5. Crime and Punishment

About twice a month before the snows came, Sam Robbins took his mountain bike up Teton Pass and rode it over the pass from Wilson to Victor and back. The pass rises from the Wyoming side to the Idaho side nearly 11,000 feet over tight, dangerous switchbacks.

It is an awesome and strenuous trip for mountain bikers, and only the most hardy and athletic make the journey. Ten years ago, Sam Robbins had come to Jackson Hole from Tennessee, where he had attended the state university, majoring in physical education. He loved the outdoors and managed to make a decent living teaching skiing in winter and horseback riding in summer. During the shoulder months of October, November, March, April and May, when fewer tourists come, he taught exercise classes at the local health club.

Five years after coming to Jackson Hole, he fell in love with Pam Barret and they married and had a child. People liked Sam Robbins. He was intelligent, friendly, good-natured and participated in community events. He rented a house south of town, and he and Pam were saving to build a house of their own on a one-acre lot that they had purchased in the area.

As a young happily married couple, Sam and Pam Robbins were popular and sought after as friends and companions. The only distinguishing characteristic that made the Robbins' appear different from the others was the fact that Sam Robbins was black and Pam was white.

Sam Robbins was not naive. He knew even before he arrived in Jackson Hole that it had few, if any, blacks. In fact, when he settled in the valley, he discovered that he was the only visible black person in Jackson Hole. He did hear that there was one or two black ranchers around Pinedale but he never met them.

His mother had warned him that going to a place where there were no black people would expose him to discrimination and, perhaps, danger.

"Wyoming is cowboy country and cowboys carry guns," she argued to buttress her warnings.

"That's movie stuff," he countered. "In fact, Mama, most of the early cowboys were blacks and Mexicans." This was a fact he had learned from his black-history class in college.

"Are any of them left?" Sam's mother had inquired, implying that they had been eliminated by either lynching or banishment.

"People are people, Mama," he told her, understanding her concern. She was a churchgoing, God-fearing woman, but she had lived in an era of terrible prejudice and believed in her heart that white people, regardless of the laws they passed against discrimination, hated black people.

"Black folks and white folks are oil and water, son," she told him. Sam loved his mother dearly and was tolerant of her paranoia. She was of a different generation, and her judgment was warped by the terrible injustices through which she had lived.

Although Sam Robbins knew the art of living defensively—the natural instincts of any minority—he encountered no overt presence of racial discrimination in Jackson Hole. Not that he looked for it or wore his color on his sleeve. He was inescapably black, referring to himself in self-deprecating humor as "black as the ace of spades."

In the valley of Jackson Hole, there were a handful of Native Americans, descendents of the Shoshone, Gros Ventre or Blackfeet tribes that once used the valley as summer hunting grounds. Most of them appeared indigenous, hardly recognizable as different. There also was a small community of Mexicans, many of them illegals from the same town in Mexico, but the language barrier made them cluster together in tiny barrios in Jackson or over the pass in Idaho. That was the extent of the minority population. Despite his color, Sam felt a sense of inclusion and acceptance. He liked people and they liked him. He judged people solely on their behavior and hoped that others did likewise. His mother's warnings notwithstanding, it did not take him long to feel free and equal in Jackson Hole. After all, people told him, this was the Equality State and the town of Jackson actually elected the first all-women town council in American history.

"We're Westerners," the old-timers would tell him. "A man's character is what counts." It was exactly what Martin Luther King had preached and he felt happy and comfortable living among people who felt the same way as he and Dr. King.

Sometimes people joked about him as being Jackson's "black minority" but this was presented with good humor and he was not offended by it. Pam, on the other hand, was more sensitive to such remarks.

"Where there's smoke, there's fire," she told him.

"You sound just like Mama."

As the years passed, he felt that he and Pam were part of the community, with the same concerns that other couples of their age were experiencing—higher taxes, the cost of housing and the quality of the area's schools, for example.

"That's the price we pay for living in paradise," Sam said often. This was the mantra of the working people in Jackson Hole. They had to make sacrifices to live in Paradise.

One day in April, Sam took his bike over the pass. The weather was brisk and he enjoyed the chill on his face as he cycled up from the Wyoming side, then coasted down toward Idaho. He loved the challenge of the pass, the hard peddling up and the controlled speed required on the downhill slope. Often, people waved as they passed him and he, as is traditional in Wyoming, acknowledged their greeting.

