnessed him growing spiritually. He claimed to be a follower of Jesus and was baptized by an inmate chaplain at one of the regular Sunday services on Death Row. Freddie led many of the meetings I attended which involved both Bible study and sharing by the men of their problems and challenges each week. Many had lost parents, even children. Many had problems with other inmates and guards. The group was a huge source of solace for them. I was very proud of Freddie's progress since 2018. This is the essence of the testimony I gave to the Parole Board.

Freddie and I continued to exchange book recommendations. This was a way for us to maintain more of a personal connection. Since it is forbidden for Inner Kingdom volunteers to write inmates, our recommendations and brief discussions of those books were our ways of acknowledging our commonalities, both spiritually and aesthetically.

I remember the last recommendation he made to me, just a couple of months before his execution. It was Kurt Vonnegut's *Slaughterhouse Five*. I had read it many years before in college. But I didn't let on. I listened.

"I love this book. There's so much in there about destiny. He was a lost kid like me. Ended up in Battle of the Bulge. Just stumbling through life, right into a cellar in Dresden. Just a dumb kid. He survives the firestorm, but then comes out the next morning to reality. Yea, and I love the way he finds out he's unstuck in time. He says he's seen his death many times. I like that a lot."

“Sounds great. I remember people talking about the book when I was young. I think they made a movie,” I said. “I’ll get me a copy.”

“So, there’s something else I loved. The kid, well he’s a grown up by then, he gets picked up by aliens. You know what one of the aliens tells him? ‘I’ve visited thirty-one inhabited planets in the universe and read reports on a hundred more. Only on Earth is there any talk of free will.’ Isn’t that wild? I love that line. Free will is a crock.”

I was asked by Freddie’s defense lawyer to testify at a hearing of the Parole Board which conducts clemency investigations and hearings. This hearing opened my eyes to the devastation visited on the family and friends of a murder victim by a senseless act of violence. I had my two minutes to tell the Board about the Freddie Duke I knew in 2023. They were plainly not interested in anything I had to say. So be it. About three weeks before the execution, I was informed by the DOC that I was on the list of approved visitors to witness the execution. Later, I received a pass in the mail.

Mr. Elwood Frizell

Hand Delivered

Mr. Frizell,

I received your letter. Thank you for writing this to me. When the chaplain told us about this program, I knew I wanted to participate, and I hoped someone from your family would want to do so. I could understand if no one wanted to communicate. I suppose many people want to forget. But I assure you, I can never, ever forget what I did. Hearing from both you and your father during the sentencing phase of my trial was

something I'll never forget. You and him need to know this. I live with my crime and what it's done to y'all every day. I suspect that will be true until my execution.

I don't really understand the "restore" part of this program. I agree with you that communication alone cannot restore what has been lost. But I believe that somehow God can restore, something at least. What, I don't know, but I believe that. He has a pattern of taking those things which are most painful and shameful and turning them into priceless gifts. What that might look like to you and your father, I can't say. I will say that perhaps our communication can bring some peace to you. That is why I'm writing.

First, I want to tell you that I deserve to die for what I did. It looks like that will happen in the coming months. I am ready and willing to die for my crime, and I hope and pray it brings you both some relief.

I read in your letter about the love and support your mother gave you and your sister. I envy you that. I never, ever in my life had any of that, until starting about five years ago. In 2018, I attended a Christian retreat for ten men held here at Death Row. It was put on by a group called Inner Kingdom Prison Ministry. It lasted four days and changed my life. The most powerful part was when we were asked to make a list of all the people in our lives whom we held in unforgiveness. I spent two days adding names – my mother who damaged and abandoned me, the father who ran away, boys who abused me, whores who humiliated me, police and guards, drug dealers. On and on. One of the volunteers looked at my list and told me I needed to list myself. I said no way, not from what I did. He told me Jesus commanded his disciples to forgive seventy times seven, or an infinite number. He asked me if I thought Jesus was a liar. Jesus says He

died for the sins of every man. Was he a liar, or did I believe He could wipe my slate clean? Later that night, we put our lists in a fire and asked God to remove our unforgiveness. That same volunteer told me that forgiveness was simply deciding that you didn't need to keep trying to collect that debt which some other person owes you. Maybe this makes sense to you. I hope it does.

I can tell you and your father that I'm sorry, and I could say it every day for the next fifty years. That won't change anything. I hope my death will, but if it doesn't, maybe you can decide to stop trying to collect that debt I owe you. Do it for yourself. You don't even have to call it forgiveness.

May the Peace of God be upon you and your father.

Freddie Duke

After the reading of the death warrant, the guards removed the manacles. Freddie climbed onto the table and lay down. The security officers tightened three straps across his abdomen, two on his arms and two on his legs. An EMT wearing a white lab coat stepped through the door and placed a blood pressure cuff on Freddie's arm. Next, he applied several electronic patches and lead wires to Freddie's chest. He then inserted the IV needle into Freddie's arm. After verifying that the EKG was operating properly, the Warden asked Freddie if he had a statement to make.

“The man who dies tonight is not the same man who committed the horrible crime twenty-three years ago. But man’s justice must be served. I hope that my death will bring relief to the Frizell family. I go to my death knowing in my heart that God has forgiven me. My slate is clean.”

He was asked if he wanted a blindfold and accepted one. I could see him relax. The anesthesia drug caused him to fall asleep and he began snoring lightly. After about five minutes, the EKG made a continuous alarm. A medical doctor stepped through the door and removed the blindfold. He checked Freddie’s pupils, then manually checked his pulse, and finally placed a small mirror under his nostrils. Freddie Duke was pronounced dead. The curtains were drawn blocking visual access to the chamber. The family members and other guests slowly left their viewing rooms and began to make their way back to their respective buses. A uniformed DOC official directed the victims’ people to the right and the perpetrator’s people to the left. He seemed to me like a shepherd separating the sheep from the goats, as in the parable recited by Jesus near the end of his life. But unlike the passage in the Gospel of Matthew, the moral basis for this separation was blurred beyond recognition. The justice meted out at Unit 17 was man’s justice. There were only losers boarding the buses that night.

I sat next to the priest once more. I asked her, “What happened back there? I’m trying to wrap my mind around it.”

“You witnessed a state sacrifice to the eye for an eye crowd. Freddie just drew the wrong number in the death penalty lottery. Did you know there’s over six hundred inmates in Parchman serving life for an intentional murder? Freddie just rolled snake

eyes. Plus, that county where he was convicted – it accounts for forty percent of the death sentences in Mississippi.”

“I was amazed at Freddie,” I said. “He seemed at peace.”

“I worked with him a lot these past two months. He wanted out of this world. You know it’s strange, all these years, and I can’t say that he was a Christian. Much more of a Diest. He studied so many spiritual walks.”

“Maybe so Madre, but I’m convinced he was a follower of Jesus. He was all about love and forgiveness. Even forgiveness for himself. It’s strange, even though I work for a Christian based ministry, maybe I’m not a Christian given what I see pass for Christianity on the news these days. But I’m certainly a follower of Jesus. Get me?”

“Joe, you’re all right. I hope you keep coming back, even after what you’ve witnessed tonight.”

“Count on it.”

Author’s note: I have been a volunteer for Kairos Prison Ministry working at Angola Prison in Louisiana since 2001. Since 2018, I have worked with 10 inmates on Death Row. This story is an attempt to express the realization that an act of violence starts long before the crime is committed, and its terrible effects continue for decades, causing ongoing suffering to families. It is also in part my story of how I came to be involved in this ministry and the spiritual evolution of the incarcerated men whom we have served.

