

TREACHERY AT THE RED ROCKS SWEAT LODGE

✖ You may have seen the story of the deaths at an Arizona retreat sweat lodge in the news over the last week. It is not necessarily our normal fare, but I am oddly captivated by it on several levels.

A self help, wealth and awareness “guru” by the name of James Arthur Ray, who runs an enterprise by the crafty name of James Ray International, rented out the facilities and grounds of a Sedona Arizona retreat by the name of the Angel Valley Retreat Center for the purpose of conducting a group program. Ray appears to run several different types of “programs” and this particular one he calls “Spiritual Warrior” and is a five day event that culminates in a group sweat lodge ceremony.

Ray describes his Spiritual Warrior program as follows:

In Spiritual Warrior, you’ll build upon what you started in Practical Mysticism. You’ll become privy to techniques (many kept secret for dozens of generations) that I searched out in the mountains of Peru, the jungles of the Amazon (and a few other places I don’t care to recall).

For the low, low price of \$9,695.00 per person:

You’ll accelerate the releasing of your limitations and push yourself past your self-imposed and conditioned borders (no more coloring inside the lines)...

You’ll carve out your own destiny and quickly develop the strength and determination to live it...

You’ll learn (and apply) the awesome power of “integrity of action”...

You will (perhaps for the first time in your life), have a gut level understanding of "The Four Enemies of Power." You'll learn to recognize them at a glance, and instantly defeat them when they arise...

You'll define and enforce your own boundaries—without someone else telling you what they should be...

You'll experience a new technologically-enhanced form of meditation that creates new neurological pathways, allowing you to experience powerful whole-brain thinking (this one's gonna knock your socks off)...

You'll experience, at the spiritual level, the ancient methodologies of Samurai Warriors; and gain a true understanding of the authority and strength that come from a life of honor...

"Look, you've most probably spent your whole life staying within the lines to get what you've got (or at least a major portion of it). Join me outside the lines in this heroic quest for higher consciousness..."

And, of course, a sparkling pony. At last week's "program", Ray had over 65 people participating. Sounds like a pretty lucrative gig he is running. And it is; that is in excess of \$625,000 he is grossing for his five day awareness fest. But all was not well in Angel Valley this time last week. All the love, power, healing, mystical wellness and spirituality went to hell.

Two people have died and 19 others were taken to hospital after being overcome while in a sauna-like room at a spiritual retreat in Arizona.

Police said 64 people were inside a so-called "sweat lodge" at the Angel Valley

resort for up to two hours before many of them became ill.

The pair who died were a middle-aged man and woman, police said.

Investigators are speaking to staff and guests and carrying out toxicity tests in an effort to find out what happened.

Dead were a 38 year old woman, Kirby Brown and a 40 year old man, James Shore. Both are reported to have been in excellent health prior to their Spiritual Warrior experience. 19 others were hospitalized; one, Minnesota resident Lizabeth Neuman, age 49, in a coma from which she never recovered. Neuman died at Flagstaff Medical Center yesterday, bringing the death toll to three.

I had never in my life heard of James Arthur Ray before this incident. Jeebus, I don't even know where to start. It boggles the mind that people pay quacks like Ray huge sums of money for the ginned up baloney he pitches; but they do. And apparently a lot do, he is making a killing on this horse manure. P.T. Barnum clearly underestimated the birthrate of suckers.

Mr. Ray may have bit off more than he can chew this time though; the Yavapai County Sheriff's Office is considering the deaths homicides. From Friday's Arizona Republic:

The agency probing the deaths of two people at a Sedona-area sweat-lodge ceremony, hosted by a self-help guru last week, says it is now treating the case as a homicide investigation.

Yavapai County Sheriff Steve Waugh said his office is focusing the inquiry on James Arthur Ray and anyone else involved in organizing the ceremony.

The sheriff said the investigation has turned up several people who said they fell ill at previous Ray events beyond one in 2005 that was disclosed this week

by fire officials.

"At this point in the investigation, there are indications it was not accidental," Waugh said at a press conference in Prescott. "We feel that there is some culpability." (emphasis added)

Good. And what is Ray doing? He is right back at it, still running his programs without a flinch; schedule has him currently in southern California for a series and then off to Vegas. He better build up his legal defense fund; better watch what he says too, because law enforcement will be paying attention to every second and word, as will the press. Oh, and he is still pitching the snake oil to the victims of his sweat lodge nightmare:

Meanwhile, the Associated Press reported that Ray held a telephone-conference call with many of the participants in the ceremony, according to people involved in the call who provided a transcript.