It was mid-afternoon, a time he often chose, because there would be less traffic on the pass. As he pounded the pedals upward, returning home from the Idaho side, he was conscious of a movement

behind him. This was unusual since most times he would drive far to the right to make room for passing cars.

Looking back, he noticed a pickup directly on his tail. He caught only the briefest glimpse of the driver and his companion in the front seat. When the truck persisted, he waved it on, but it didn't respond. He wasn't quite sure whether or not this was an act of harassment. Bikers were sometimes hassled by impatient drivers, but, in this instance, he was far enough over to the right that it shouldn't have made any difference in the truck's ability to pass.

Steeling himself, he concentrated on the upward climb. On one of the first switchbacks, the truck's horn blared, then banged out some semblance of a rhythm. It was unnerving, but Sam did not look back. Just some drunken rednecks harassing a biker, he told himself, trying to ignore the grating sounds of the horn. Then suddenly it stopped. Sam was encouraged. Perhaps they were tiring of their socalled fun.

Then the motor gunned behind him and the truck pulled up beside him, slowing down to match the pace of the bike.

"Hey, monkey," one of the men called out. He was the passenger. Sam deliberately ignored the man.

"Hey, monkey, monkey," the man cried. "Wanna banana?"

Sam saw a banana peel fall in front of his bike. Only then did he turn to look at the man harassing him. The man had long unruly hair and the look of a red-neck. Sam figured he was drunk. The man was howling with laughter.

Then the man on the driver's side perched over the passenger and called out.

"Ridem monkey man. Ridem. Dumb monkey fuck."

The pickup moved closer to Sam's bike.

"Hey monkey asshole. Get outta the way."

The horn blared and the men continued to laugh.

"Don't be crazy," Sam shouted to them as the pickup came dangerously close to him. "Monkey talks. Ever see a monkey talk?"

Up ahead, Sam saw the crest of the pass. He pushed harder. Still, there were no other vehicles in sight. Suddenly, the pickup pulled away, then moved in front of the bike. The man beside the driver stretched his head out of the window and shouted.

"No monkeys allowed on the pass. All monkeys go home to the jungle."

Sam noted that the vehicle had Wyoming plates. He memorized the numbers. Suddenly the truck slowed, then picked up speed, blowing exhaust in Sam's face. Relieved by their departure, he pushed hard to gain the crest. He was angry, of course, but calmer now that the truck was out of sight. As much as he wanted to deny it, he could not escape the conclusion that the remarks were meant to be racial slurs.

He figured the men were high and just playing around. At least, he hoped so. He had never experienced this kind of insult, and he assuaged his anger by believing these were just a couple of good old boys blowing off some steam. He hoped that they had gotten bored with harassment and driven on.

Reaching the crest of the pass, he started to switch gears when he felt himself pushed from the side, losing his balance on the bike. He fell hard on the asphalt and the two men picked him up roughly and pushed the bike to a side of the road. Sam noted the smell of sweat and alcohol as the men manhandled him to the road that led up to the ridgeline.

There they had parked the pickup. Out of sight of the pass road, they tied Sam's hands behind him and pushed him into the front seat of the pickup.

"You fellas have no right to do this," Sam managed to say. He was scared. The men were rough types. They wore tight jeans, cowboy boots, white T-shirts and leather belts with silver cowboy buckles. Sam noted some papers on the floor of the pickup with the name of a construction company on its masthead. He memorized the name: "Valley Construction."

"Monkey says we have no rights," the driver said. He was balding, and his hair was dirty and scraggly. He needed a shave. The other one was younger, probably still in his teens.

"Just taking you back in the jungle where you belong," the younger one said.

"Let's hear some monkey talk, monkey."

Sam felt a hard pinch on his arm and let out a scream of pain.

"Monkey talks funny," the driver said.

He drove the truck upward and parked it where it couldn't be seen from the pass road. Then they manhandled Sam out of the truck.

"What'll we do with the monkey?" the driver asked. He drew out a can of beer from under the seat and drank a deep swallow, then handed it to the younger man.

"Do monkeys dance?" the driver asked.

"You heard the man, monkey," the teenager said. "Do monkeys dance?"

"This is going too far, boys," Sam said, trying desperately to keep calm. His hands were tied solid and he felt helpless.

