

THE MIND OF

MARK DEFRIEST

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## ***LOGLINE***

When a legendary escape artist comes up for parole after more than 30 years behind bars, a chance for freedom must be weighed against his infamous past.

## ***SYNOPSIS***

Once known as Houdini for his multiple and improbable jailbreaks, Mark DeFriest was condemned to Florida's worst prison after a lone psychiatrist reversed the previous diagnosis of four court appointed psychiatrists and declared that Mark was faking mental illness. Over 30 years later, Mark is still struggling to understand how to survive a rigid and unforgiving system, while his remaining supporters forge an unlikely alliance to argue for his freedom in front of the Florida Parole Commission. Along the way, they uncover lingering questions about whether Mark should have even been sent to prison, yet face the daunting task of explaining why a notorious troublemaker deserves to go free.

## ***DIRECTOR'S STATEMENT***

From the first moment I came across Mark DeFriest's story in 2001, I have known it was a story I had to tell. Trapped and without hope, Mark's story was both unique to him – a savant's mind, a notorious escape artist, an misunderstood troublemaker – and so common to American prisoners – a long sentence, brutal treatment, few chances for redemption. In making the film of Mark's life, I have traced the arc of his past and watched for thirteen years as his fortunes have risen and fallen, all the while building a story that I hope will do justice to his incredible humor, inventiveness and resilience in the face of more than three decades behind bars.

The recovery of Mark's scattered history was my first task, while breathing life back into it was the filmmaking challenge. Part of this was about access (how to get to a notorious prisoner in solitary confinement) and part of it was about creative process (how to bring to life his great escapes). In the end, animation inspired by Mark's prison illustrations vivifies the escapes, but access to Mark was the biggest challenge. When we first met, it was behind glass in a prison under a total media blackout. For reasons the film will make clear, Mark is and was on Interstate Compact at a classified "Undisclosed Location." He could have visitors, but only *if* they were on his visit list. After writing to him, I went first as a friend. Using clues from our conversations and letters, I then went courthouse-to-courthouse to Florida to gather files his Houdini past. Yet, over the years, through new contacts I made to characters in the film and even a chance encounter I had with an angry warden (filming without permission on prison grounds) who later helped me, I gained access to Mark's files and eventually to the man himself.

Blinking out of solitary confinement, Mark was literally wall-eyed the first time I filmed him in 2009. But by 2010, he was more hopeful and healthy on our second filmed visit – this time with his lawyer, John Middleton. Finally in 2011, for the master interview, he was like a born storyteller back on stage. There is no mistaking the evolution that took place in front of the camera in those years, as a buried man literally caught a glimpse of the light again.

From Mark's personal struggle for freedom to the plight of 2.2 million American prisoners, I believe telling this story can help further the cause of justice in Mark's life and speak to the

wasted talents of people behind bars, the abuses in our prison system, and the lack of care for mentally ill prisoners. In 2001, I made a movie with Human Rights Watch about prison rape that told the story of one youth, Rodney Hulin, whose story spoke for the many thousands of inmates impacted by the issue. As a testament to the power of story, Rodney - even after his untimely death - was instrumental to the US Congress passing the Prison Rape Elimination Act. In Mark's case, the promise of his story is that it can speak to so many issues concerning how the US imprisons people - from long-term solitary confinement to incarcerating the mentally ill - while compelling a diverse audience with his outsized personality and incredible escape artist feats.

I believe this film can change how people see Mark DeFriest and prisoners in general, maybe even helping – as with Rodney - to influence how we treat troubled people in our society. At least for Mark, there is still a chance audiences can help write a different ending for the story.

## ***THE FILM***

The film is the exploration of Mark DeFriest's life and mind, both the facts of the case and the hyper world of his design, as seen in animations. Interweaving the animated past of Mark's prison experiences with the verité parole narrative, the film becomes a de facto courtroom where the facts of Mark's case are finally laid out and his convoluted journey comes to life.

For 33 years, Mark DeFriest has struggled against what he considers to be unjust imprisonment: he has escaped seven times and accrued hundreds of disciplinary write-ups, turning his original four-year sentence into Life. How did a low-level criminal end up stuck in prison for life? Looking back on it, Mark's ex-wife and friends detail the original crime: a dispute between Mark and his stepmother over his father's will. When his stepmother pressed charges, it led to a theft conviction, though his father's tools were eventually returned to him when the will probated. As Mark puts it: "how would you feel?" Feeling maligned and in danger, Mark quickly escaped from prison in 1980. Re-captured a day later, a hopeless and deeply depressed Mark was deemed unfit and sent to a mental hospital. He escaped weeks later, was placed in Bay County Jail, and amazingly escaped three different cells, even one under 24-hour supervision. Questions of mental illness were thrown aside as Mark infuriated "the system", gaining notoriety as the "Houdini of Florida." Despite never having physically harmed another person, Mark was coerced into pleading guilty to a 3<sup>rd</sup> felony that came with a Life Sentence. From Mark's ingenuity to sentencing injustice, the film shows how this all went down.

