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The Photograph

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The Photograph

Police Investigating Reported Kidnap-Rape

BERKELEY—Seven male students from a Berkeley middle school have been arrested in a five-hour kidnaping and rape of a 12-year-old girl with learning disabilities, authorities said yesterday. Six of the Willard Middle School students have been suspended pending a continuing investigation of the reported attack that began on campus and moved to nearly a dozen other locations, police and school officials said.

The sun shines behind him. You can see blue sky in the corners. A carpet of grass frames the subject: a boy, standing, holding a baseball bat. A red mesh cap with a W balances atop jug ears. The boy's black eyes stare into the lens. His cheekbones, though layered in baby fat, rise to meet them. His lips part in a broad smile that frames two buckteeth. The white uniform billows around a prepubescent body. Next year, his shoulders will broaden, muscle will define the arms, and a mustache will itch beneath his nose. Flip the picture over. In purple marker, in slanting, childlike scrawl with oversized backward letters: *Chris's picture day!*¹ A star dots the *i*. Drawn faces—two *l*'s for eyes, broad *u*'s for smiles—crowd the slippery white space.

In January I ask his teacher, before we work together for the first time: *What patterns have you noticed in your students who are designated Comp Ed? What literacy goals do you have for these students?*

“Let's see, the patterns...well, they, um, do not stay focused. And they have a hard time choosing their own materials. They can't read well, like they don't know their letters and sounds and can't even write them correctly, like it looks like a four-year-old wrote it. And they have a hard time being...taking risks and making mistakes. They are afraid to take the initiative, but they learn how to hide it well. They are pretty verbal and so can hide it. They don't see the meaning of the assignments, so if it's too hard for them, they give up. Often they don't turn

1. As Chris is a minor, his name and that of his family have been changed in this essay.

in their work. Some get angry. Some don't get angry, but just tune out. I deal with them one-on-one. So for some I demand more; for others, if I see that they are frustrated or don't care, then I lower my expectations. Like Chris. My filter is so low for him, and that's why he's comfortable here. Sometimes I can't deal with him. He's tough. If I ask the class to write a five-paragraph essay, and Chris just writes two, that's OK. So all I want for him is to have a seed planted so he stays encouraged so next year won't be as tough."

"Mike? Yeah, this is John with CalReads. Listen, Rick talked to you about supervising over here at Willard Middle spring semester, but I have a favor to ask, and I wanted to call and clear it with you first. I know you have a lot of experience working with tough kids. We have a kid here named Chris. So Chris is in sixth. He's a really great kid, but he needs a lot of sitting on. He needs someone to really keep close on him and develop a relationship. He reads at a low level, but we're making progress. He's a tough kid, and I don't want to assign an AmeriCorps tutor to him because she or he wouldn't be able to handle him."

"Put Chris on the phone. I'll talk to him."

"Uh, he isn't here. He's in in-school."

"Why?"

"Well, kids from the last period say he stabbed a kid in the neck with a pencil."

"Chris's picture day!" The ink looks smeared, like the meaty part of a hand dragged over it while still wet. A southpaw. Something doesn't seem right. Turn the photo over again. The boy with the bat is facing left. His right hand is above the other. His arms stick straight out, elbows locked, and the bat forms an exclamation point. He's turned around. Trace his posture and the boy resembles an upside-down *h*. He could never hit a ball this way. He would stand there at the plate, as pitch after pitch passed through the strike zone, until the scorer marks him as a backwards *K*.

Rape Victim Reportedly Told to Leave Shed

BERKELEY—Before the gang rape of a 12-year-old special-education Berkeley student, playground supervisors found the girl in a storage shed on campus, but unwittingly sent her on her way without suspecting that she was in danger, police said yesterday.

As the adults approached, three boys bolted from the shed at Willard Middle School while a fourth boy hid behind some school equipment. Thinking the girl was safe, supervisors hurried her along—not knowing she would soon be subjected to what Berkeley police describe as a five-hour ordeal in which nine boys raped her at various places throughout the city.

I ask his teacher: *What do you think are sources of Chris's reading difficulties?*

"There are many reasons. Only a few—but there's so many factors. His upbringing, if he was exposed to books early and read to. And it also depends on his individual factors because, you know, some people learn quickly and some don't. Also, the way we structure school. Chris needs more time to understand a concept. So, home, the structure of the classroom, and the structure of the reading program. That it doesn't allow for individual growth. The materials that are not helping. We lack materials. We lack as far as the school system—we need a reading specialist inside the classroom, especially for Chris."

