

HE NEVER HAD THE RIGHT

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This poem is based on *The People of the State of California v. Eric Brown* and is dedicated to "Davante J," the victim and survivor in the case.

Sweet sixteen and never been
young. And now the time is gone
that was never his to take.

And in their legal world of lines,
words turn into sound,
and they both turn into judgments as
the game is nothing
more than what kind of girl
that really shouldn't matter, but it does
for those who cannot ever know

the kind who will be tortured
by noises in the street, nightmares
she will never trust
as only dreams
because they are too real

the kind who still
hears in her mind the shot
that never really happened
and feels the gun held to her head
and the paralyzing fear.

and the one who had the strength
(despite or perhaps because she was only sixteen)

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to know the difference
between pain and acquiescence
and to care that others knew as well.

And in their world, her pain
is not an issue
but a void,
and instead of feeling
for her, they manipulate
her tears

becoming showers
that will never clean the spot.

But what is won or lost for them
was stolen from her
before she ever had the chance
to anything that's real.

And all that's now at stake is her self
respect and pride
and the knowing that, like she said,
he never had the right.
So from the mouths of innocents
comes the only truth that mattered,
and her unadulterated eyes expose
more than their judgments ever could.

Because it shouldn't be that hard to know
that pain
and acquiescence
don't begin to sound the same.

And I have to wonder what
it could possibly have been for
him to disregard her life.
As he sits, unmoved
because he never had

to be affected, tears of why
flow into me, consumed,
I have to tell,

so that the girl with no last name will know
that she at least now has a voice.