"Hell, we can go further than that, can't we, boy?" the older man said.

"Better believe it," the teenager said. He opened the pickup and took a hunting knife from out of the glove compartment.

Sam tried backing away, but the older one jerked the end of the rope and Sam lost his balance and fell to the ground.

"What do you say we strip the monkey?" the older man said. "I ain't seen no monkeys wearing clothes."

They kneeled beside Sam. The teenager sliced away his biker's jacket and tried to pull off his pants. At that point, Sam kicked away with his feet, catching the older man in the thigh, knocking him over.

"Monkey likes to fight," the teenager said, straddling Sam across the stomach and holding the flat blade of the knife to his throat.

The older man lifted himself off the ground and came forward to where the teenager was straddling Sam. Suddenly, their eyes met and, for the first time since the episode began, he caught a note of hesitation in the man's expression.

"What do you say, we off this monkey. Maybe let the bears get him. Don't bears like monkey meat?" the younger man said.

"Rather see the monkey dance," the older man said.

Sam still felt the cold blade of the knife at his throat. He kept himself stock still. He had no experience in handling these circumstances.

"Maybe we cut his balls off, he can't make no more monkeys," the younger man said. With his free hand, he grabbed Sam's genitals.

"I'd rather see him do his monkey dance," the older man said. Sam could tell that the man was beginning to see that the situation had gone too far.

"I say we cut his balls off," the younger man said, "stuff 'em in his mouth."

"Jesus, Roy," the older man said.

Sam said nothing, hoping that the older man might realize that it had gone over the top.

"Never seen no monkey balls," the teenager said, pulling at Sam's underwear with his free hand while still holding the flat side of the knife to his throat. Sam closed his eyes. He was pinned down by the husky younger man and couldn't move.

"You scared, man?" the younger man asked Sam. He had spat out the question and Sam felt his saliva on his face. Sam nodded.

"Yeah, I'm scared. I got a wife and kid."

"Monkey has a wife and kid," the younger man said, howling. "One widow and orphan comin' up."

"Let's get on back," the older man said suddenly.

"You chicken, man?" the younger man said.

"Let's get on home," the older man said. He seemed concerned now.

"I'd do it, too," the younger man said. "Cut 'em right off."

"Sure you would, Roy."

"Stuff 'em in his mouth."

"I know that, Roy."

The younger man looked down at Sam and grinned.

"No, I wouldn't," he said. "Just seeing how scared monkeys can get. Bet he shit his pants."

The younger man got off Sam and put the knife in his belt.

"You had me scared too," the older man said to the younger one, the one named Roy.

"I was only havin' fun," the younger man said.

"He wouldn't hurt a fly," the older man said, addressing himself to Sam who was still lying on the ground.

"We was just having fun," the younger man said.

The older man lifted Sam to a standing position, and the younger one cut the rope from his hands.

"We didn't mean no harm," the older man said. "We was just playin' around."

Sam said nothing. Common sense told him to stay calm, keep his mouth shut.

"Smart thing would be just to keep this between us," the older man said.

Sam did not respond. He found his pants and put them on. It was beginning to get dark.

"Hope you can take a joke," the older man said. "I mean I got a wife and kid, too. And this boy comes from a good family."

"We wuz only playin' around," the younger man said. "We did you no harm."

Sam still said nothing. There was no point. If he spoke, he knew, he would show them his anger.

"You get my drift, then?" the older man asked.

"He ain't gonna do nothin'," the younger one said, touching the handle of his knife, his threat implicit in the action.

"Just jokin'. We can give you a lift to the road."

"It's OK," Sam said. "It's not far."

"No," the older man said. "We gotta give you a lift. See if the bike's OK."

Reluctantly, Sam got into the pickup. Still, he said nothing. He felt nauseated by the smell of the men and the residue of his own fear. He had been scared, but he had hated his being scared, almost as much as he hated the two men. He needed to get away from them as quickly as he could. They drove him to the pass road and the older man got out and picked up the bike.

"Looks OK to me," he said.

"Looks just fine," the younger man said.

Sam got out of the truck and inspected the bike. It seemed to be in working order and he could coast down the pass to where he had parked his car at the bottom of the old pass road.

"You gonna be OK, man?" the older man asked.

Sam nodded.