"Did the kid deserve to get stabbed in the neck with a pencil?"

"What, Mike?"

"What did the kid do that resulted in Chris stabbing him?"

"Hold on. Ah, Richard sat in Chris's chair and wouldn't move, so Chris stabbed him."

"How many tutors has Chris had?"

"Ah, Jason, Shirley, Shaun, and Joel last semester. You'll be his fifth."

"In five months."

Lisa Bullwinkel, whose son is a sixth-grade student at Willard, yesterday was busy sending out e-mails to other parents calling for a community meeting to discuss the attack. "How can we make this [behavior] not OK in our community?" she asked.

But Berkeley Unified School District spokesperson Karen Sarlo argued that this was an isolated incident.

"We're not taking this lightly," she said. "The district is so distraught over this. We're in this profession because we love children."

I ask his teacher: *What types of communication do you have with parents regarding Chris's progress in reading?*

“Ummm...let me see. Most of my kids, including Chris, if they have reading problems, they’ll fail. So I don’t discuss their reading level with parents unless they come to see me. I send a weekly progress report home with the kids, so the parents hear about whether the kid is doing the work. I focus more on how the student approaches their learning. At this point in time, reading level is like... [laughs]. I’m sorry to be like that, but for them to get up to grade level, they need extreme intervention for the next three or four years, and who is going to provide funding for that?”

Chris’s brother Nick is a year older, in seventh grade. He’s tall, thin, and handsome, which is evident by the girls teasing him nonstop in the hallways. He is exceedingly polite, calling me “Mister” or “Sir,” holding doors for others, and asking permission before leaving a room. He wears preppy glasses and shaves his hair close to his scalp. He tucks his shirt in. His grades are As and a few Bs. His favorite subject is Science, followed by English. He says he has no trouble reading and stops by the reading center each week to ask how Chris is doing.

Susan is Chris’s mother. She is twenty-nine and has two boys in middle school. She sells Hyundais at a Fremont dealership and works nights at a Safeway register in Oakland. We communicate by voice mail, as she is rarely home. When I call her cell, a man usually answers. The voice changes frequently. Susan is concerned about Chris. A high-school dropout herself, she urges me to call her when he “misbehaves” and promises consequences at home. When I call to report Chris’s successes, she says, “Uh-huh, uh-huh” impatiently, waiting for the bad news.

Chris has heard that his father owns a barbershop in Oakland. Dad left home when Chris was three.

“This is for you, Mike.”

“Your baseball photo! Thank you!”

“Will you carry it in your wallet?”

“With pride. It’s a really good picture of you. You look so happy.”

[Silence]

Later that week, Chris’s mother calls for our regular progress chat. “Chris said his teacher gives him As for working so hard,” she tells me.

“Have you been in to meet his teacher?”

“Where would I find time for that?”

“Did you see his homework for the week?”

[Silence]

Notes scribbled on the back of my lesson plans:

1/23: Met Chris. Talked about basketball. Told him I'll stay for lunch and play with him. Hates to read. Biggest smile I've ever seen on a kid. Said he has a "temper." Took him to the library to find a book. He picked up titles and I described them. Settled on a bio of Shaq and *Ender's Game*. When we went to the desk, the librarian said, "Hi, Chris!" Very cheerful. Then she looked at his books. "Chris, you can't read this," she said, holding up *Ender's Game*. I misunderstood and asked if it was too violent for sixth-graders, if there was a policy or something. "I mean it's too hard for him. He can't read it." Chris looked at the ground. I introduced myself. "Oh," she said, "well, that's good he has a tutor because he can't read." Chris squirmed.

2/14: Wonder if he needs medication. I've never said this about a student before, and hate to, but something is not right. He cries easily. Today stood up and flipped his chair over after getting stuck on a word.

2/16: An excellent day. Chris in a good mood and said he wanted to read ten pages today no matter how hard. He did and we raced on the playground at the end of class. I had to run backward and he got to run forward. Beat me—barely.