In the call Wednesday, Ray stressed the importance of eating healthful food, exercising, resting, meditation and surrounding themselves with "like-minded individuals."

"Remember all that we've learned and experienced and knowing by law of the universe that out of every apparent chaos comes a greater state of order, an order that never existed prior to the chaos," he said, after asking those on the call to imagine themselves standing in a prayer circle.

Ray said he used the call as a way to provide closure to those attending his retreat.

What a load of dung. The Yavapai County Sheriffs

and prosecutors *should* pursue this matter as a criminal homicide. Ray had between 55 to 65 adult sized people crammed in a 415 sq. ft. sweat lodge that Ray and his assistants apparently shabbily hand built themselves with a wood frame covered with layers of tarps and blankets. The structure was 53 inches high at the center and about 30 inches high around the outer edges. The “sweat lodge” looked like a pile of garbage and is shown fairly well in the attached video. Ray, conveniently, remained safely outside of his handmade pressure cooker during the ceremony.

The authorities have good statutes to work with in this regard under Arizona law. Potential charges for Ray include manslaughter under ARS 13-1103, defined as “recklessly causing the death of another person”. Manslaughter is a class 2 felony punishable by a presumptive prison term of five years. The key term in ascertaining applicability to Ray is “recklessly”. Under Arizona law, recklessly is defined as:

“Recklessly” means, with respect to a result or to a circumstance described by a statute defining an offense, that a person is aware of and consciously disregards a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that disregard of such risk constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation. A person who creates such a risk but who is unaware of such risk solely by reason of voluntary intoxication also acts recklessly with respect to such risk.

While it is quite arguable that Ray’s action in respect to herding his flock into the sweat lodge constitutes a “conscious disregard” and “gross deviation”, it seems more likely that the charge of negligent homicide under ARS 13-1102

would apply. A person commits negligent homicide if with criminal negligence the person causes the death of another person. The pertinent definition is:

“Criminal negligence” means, with respect to a result or to a circumstance described by a statute defining an offense, that a person fails to perceive a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.

It is hard to see how Ray’s action in erecting his rickety sweat lodge without a permit or inspection, after having had several other problems in the past with his sweat lodges and having that gross number of people in such a small space not even tall enough to stand erect in, would not constitute criminal negligence. Furthermore, although it is impossible to be certain, the video sure looks like it depicts blue tarps involved; if so those are invariably artificial materials that would not permit air transfer, which would be difficult enough even with natural materials and fibers. Under Arizona law, negligent homicide is a class 4 felony punishable by a presumptive prison sentence of 2.5 years.

Another lesser charge possible is reckless endangerment under ARS 13-1201. A person commits endangerment by recklessly endangering another person with a substantial risk of imminent death or physical injury. Endangerment under these circumstances, since it clearly constituted the threat of imminent death, is a class 6 felony and is punishable by a presumptive prison sentence of one year. Theoretically, charges for assault and/or aggravated assault could apply as well.

Having had experience defending all of the above charges in Arizona, I can safely say that the provisions, and their respective mental states of culpability are fairly broadly interpreted and applied. Generally the prosecutor will charge all of them, with the highest possible charge leading the indictment and the others as lesser included offenses, and then see what he can convince the jury of. That is exactly what I expect the Yavapai County Attorney Sheila Polk to do, the only question is whether she leads with manslaughter or negligent homicide.

Without attempting to cast ill against the victims of James Arthur Ray's nightmare Spiritual Warrior sweat lodge, looking through Ray's puffery on his self promoting website, you have to wonder what type of lost soul thinks handing this type of quack nearly ten grand is the way to self fulfillment, grand wealth and spirituality. Snake oil purveyors like Ray prey on the weak and rake in tens of millions of dollars doing it. If people want to buy into that, you cannot stop it; but by the same token, by taking their money and using his influence and control over them, Ray assumes a duty of care and responsibility for their well being.

Personally, I would argue that Ray's whole schtick is a giant fraudulent scheme and artifice, but it is unlikely that avenue will be pursued. At a minimum, Ray's conduct in respect to the three deaths and other illnesses suffered by his victims should be pursued zealously.