Sitting in his office with a dusty file, Mark's lawyer, John Middleton, explains that at the beginning of Mark's incarceration, people in the system disagreed about whether he belonged in prison at all. Five out of six court appointed psychiatrists testified that Mark was incompetent to be sentenced – citing symptoms of schizophrenia and bipolar disorder – so he was sent to the Florida State Hospital for treatment. But when Mark makes a zipgun in woodshop class and escapes, a single doctor – the director of the Forensic Unit, Dr. Berland – testifies in court that Mark was faking mental illness. That opinion, coupled with torturous conditions in pre-trial detention in Bay County Jail, cleared the way for Mark to *plead guilty* to a life sentence. He landed on a path of punishment instead of treatment that lasts through today.

Mark's surreal odyssey from jails to mental hospitals to some of America's toughest maximum security prison units – punctuated by amazing escapes, brutal punishment and inventive ways of populating his isolation – is brought to life in animations based on twenty years of his prison letters and legal documents, coupled with the voices of people on the outside that speak to Mark's character and plight. Mark's wife, Bonnie, details the ways he has coped with prison – from artistic creations to drugs – while she steadfastly defends his right to rebel. An ex-warden remembers Mark's cat-and-mouse games with guards, detailing how they would often leave Mark beaten and further isolated. For his part, recalling Houdini moments and deepest despair, Mark keeps his sense of humor intact.

The spine of the film is a parallel narrative that takes place in two time periods: the dramatic rise and fall of the “Houdini of Florida” in the early 1980s and the modern day parole effort to have Mark freed. As the parole hearing dates gets closer, we follow an unlikely team of supporters as they delve into Mark's past to make a convincing case. Their sympathy for Mark mixes with the facts of the case as reported by officials and shown in animations: Mark has been an incorrigible disciplinary problem as evidenced by his escapes and endless disciplinary reports (DRs). Yet as Middleton prepares his argument, he points out that Mark's crimes are comparatively small for someone who has spent 30+years behind bars, and his behavior is likely related to mental illness. As the parole effort builds, Mark begins to hope. He goes a record 15 months without a DR.

The mirrored façade of the corporate-style headquarters of the Florida Department of Corrections belies its importance to Florida's prisoners. Inside a gallery sparsely populated with Mark's supporters, the three Parole Commissioners file in silently. Today they must decide whether Mark deserves additional time on his sentence or a break that would allow him a chance to parole. Will the Commission show mercy or leave Mark DeFriest to rot in prison?

## ***MARK DEFRIEST***

**Mark DeFriest** was born August 18, 1960. From a very early age, Mark had an incredible mechanical gift. By the time he was 6 years old, he would take apart and reassemble almost any household machine: clocks, telephones and radios. He became good enough to bug rooms in the house and even could rewire the telephone so his stepsister's phone calls would play on a loudspeaker on their street for everyone to hear. Despite his talents, Mark's above average intelligence and loner personality brought him in conflict with authority. When at age 9, his parents divorced, Mark had already been expelled from school.

Mark's adolescence became a tangle of reform schools from which he would always escape. At 14, Mark made his way back to his father in Florida. At 15, he dropped out of school and went to work with his dad as a certified welder. They worked on infrastructure projects in fast-growing Pinellas County, until a job took them to Chattahoochee, where Mark at age 16, met Brenda, 21.

Mark moved in with Brenda and went to work customizing military scrap to sell to local fishing and boating businesses. When Mark's father suddenly passed away the following year, Mark came in conflict with his stepmother over his father's will and he was sentenced to four years in prison for the theft of tools that were willed to him by his father before the will probated.

And this is where Mark's prison odyssey began. He soon became a notorious escape artist and a nuisance to the system. His sentences grew longer and the treatment worse, despite lingering questions about his mental competency to be sentenced. Brenda soon divorced Mark.

In 1994, after years of rape and violent abuse in Florida State Prison, Mark met Bonnie, a woman 30 years his senior. Bonnie connected with Mark through a prisoner penpal list, and became his wife and champion. Through letters and periodic visits, Mark began to regain his humanity.

To date Mark has spent 34 years behind bars, 27 of those years in solitary confinement. His release date is currently set for December 4th, 2035 – when he will be seventy-five years old, though his parole date was set for 2085 because of his years of disciplinary problems.