3/1: Midterm report (typed): Chris's life has been an unstable journey through divorce and domestic interference. Learned today that as a child he was thrown into the street by an irate neighbor and hit by a car. The front tire went over his head, resulting in a trauma that still gives him migraines. He has asthma and wide mood swings. Boasts that many teachers are afraid of him. He has an explosive temper—begins an activity with excitement, but if he stumbles on a word or misses a shot, will cry, throw, swear, hit, and give up. His teacher gives him credit for anything he turns in, regardless of quality. His report card shows all As and Bs. Says his goal is to go to Stanford, UCLA, or Cal and play quarterback. Wants to major in computer science.

I ask: *Why did you become a teacher?*

"Because that has been my passion since I was a kid. Because experiences in life have taught me and led me to this. It's a combination of, um, choice and experiences. I really want to help kids."

She allows Chris to take hits off his inhaler whenever he wants. It's a steroid, and the puffs are a stimulant, making him hyperactive. She says he puffs maybe eight times an hour, "because he needs to."

Chris thinks that a good reader is someone who "reads fast and knows all the words." He says he likes being tutored because of our friendship

and because we work “one-on-one, because in my regular class it’s one-on-zero, and I’m the zero.”

Sometimes he swears. Just a little, testing the response. After school, when I show him and his best friend Chip how to take a charge on a drive to the basket, Chris tosses up a “damn” or a “shit.” I tell him to knock it off. He shoots Chip a self-satisfied grin. “Damn, Mike, you’re mean!” Chip explodes in laughter. Chris dances in victory.

He says his favorite book is the first Harry Potter. One day I watched him in class as his teacher read a chapter aloud. He fidgeted in his chair, looked up at the ceiling, blew saliva bubbles, hit his neighbor, and drew on his desk. When the other kids laughed, he laughed, only louder. That way, everyone knew that Chris got the joke, that he understood.

Afterward, in the crowded hallway, I asked him who the Durseleys were.

“The who?”

“What’s Hogwarts?”

“I dunno. Bye, Mike.”

He walked away, laughing. He has two walks. One is a half-skip, half-jog. He smiles when he walks like this. I could see his head bounce up and down above the other kids. The other walk is a slow, dragging limp, as if one foot has been encased in cement. His head hangs low and his back bends. Over time, I learned that the way Chris walked into the room dictated how our session would go.

Chris often called me at home. In the beginning, I could hear nervous breathing on the line behind his voice. “Hi, Chris.” He would laugh and hang up. Then the calls became about homework, mainly science, which he had taken an interest in after the teacher assigned him the tasks of feeding the class tarantula and watering the plants in the community garden.

New questions came in late spring. Questions about the Mini-Mob, a school gang that he didn’t want to be a part of but felt increasing pressure to join. One of the reasons he liked Chip, he said, was that he was overweight, freckled, and into science; the Mini-Mob would never take him. Then questions about a girl he liked, questions about girls who liked him but whom he didn’t like. A lot of girls seemed to like Chris. I asked them, in the halls, why. They liked his smile, they liked his chipmunk cheeks, they liked him, period. No one said he was tough, no one said he had a temper. He was twelve.

“That boy,” the principal said in passing one morning, “can charm the pants off anyone.”

Seven Boys Could Be Charged in Berkeley Rape

BERKELEY—Berkeley police said yesterday that they have completed their investigation into the reported rape of a 12-year-old girl with learning disabilities by fellow students who called themselves the “Mini-Mob.”

I ask his teacher: *Why do you have Chris sit where he does?*

“I know that Richard, beside him, is not a high-ability kid. He’s actually a low achiever. But Chris needs someone to make him feel good. So even though they sit in the very back, they can share stuff—books, candy, pencils.”

A father of one of the seven boys reportedly involved in the Willard attack apologized for what happened to the girl, but he said the community is unfairly rushing to judgment.

The father said his 12-year-old son told him he watched the boys and the girl during the incident but did not have sex with the girl. “He said, ‘Daddy, I was scared. I didn’t want the other kids to think I was a punk.’”

Sometimes I’d check in with his teacher and she would say, “He was just here—he said he was going to find you.” I would find him outside, dribbling a basketball alone.

“You shoot like you spell,” I said once, and he laughed. Another day I repeated it, and he screamed “Fuck you!” and burst into sobs.

