

**June 15, 2001, Edmonds Community College
Commencement Address—Tom Wales***

There is Work to be Done

President Oharah, members of the Board of Trustees, distinguished faculty, alumni, parents and friends, and, most important, members of the Class of 2001.

It is a pleasure to be here. I should tell you that I got a call from my brother yesterday after he heard I was to talk with you today. “Tom,” he asked, “Tell me, I’m curious. What do you plan to discuss in the *second* hour of your address?” “Well,” I told him, naturally, “something pithy and profound to set up the main body of my talk.”

So, let’s get to it. I can feel President Oharah beginning to squirm in his chair.

I heard someone say recently that every commencement talk starts with a quote from Emerson. I suppose I could give you that quote, move on to a discussion of your entry into the great river of life, talk about the shoals to avoid on the trip, and conclude by admonishing you to go out and live prosperous, happy, and productive lives. But I’ve got you captive here for the next 20 minutes or so, and I want to talk about some other things.

[Invent Yourself]

Many, if not most, of you undoubtedly have jobs lined up or are off to even more education, but if you’re anything like I was almost 30

years ago, you're sitting there contemplating the awful fear, the exquisite torment of charging out of here and . . . spending the next three months sitting in your parents basement completely unemployed and impossibly confused about what you want to do with your life.

Stop worrying. You'll get a job. And it doesn't have to be forever. Your first job is not going to determine the rest of your life, if you don't want it to. Relax. Go get a job doing something that you think you might like to do. If you like it, stick with it; if you don't, don't quit immediately, because it's always easier to get a job when you have a job, but go look for another job doing something else. When you find something you like, INVENT YOURSELF.

I don't mean assume a new identity, a false name, a fake mustache. I mean give yourself the freedom to IMAGINE yourself as successful in that job, as doing that job superbly well.

We all invent ourselves. As people prepare to move from college to the "real world," they look at successful people—business and political leaders, actors, revered teachers, lawyers, religious leaders—and wonder how in the world those people ever got to where they are. I sure did. For the most part, there are no how-to books on this. Sure, there are books that recite some of the mechanics—how to write a contract; how to run a successful political campaign; how to question a witness—but none that give you the essence of the successful person you decide you want to be.

Do you think Jennifer Lopez, Brad Pitt, or Tom Cruise really knew what they were doing when they decided to become actors? Do you think Clarence Darrow or Johnny Cochran knew what they were doing the first time they walked into a courtroom? That John F. Kennedy knew how to run a cabinet meeting the first time he walked

into one as president? Not on your life! But I guarantee you they had the chutzpah to know what they wanted, to invent themselves, and to carry it off—until they became what they'd imagined.

The first time I ever prosecuted a case almost 20 years ago, I walked into the courtroom green as grass. I'd studied the mechanics, I'd read the books, I'd watched Perry Mason, but that was it. I knew if I LOOKED green, it was death. So I pretended. I ACTED like I'd done it for years. When it was over, the jury came back in 10 minutes with a verdict in my favor. (Of course, I have to say, it helped that the day before the trial we found the defendant's girlfriend who tearfully testified that the defendant had admitted to her that he was the bank robber.)

This isn't to say, don't ask for advice or confess ignorance beforehand. YOU MUST! But it is to say, that when you walk into that first meeting, whether it's an audition for a part or a discussion with a client on how you're going to cut their grass, have the courage to pretend that you *are* the person you want to become, because that's what the rest of us did.

[Be Present in Your Own Life]

John Lennon said, before he was shot and killed outside the Dakota Apartments in New York, "Life is what happens to you while you're busy making other plans." Be engaged; be involved in what goes on around you. Be present in your own life. Find something you believe in passionately and get into it. Get outraged. Take a stand.

We are at peace. We are the most prosperous country in the history of the World. You think all the work's been done? The Civil Rights Act and Voting Rights Act were passed, the Cold War is over, and

the rest will take care of itself? Think again. Find something you care passionately about and get engaged. There is work to be done. **For me, among other things, it's gun control.** We are awash in guns. 200 million at last count; 75 million handguns. We murder more of our own people just in Washington State than in the ENTIRE countries of Canada and Great Britain COMBINED. Six thousand Washingtonians died from gun violence in the last 10 years. And, unlike every other industrialized nation in the world, we've lived with this plague of guns so long that it's beginning to affect us in ways we don't even recognize.