"We don't want no trouble," the older man said.

"Hell, no," the younger one said. "We was just playing. Maybe had one too many."

"No maybes. We did have one too many."

The men laughed and got into the pickup.

"Remember what we said," the older man said. He did not wait for a response, but gunned the motor and headed down the pass. Sam mounted his bike and started coasting down the road. Tears were rolling out of his eyes, down his cheeks. His nose ran and he wiped the mucous and tears away with the back of his hand.

For the first time since he had come to Jackson Hole, he felt like a black man. And yet the terrible men who had tortured and abused him had not once used the term "nigger."

When he got home, he took a long hot shower, scrubbing himself as if to wash away the horror of the experience, the cruel words, the violence and threats. When he finally was able to communicate rationally with Pam, he told her the story.

"Are you going to let them get away with it, Sam?" Pam asked.

"Will the punishment fit the crime?" Sam asked. He had been contemplating all aspects of revenge. They had abused him, insult-

ed him, humiliated him, threatened him and his family. And for no other reason than that he was different. They called him a monkey. He was sickened by his own role. Had he been too frightened to fight back with all his strength? Did they really believe he would be docile enough to let the matter rest? They didn't seem too worried about him going to the authorities.

He pondered whether or not he should call attention to himself, a black man, and force people to discuss the matter, perhaps take sides. What he worried about most of all was that people actually might believe that this was nothing more than a prank, a game played by people who were a little high on alcohol. Some would wonder if calling him a monkey could really be considered a racial epithet. Would people think he was embellishing the story? The two men, however horrible they treated him, were obviously working people doing hard labor. Their pickup truck coughed and sputtered and the body work was chipped and dented and the paint job almost totally faded.

"They also threatened you and little Sam."

"I'm not afraid."

"I am!" he shot back angrily.

He did promise her that he would turn it over in his mind and try to figure out the best course of action. He knew what his mother would say. Ignore those terrible whites. Their souls will not rise up to meet the Lord. She would also rebuke him yet again for living in that strange white land instead of in the bosom of his own people. She did not approve of his marriage to Pam, although little Sam spent weeks at a time with his grandmother, who loved him dearly despite the lightness of his skin.

After a sleepless night, Sam got out of bed the next morning and announced his decision. He was going to tell the sheriff. He had the license-plate number on the pickup memorized and he also remembered the name of the company with which they probably were associated. Surely, with his sworn testimony, the sheriff would understand that a heinous crime had been committed. The question in Sam's mind was the punishment. In his mind, that punishment had to be equal to the crime.

He told his story to the sheriff, who expressed his anger and rage.

"Not on my turf," he fumed, taking notes furiously. "This is Wyoming."

He called two of his men into his office and gave them the details, and in a few moments they came back with the information needed. They had the owner of the pickup, a man named Larsen who lived in a trailer on Gregory Lane.

Within an hour, both men stood, sheepishly, handcuffed together in the sheriff's office. Sam was present.

"These them?" the sheriff asked.

Sam looked at the men who could not look him in the eye. The older man was ashen and the younger looked grim and frightened.

"I got a wife and kid," Larsen said. He was the older man. "We didn't mean no harm. Did we, Roy?"

Roy shook his head and looked downward.

"You accosted this man, roughed him up, called him vile names and threatened to cut off his genitals. Is that true?"

Roy nodded, shuffled his feet and looked at the ground.

"We did him no harm," the older man said. "We had one too many is all."

"How would you like someone to do to you what you did to this man?" the sheriff asked. Both men continued to look at the ground.

"He says you threatened him with more violence if he reported this crime?" He pointed to the knife they had taken from the younger man. "This your weapon, Roy?"

Roy nodded in the affirmative. Sam looked at the knife and shuddered.

"Do a little castrating with that, would you Roy?"

"I wouldna done nothin'," he whispered.

"I could give this knife here to Sam. See what he would do with it. Would you like that?"

The man shook his head.

"Well we got the ID," the sheriff said. "We'll see what we can do to throw the book at them."

"Isn't there somethin' we could do?" the older man said with a quavering voice. "We got drunk is all, went nuts. We didn't mean no harm."

He lifted his head and looked at Sam.

"I'm sorry man, really sorry. We got nothin' against you or your kind. It was wrong." His voice trailed off. Sam said nothing.