As the film screened at festivals in 2014, audiences began to rally around the injustice in DeFriest's case and members of the Florida Commission on Offender Review were compelled to see the film and the story in a new light. The Parole Commission reviewed his case again December 17, 2014 and agreed to revise down his parole date by an unprecedented 70 years. With little fanfare, Mark DeFriest paroled on March 13, 2015, but remains in prison due to past detainers for prison contraband. He could spend up to 5 more years in prison, yet today freedom is likely where it was once seemingly impossible. After 13 years of work, *The Mind of Mark DeFriest* is a testament to how powerful a film can be in restoring social justice.

## ***UPDATE***

Between the World Premiere of the film at the Hot Docs International Documentary Festival in Toronto, Canada, in May 2014 and the theatrical release in the USA in March 2015, a groundswell of support for Mark built up from screenings, and awareness of his case reached an unprecedented high. It was in this atmosphere, that his late 2014 and early 2015 parole hearings took place. Remarkably, after 34 years, Mark was paroled on March 13, 2015, essentially cutting seventy years from his sentence. However, Mark remains in prison. Why? Until March 2016, he is serving a one-year parole ineligible Florida sentence and then he must serve up to 4 more years for prison contraband convictions in California (marijuana and handcuff keys, to be exact). Support for his immediate freedom is still growing as his story reaches more audiences.

## ***THE FILMMAKERS***

***Gabriel London***  
*Producer/Director*

Gabriel London began his work on criminal justice issues as an undergraduate at Pomona College, where he won the Albert R. Broccoli film award for a prison documentary, *Turned Out*. Continuing with incarceration stories, in 2001, Gabriel produced and directed *No Escape: Prison Rape in America*, two short films that accompanied the Human Right Watch report of the same name and that were honored with a Soros Criminal Justice Award. In 2004, Gabriel went on to produce Drew Barrymore's MTV documentary about youth voting, *The Best Place to Start*, and in 2008, he directed Snoop Dogg's autobiographical streets-to-prison story, *Youth Authority: California* for Spike TV. Gabriel's work has been included in international campaigns like Live Earth and Hopenhagen, as well as film festivals such as IDFA, Media that Matters and Urbanworld. In recent years, Gabriel has traveled extensively creating documentary based campaigns relating to disaster relief, clean energy and climate change, while serving as a partner at Found Object, a creative agency in Brooklyn, NY.

**Daniel J. Chalfen**  
*Producer*

Daniel J. Chalfen is the co-founder of Naked Edge Films. His recent producing credits include ***Prescription Thugs***, which premiered at the 2015 Tribeca Film Festival and was acquired by Samuel Goldwyn Films; ***The Mind of Mark DeFriest***, which played at Hot Docs and LAFF 2014 and was released theatrically in the US in March 2015 before airing on Showtime; ***Silenced***, a co-production with ZDF/ARTE, which premiered at Tribeca 2014 and aired on DirecTV (US), CBC (Canada), NHK (Japan), and Netflix Worldwide; and ***In Country***, which premiered at Full Frame Film Festival in 2014 and was released theatrically and on VOD in April 2015. Earlier credits include the Tribeca Film Festival and Columbia-DuPont award-winning ***The Revisionaries*** (a Kino Lorber release) and the Tribeca Film Festival award-winning ***Donor Unknown*** for PBS' Independent Lens; ***State 194*** for Participant Media; ***Gone*** for Discovery ID; the Emmy-nominated ***War Don Don*** and Oscar short-listed ***39 Pounds of Love*** for HBO; the multiple awards-winning ***Budrus*** and ***Meeting Resistance*** for Al Jazeera; and ***Town Hall*** and ***Code of the West*** for PBS' America Reframed. Other credits include the Danny Glover Executive Produced ***The Disappearance of McKinley Nolan***, the Sarah Jessica Parker Executive Produced ***Pretty Old***, and the Livestrong Executive Produced ***Farewell to Hollywood***.

**Charlie Sadoff**  
*Producer*

Charlie Sadoff is co-founder of Found Object and president of Mighty Pictures Inc. In 2000, Charlie was a writer, producer and editor of the 10-hour Lions Gate / ESPN documentary ***The Rites of Autumn***. Since then he has produced several docs for the NBA, ESPN and CBS as well as two documentary specials for The History Channel. In 2009, Charlie completed the feature documentary ***DreamRiders*** which premiered at the Sheffield Film Festival. In 2010 Charlie produced the feature doc ***Running America*** for Nehst Studios and was writer, producer and editor of ***Cut Poison Burn*** which premiered at the 2010 Mill Valley Festival and was screened on Capitol Hill in support of efforts to move legislation. He was co-producer and supervising editor of the multiple award winning ***The Harvest*** from Executive Producers Eva Longoria and Academy Award winners Shine Global. Charlie has served as a judge for the Emmy Awards and is a guest lecturer at the graduate school of journalism at Columbia University. He is partner at the cause-marketing agency Found Object and a graduate of Johns Hopkins University.