I'll give you an example. You may remember two years ago a gunman walked into the Lake Union shipyard in Seattle and killed three people. The next day the papers reported that, within minutes of the shooting, the Seattle School District had been able to lock down every school within a 2-mile radius of the shootings.

My first thought was, "Well, good for the School District for doing a fine job protecting our kids." But, wait a minute. Is this Kosova, Bosnia, Beirut, Rwanda—that we have to LOCK DOWN our schools to protect our children? I suggest to you that we must REFUSE to accept the notion that we have to live our lives this way, and I've have spent the past ten years building Washington CeaseFire into an organization that takes on the NRA at every turn. There is work to be done.

Or take the death penalty. A homicide is the taking of a human life by another human. Timothy McVeigh was executed on Monday. It was a homicide. Was he a monster? You bet he was; he killed 168 people in cold blood. But do we feel better for having taken his life? You think so? I don't. You think it made any of the 232 people who watched him die feel better? I don't think so. The desire for revenge

is a corrosive emotion: It twists your guts; it eats you up. It's what, don't forget, drove McVeigh to commit his despicable act.

Paul Howard, whose 27-year-old daughter was killed in the bombing, watched the execution and said "We didn't get anything." You think the victims who watched got "closure"? I don't think you EVER get closure from the nightmare of having a loved one murdered. Those 232 people won't get closure. They'll be haunted; they will get nightmares, forever remembering Tim McVeigh staring at them as he was put to death.

And McVeigh aside, what about the fact that the overwhelming majority of people that we put to death in this country are minority or poor? What about the fact that volunteer lawyers and the Innocence Project have freed dozens of men wrongfully on death row, based on irrefutable DNA evidence? What about the innocent ones *we've killed*? Even Pat Robertson has voiced reservations.

Every country in Western Europe that the President will meet at NATO this week has abolished or suspended the death penalty, leaving us in the company of Afghanistan, Uzbekistan, and Rwanda. I'll leave it at that. There is work to be done.

Or take a look at our criminal justice system generally. We have just passed Russia and now have a greater percentage of our population in prison than ANY OTHER NATION IN THE WORLD. Two million Americans are behind bars. Number 2 is Russia. The Cayman Islands are a distant third. Our rate of incarceration is FIVE to EIGHT times that of Canada and most of western Europe, principally because of our drug laws and foolish mandatory minimum and 3-strikes laws that remove from judges the very ability to ensure that the punishment fits the crime—which most of us grew up believing is a fundamental tenet of our criminal justice system. And

an overwhelmingly disproportionate percentage of our prison population—out of *all* proportion to the crimes they commit—is black and other minority. Today there are more black men in our jails and prisons than in the dormitories of the colleges across this land.

As a prosecutor for almost 20 years, as someone who has chaired our state bar association's committee on corrections and our county bar association's committee on corrections and sentencing reform, I tell you, THIS IS WRONG. There is work to be done.

Or take the environment. The President has now rejected the Kyoto accord on global warming—reached after exhaustive negotiations with most of the industrialized nations of the world—citing an economic slump in this country. An economic slump. Think about that. We have walked away from a global effort to address a problem that WILL cause skin cancer in millions, that IS causing the polar ice caps to melt, that WILL raise the oceans, which WILL wipe out the homes of millions of people in low-lying areas, and that WILL change the economies of ENTIRE COUNTRIES . . . and the President of the United States, to what the New York Times described as the shock and dismay of the European leaders with whom he is meeting this week, has rejected the accord out of hand, because the United States is in an economic slump . . . an economic slump, incidentally, that still has us with one of the lowest unemployment rates we've had in 30 years! Oh, there is work to be done.

Whether it's gun control, the death penalty, or the environment. Or working to end homelessness in the most affluent nation in the history of the earth—there are homeless people here in Edmonds, by the way, every night; hundreds of men, women and children in Snohomish County every night; almost 5,500 men, women, and

children homeless in Seattle every night; 750,000 in the U.S. *every night.*

Whether it is working for any of those causes, or working for reproductive rights, or health care, or to end inequality and discrimination, not just against people of color, mind you, but against our gay and lesbian citizens, there is work to be done.