Chris hated free throws. He was bad at them and hated to practice. He went to the stripe when he had to, during a game after getting fouled. Never otherwise. It was like reading: you did it when told. In May, I tried testing him using the same battery from September to measure his progress. “I read that already!” he screamed. “Yeah, nine months ago,” I said. Chris screwed his face into a question mark and demanded, “So!” He asked if he could eat animal crackers. He kept a bag of them in the front pocket of the hoodie he wore every day. In class, the hood stayed up. Outside class: down. The animal crackers rested in his front pouch, always.

DA Charges 3 Students with Sexual Assault

BERKELEY—Three Berkeley middle-school students were charged yesterday with sexually assaulting a 12-year-old girl with learning disabilities last month.

The boys, two who are 13 and one who is 14, face felony charges of oral copulation and false imprisonment as well as misdemeanor battery in the attack that began at Willard Middle School.

“The most vulnerable of our society need the most protection,” said Paula Hollowell, 52, of Berkeley, a juvenile social worker. “This girl was vulnerable, and yet they (the alleged attackers) were just able to go home to mom and dad.”

Chris and I discovered the computer lab and got permission to spend time there each week, searching the Internet and researching answers to his science homework. He liked a girl named Missy and would begin each session by typing www.missy.com. I tensed the first time he hit Enter, fearing what would fill the screen. It turned out that missy.com was an ever-changing gallery of a single, artistic photo of an everyday object. Chris became fascinated with the possibility of what he might find. “Today I bet it’s a hubcap. Or maybe a caramel apple.” Prediction is a core reading skill, and I began asking him the reasons he picked these objects. He said he didn’t know.

In the end, Chris tested two grades higher in reading comprehension and three grades higher in spelling and other language components. That still left him reading at a fourth-grade level and writing at a fifth-grade level, entering the seventh grade. His improvement didn’t surprise me—tutoring programs usually provide such leaps from the lowest levels, making many, especially politicians, convinced of their efficacy. But the real test comes the year after, and the year after that, when results level off and the child plunges further and further back as reading moves from general story decoding to finding and evaluating targeted information in the content areas—when we stop reading for fun and start reading because we have to.

CalReads, the program that paid me, decided to pull out of Willard that year, after a long-running dispute with the principal. I wouldn’t be there for Chris come fall, when he started seventh grade. The principal wondered whether she could hire me as a school employee, but the district HR office said no, as it was short of funds.

Chris’s teacher said good-bye. I wondered if she had seen any change in her students who had been in the tutoring program. She laughed. “It depends. Some have more courage. And some I don’t see many changes. Like Chris.”

Although Hollowell said she was relieved by the arrests this week, she remained troubled by the circumstances that led to the attack. “We have to ask ourselves, ‘What are we doing with our kids that they have an underdeveloped conscience?’” she said.

At our final session together, Chris invites me to his thirteenth birthday party. It will be a barbecue in his backyard in July. I say I’ll be there. Then he haltingly reads a story he wrote out loud to his peers in CalReads. It tells about a trip he and his brother made to Disneyland. “We went on Space Mountain roller coaster, and Nick was so scared that he peed his pants.” Chris can barely get through the story, he is laughing so hard. The other kids sit in silence. Chris looks up from the paper and sighs, “Geez, guys, don’t you see it? My brother just pissing all over himself?”

Chris buries his face behind the paper and continues in a shaky, staccato voice. When, at last, he looks up and exclaims “the end!” the students and teachers applaud in relief; nothing had been thrown, nothing had been broken. I present Chris with a gift—a baseball, meant only for throwing, not for hitting—“as in, throw it so they don’t hit it.” He laughs, says he hates hitting, and gives me a hug. A teacher takes a picture of us. The flash blinds us both for a moment. Chris reflexively squeezes my arm, and I hold him as tight as I would my own son. But he isn’t my son: he is Chris, age twelve, going on life. At summer’s end, he will be afraid and alone, hiding behind some school equipment as a crime unfolds. I see him there, mutely watching his new friends. Knowing, however dimly, that something is very wrong with this picture.

Postscript:

Sexual Assault Victim Attacked Again, Police Say
BERKELEY—A 12-year-old Berkeley girl who was sexually assaulted by classmates last month was attacked last week at another Berkeley school where she had transferred after the first assault, police said yesterday. The girl was moved to Martin Luther King Jr. Middle School after last month’s reported attack at Willard Middle School, school officials said. They acknowledged that the girl, who has learning disabilities, received no special protection.