**Peter Brusikiewicz**  
*Executive Producer*

Peter currently runs the production company Trouble and Maker out of Toronto, Ontario, specializing in creative development and video production for web and broadcast. He is also currently finishing up the feature documentary 'Sapience: The Search for Wisdom' (working title) - about the absence of wisdom in modern civilization starring wise people Jane Goodall and Chris Hedges amongst others. Peter believes that films not only should entertain but should also open discussion on various issues. This is what sparked his interest in ***The Life and Mind of Mark DeFriest***. He is thrilled to be part of such an important, yet wildly entertaining film that tackles one of the biggest issues that we face today: the failing prison system.

***Jim Butterworth***  
*Executive Producer*

Jim Butterworth is the founder and president of Naked Edge Films, where he has served as executive producer for films including *Silenced*, *The Revisionaries*, *Gone*, *Donor Unknown*, *War Don Don*, *The Disappearance of McKinley Nolan* and *Cape Spin*. Jim's own film *Seoul Train*, which he produced, directed and shot, has been translated to more than twenty languages and broadcast on TV globally. In 2007, *Seoul Train* was bestowed the Alfred I. duPont – Columbia University Award for excellence in broadcast journalism and investigative reporting, and also was runner-up for the National Journalism Award. Jim also is a successful technology entrepreneur and investor, and an advisor to a number of nonprofits, startup companies and investment funds. He was one of the pioneers in the streaming of audio and video over the Internet, and holds 12 issued U.S. and foreign patents in this field.

***David Menschel***  
*Executive Producer*

David Menschel is a criminal defense lawyer and President of the Vital Projects Fund, a charitable foundation with an interest in criminal justice reform – including issues like sentencing reform, post-9/11 civil liberties, drug policy reform, and solitary confinement. He has executive produced several documentary films, including Sundance award winning films like *The Oath* and *Detropia*. Formerly, David was an attorney at the Innocence Projects in New York and Tallahassee, where he helped to free individuals who had been wrongfully convicted. He received a B.A. from Princeton University ('93) and a J.D. from Yale Law School ('02). He lives in Brooklyn.

***Jonathon Corbiere***  
*Director of Animation*

Jonathon is a creative director educated in graphic design, film and VFX. He has taught at Emily Carr/UBC's Masters in Digital Media and Vancouver Film School. Through years of freelance work in the film, television and marketing industry, Jonathon realized that communicators have an inherent responsibility to spread important and relevant knowledge with their mediums. He co-founded Thought Café on the simple idea that he could help pave space in the industry for like-minded creatives, who too wished to work on socially relevant projects.

***Nick Clark***  
*Editor*

Nick Clark's work as an editor has included a variety of documentary projects, most recently "The Harvest/La Cosecha," a feature documentary produced by Shine Global examining the lives of migrant children in the United States which premiered at IDFA and was distributed in the US by Cinema Libre. Nick has also edited numerous broadcast promos, music videos, theatrical and independent film trailers, including the original trailer for "The Life and Mind of Mark DeFriest" for which he received the 2010 Golden Trailer Award.

***Ronan Coleman***  
*Composer*

Born in Dublin, Ireland, Ronan Coleman is a graduate of the Irish College of Music and began scoring for advertising, TV and film in 1994. He has scored numerous TV shows working with award winning directors Kim Bartley "Far Away Up Close", Ruán Magan "The Global Nomad Series", Adam Feinstein "Hoodwink". For ABC he scored the Emmy nominated "Last Days On Earth".

Residing in New York, he is currently Music Director for the Legacy of Hope Foundation that supports the Nelson Mandela Children's Hospital in South Africa and continues to foster a number of pet projects including an album that fuses electronica with vocal and instrumental recordings of indigenous, minority communities culled from his travels throughout Africa, China, Eastern Europe, Central and South America and the Middle East.

END CREDIT LIST

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Jonathon Corbiere

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“Knockin’ On Heaven’s Door”

Written by Bob Dylan

Lead Vocals: Juan Tillis

Doug Lunn: Bass

Eric Gardner: Drums

Wayne Kramer: Lead Guitar

Guitar: Franc Foster and Juan Tillis

Backing Vocals: Juan Tillis, Wayne Kramer, Franc Foster

Engineer & Mixer: Talley Sherwood

“Cocaine Blues”

Written by TJ Arnall and William Lee Nichols

Lead Vocals: Franc Foster

Doug Lunn: Bass

Eric Gardner: Drums

Wayne Kramer: Lead Guitar

Guitar: Juan Tillis and Franc Foster

Engineer: Talley Sherwood

Mixer: Wayne Kramer

"Outta My System (Dave Sitek  
Remix)"  
Written by James Edward Olliges Jr  
Performed by My Morning Jacket  
Courtesy ATO Records  
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