Disagree with me? GO AHEAD. PLEASE DO. Be pro-life, pro-gun, pro-death, pro-poverty, and pro neglect of the mentally ill who make up such a huge proportion of our homeless population. Good for you. Just get involved. Hey, I think I'm right, but I've been wrong before. Go through that door, and come battle me on these issues. More power to you. But get involved.

The point is, don't just let life happen to you. Be present in your own life. Why bother? Because our paramount duty is not to see how many cars we can have in the garage, how many square feet of air-conditioned space we've got in our house, how exclusive our country club is.

Under every ethical and religious precept in the history of the world—Muslim, Jewish, Buddhist, Lutheran, you name it—under every one, the paramount duty is to leave the world a better place than we found it; to leave our children a better, fairer, healthier planet than we received from our parents.

LIFE IS NOT A DRESS REHEARSAL. It's the main event; don't waste your time on the stage. We're all forgiven many sins in our lifetime, but the most difficult to forgive, in my view, is wasting the gift of life on this planet.

So, as you work to “invent” yourself, work to invent the society in which you live and will bring up your children. The founders of this nation declared their independence to create a *MORE* perfect nation, not a perfect nation. They knew it would always be a work in

progress, depending on each following generation to continue the work. And as they were right in so many things, they were right in that. There is work to be done.

And it doesn't have to be sweeping change that you accomplish. Take a look at those huge tankers out on Puget Sound. They are so big, so gigantic, that once underway it's not possible, without incredible difficulty, to turn the massive rudder. How do they turn? When the captain turns the wheel, little flaps pop out of the side of the rudder, the passing water hits them, and it's the pressure of that water on the flaps that allows the main rudder to finally turn.

What are we, most of us who are active? We're the little rudders that, eventually, get the big ship to turn. It doesn't take a lot to make a difference. Join us.

[Try not to Leave Anyone Behind]

My final point is best illustrated by a story from the Seattle Special Olympics several years ago. I heard it mentioned just recently on the East Coast, and it was repeated in the PI last week.

The Special Olympics was down to the last premiere event, the 100-yard dash. The 9 finalists, all so-called mentally or physically disabled boys and girls, got set on the starting line. The gun went off, and the kids started racing down the track. As they went along, one of the boys fell and hit his knee. It hurt so much he started to cry. The rest of the kids were still racing along, becoming spread out on the track, but, one by one, as the boy's cries reached them . . . they stopped. They turned, and, as one, began to run back to the fallen boy. They surrounded him. A girl with Downs syndrome bent down, kissed his knee, and said, "There, that will make it better." They helped him up, and then, together, arms linked, walked to the finish

line, finishing as one. And everyone in the stands stood up and cheered and whistled for a very long time.

The point of the story is *not* that you shouldn't leave here and try to succeed. The point is just that, as you run down the track, try to make sure that no one is left behind.

[CONCLUSION]

So invent yourself, be present in your own life, take a stand for what you believe, and try to be sure that no one is left behind.

The true test of civilization is not the size of our Nation, the magnificence of our cities, or the wonder of our technology, it's the kind of men and women the country turns out. There, you got some Emerson after all. As I look at you, Class of 2001, I think we are in good hands.

Thank you, graduates, for coming out to join us. We need you. We need you. There is work to be done.

And congratulations. Thank you.

** Tom Wales is a 1974 graduate of Harvard College. He graduated from Hofstra University School of Law in 1979 with distinction, where he served as editor-in-chief of the Law Review, the highest honor a law student can receive. After graduating he served as a law clerk for a federal judge in New Jersey.*

For the past 18 years, he has lived in Seattle, where he has worked as a federal prosecutor at the United States Attorney's Office, specializing in white collar crime. In 1995 he was named Senior Litigation Counsel, and was made Executive Assistant United States Attorney in 1997. During this time, he has served on the board of trustees of the Federal Bar Association and chaired the sentencing and corrections committees for the Washington State and King County Bar Associations. In addition, he has just finished two terms as chair of the Seattle Planning Commission.

For the past 6 years, he has been president of the board of directors of Washington CeaseFire, a statewide organization dedicated to the elimination of gun violence. In 1997, with former Washington First Lady Jean Gardner and Congressman and Lieutenant Governor Joel Pritchard, he co-chaired Initiative 676, the Handgun Safety campaign.