"Nothing against his kind?" the sheriff said. "You called him a monkey. What is that supposed to mean?"

"We got nothin' against black people," the older man said. "Live and let live."

"But you didn't," the sheriff pressed.

"We was drunk," the older man mumbled, looking at his shoes. Sam thought he looked pathetic.

"Don't look so tough now," the sheriff said.

"Look, I got a wife and kid," the older man pleaded, looking at Sam. "Tell them to give us a break."

"We're going to do just that. Give you three squares and a roof over your head, courtesy of the state. Maybe even the feds will take a look. Say bye-bye to the wife and kid, you scumbags."

Instead of relief, Sam felt anguished. In his heart, he wanted these men punished, wanted his revenge, wanted them to feel the same psychic pain he had experienced. On the other hand, he felt compassion for the family of the older man, especially his wife and child.

"We'll call you when we need you, Sam," the sheriff said.

"What will happen to them?" Sam asked.

"Lawyer will get them bail and they'll probably get some time. At least I hope so. Terrible thing they did to you, Sam." Sam continued to be troubled. All that day, he couldn't eat and at night he tossed in his bed unable to sleep.

"What is it, Sam?" Pam asked.

"The punishment must fit the crime," he muttered.

"You don't make or administer the laws, Sam. Just hope they get what they deserve."

Her remark seemed to stimulate his thinking and sometime toward morning he got his idea.

When the prosecuting attorney arrived at work that day, Sam was waiting for him at the door. By then, the story of Sam's agony had gone through town like brushfire. He had no doubt that he would be contacted by reporters from the *Guide* and the *News* and the radio stations. He hated the idea of being the center of attention, especially on the basis of race. He had never wanted to be singled out for that reason alone. Unfortunately, there was no way to avoid it.

The prosecuting attorney was sympathetic and gracious. He also was appalled at what the two men had done to Sam and assured him that they would be prosecuted to the full extent of the law. He cited a number of statutes that had been criminally violated—not to mention Federal Civil Rights violations.

"I have a better idea," he told the prosecuting attorney, proceeding to outline what he had in mind in greater detail.

"I don't know if it would pass muster," the prosecuting attorney countered. "Might get the ACLU up our gazoo. Although . . ." He suddenly became thoughtful.

"Suppose we got the men's consent?" Sam asked.

"Make a deal?"

"A signed consent to participate," Sam said. "They would be doing it voluntarily. Better than time."

"Send a helluva message," the prosecuting attorney said. "I love it. But I'm going to have to speak to the judge and the lawyer for the defendant."

"I think I can persuade them," Sam said.

"You?"

"Hell," Sam said. "I'm the victim. I think they'll listen."

Late that afternoon, the prosecuting attorney called Sam's home.

"Got a go for your idea, Sam. Depends on both defendants' written consent. Doesn't mean we won't be sued but we're all willing to take the chance."

"And my meeting with them?"

"Arranged," the prosecuting attorney said.

That evening, Sam went down to the sheriff's office and the two prisoners were taken to a room with a table. The three men sat around the table while one of the sheriff's men looked on. As before, the men were downcast and nervous.

"We did a terrible thing to you, Mr. Robbins," said Larsen, the older man.

"I was the worst," the younger man said. "I don't have nothin' against you for being a black man. Hell, I don't even know any black men."

"I've got a wife and kid," Larsen said. "Same as you."

"I'm not impressed by your show of remorse, gentlemen," Sam said. "What you did to me deserves the hardest punishment the law allows. Put yourself in my shoes."

"It's the alcohol made me crazy, Mr. Robbins," the younger man said. "I can't believe I got so crazy."

"Don't blame the alcohol," Sam said. "Something mean inside both of you made you do this to me. The truth is I hate both of you for what you did. But I do have this idea. It needs your written consent. And if you do it, you may not have to serve time, but I can't guarantee that."

The two men exchanged glances, then listened raptly as Sam outlined his plan.

"Jeez," Larsen said, rubbing his chin. "My kid'll see it. All my friends and the guys that work with me. . . ." His voice trailed off.

"Better than time," Sam said. "Besides, it's sure to be in the papers anyway."

"Lawyer said we may get off," Roy said. "Though I did get that DUI last year."

"I never been in trouble with the law," the older man said.

"That's the deal. Take it or leave it," Sam said. "I've got all the permissions I need."

The men exchanged glances again.

"You said in writing," Larsen said.

"I've prepared a document for both of you to sign," Sam said. He handed the two-page document to Larsen and both men read it carefully.

"Says we were malicious, cruel, unfeeling, insensitive and violent." There was no mention of the men being drunk, which was deliberate. Sam did not believe that alcohol was to blame. It simply lit the spark to already dry tinder. Larsen continued to read, then shook his head and looked up at Sam.

"Makes us seem like a couple of animals."

"Beasts," Sam said. "Beasts in the jungle."

"I was the real bad one," Roy said. "Larsen's got a family. Maybe you can sort of let him out of it."

"Both," Sam said. "It's true, you were the worst. But Larsen went along. People who do that are just as guilty as the others."

"Any way my kid don't have to see this?" Larsen asked.

"Mine will," Sam said. "Yours should."

"How would you like it?" Larsen said. "See his father like that."

"How would my son have reacted?" Sam said. "Seeing you do what you did to his father?"

"Shit," Larsen said. "I'll sign. Better than prison."

"Me, too," Roy said.

The sheriff's man went out of the room to get a notary. While he was gone, Sam spoke to the two men.

"Why?" he asked them.

Larsen looked at his hands, then up into the face of the younger man.

"I don't understand it. Maybe because you were different than me, than us. You know, a different color. Fact is, I don't have no prejudice in my heart. We was just being damned fools."

"Maybe I been lookin' at too many bad movies," the younger man said. "Maybe we were just angry and you came across our path."

"Angry at me?" Sam asked.

"Maybe bein' angry bein' what we are," Roy said. "Workin' stiffs. Bottom-of-the-barrel boys. Maybe that."

"Even so," Sam said. "Why me?"

"I don't like what I did," Larsen said, shaking his head. "I don't even know where the idea came from." He paused. Tears filled his eyes. "Are we evil men, Mr. Robbins?"

"You are to me," Sam said, getting up from the table. He felt a sudden surge of compassion, which he didn't want to feel. A notary came in and watched the men sign the document, then put her stamp on it. The sheriff's man took the documents and put the cuffs back on the two men, and Sam left the room.

The wooden cage was set up in the Town Square, and the two men were placed in it on Saturday morning. Inside the cage was a curtained-off area and a portable toilet. There was hay on the floor, but not a stick of furniture in the cage. Over the cage was a sign "Beware: Savage Beasts."

The local newspapers put out a special edition announcing the event, and the radio and television stations donated time for the announcement. Not everybody was pleased by the idea, of course. Nevertheless, most of the locals and some tourists joined the lines of people viewing the two men.

Most of the time, the men sat on the floor cross-legged, their heads bowed. No one really knew how to react to the spectacle. Some were simply silent. Others cursed the men, pouring invective on them for disgracing the town. Occasionally, one or the other of the men would look up at the passing parade of people and remark: "We were wrong to do what we did. But we are not evil men." Sam came early before the crowds. He brought Pam with him, and little Sam. While he had enjoyed the idea when it was an abstraction, the reality sickened him. He was sorry he had put it in motion and, although he still despised the men for what they had done to him, he could not dismiss the great swell of compassion that rolled over him. They were, after all, human beings just like him.

"I didn't want this," he told the men through the bars of the wooden cage.

"Either did we," Larsen said. "Sittin' here, I'm wondering if hard time isn't better."

"I'd rather be here," the younger man said.

"Are they bad people, Daddy?" little Sam asked. He had not told the boy what the men had done to him.

"Very bad," Pam said.

"They did a bad thing, but they're not bad people," Sam said. He was surprised by his own statement.

"Let's go home," he said and as he turned he saw another woman holding the hand of a child about little Sam's age.

"It's OK, Hank, we still love you," the woman said. Her eyes were red with tears and the little boy stared at his father through the bars, uncomprehending.

"We did a bad thing to that man," Larsen said, pointing with his chin. The woman turned and stared at Sam's black face. Sam imagined he could see the hatred in her eyes.

"Two wrongs don't make a right," she said.

Sam felt his stomach lurch. He turned away from the woman and walked with Pam and little Sam back to his car.

"They deserved it," Pam said as he drove home.

"The punishment fit the crime," Sam said, adding after a long silence "Didn't it?"