David Kaczynski on the Death Penalty | No Smoke, No Mirrors

David Kaczynski

2007

INTERVIEWER: Everyone agrees your brother was guilty of the crimes he was accused of, and if the one report I read last night is correct he at least at one time said that he would rather be put to death than live the rest of his life in prison, I just wanted to ask you to comment on that if you would?

DAVID: Well you know, it does say one thing and it's; if we're talking about retribution, and it's meaningful appropriate retribution, who's to say which is the harsher punishment? I think there's an element of mercy when you have life without parole, but you're also asking a person to spend the rest of their life facing the consequences of their action. I think that is a harsh punishment, but it also leaves some room for atonement, for reconciliation, for spiritual growth.

I got a call from a guy in California named Bill Babbitt and this is really the story that hooked me into the death penalty movement.

He said that you know, of course, I didn't know his name, but he had seen me on television and he thought I was perhaps the only person in the country who could understand what he was going through at the moment.

And when I heard his story, I realized it was probably true.

He told me that 18 years earlier he had read a newspaper article about an elderly woman.

Whose apartment had been broken into, who had been assaulted, who eventually actually died of a heart attack that night, not of the beating, but of, you know, sort of a psychological trauma she had been in poor health, and he began to suspect his younger brother of having committed the crime.

You know, so I related to this.

I knew what that moment was like the the how awful that was and he had gone to the Sacramento Police Department.

He told them what he knew, what he suspected, but he also said that they had to understand that his brother wasn't a monster.

He wasn't just like a criminal in the ordinary sense that that his brother.

Had been in Vietnam at the age of 18.

Actually went to the Battle of Khe Sanh.

You know some of your viewers who are Gray haired like me may remember that there was a awful battle for the American side.

We were losing hundreds of troops every month at this base out in the jungle.

And Big Brother man. He had been there for 77 days. At one point he'd actually taken a piece of shrapnel that penetrated his skull.

They thought he'd been.

They thought it was dead.

Actually, he was, you know, they threw his body on the cargo hold of a helicopter that was evacuating dead bodies and when he came to, he was the only living thing in that.

Cargo hold and ended up doing 2 tours of duty in Vietnam.

Five major campaigns came back to the United States.

And the the mood of our country was not very gracious or grateful.

I mean, the Vietnam vets were sort of pariahs.

That came back.

Manny Babbitt ended up as a street person living on the streets of Providence, RI, living in a cardboard box.

Can you imagine I didn't get treatment?

Didn't get help at this point.

He had terrible PTSD.

Post traumatic stress, his marriage had fallen apart, his life had fallen apart.

He ended up in a mental institution.

It was a state-run institution that was an awful institution. He tried to kill himself various times. They had pumped up on drugs just to keep him quiet.

At the end of three years, his brother Bill got a call in California informing him that they were looking for a family option for his brother.

They asked.

You know, would you be willing to take in your brother and he said, well, of course he's my brother.

So many Babbitt was released from that mental institution without any medication without any referral to a physician and his discharge plan, in effect was a bus ticket to California, as much to say, well, brother Bell.

He's your problem now.

Wow, so many Babbitt shows up.

He's in an awful shape.

He's still got serious mental problems.

He had been diagnosed with schizophrenia while in the mental institution.

Six weeks go by this crime happens, bills there in the police office, in the Police Department.

It's saying you gotta understand, my brother is not a monster.

This isn't going to be a death penalty.

Cases it, and at that point the police actually promised him that no, it would not be a death penalty case.

They would see to it that his brother got the help that he needed.

Yeah, so bills you know was conflicted about it all, but he's thinking you know this is really going to be good for my brother.

He got a little nervous when the police started loading their service revolvers and he says, oh, don't don't don't shoot him out.

I'll get him out of our house, you know, all lower amount he likes to play pool and and you know please Sir, if he runs don't shoot my brother.

I don't want him to die.

Today I'll I'll tackle him.

I'll we'll get him.

Anyway, Bill did not understand that it was going to be a death penalty case until he went to his brother's arraignment and the District Attorney there said that she was going to seek the death penalty against this thug who had beat this elderly woman to death and all of a sudden, you know it all started.

I could relate to the story up at this point, but then Bill told me what it was like on the other end of the justice system.

You know, I told you my brother had these wonderful attorneys that saved his life.

Life Bill Babbitt's brother got a court appointed attorney who was drunk every day of the.

Trial Oh my.

God had never even tried a criminal case before.

At one point during the jury selection, he actually Bill, came up to him and said are there going to be any people of color on the jury because he and his brother were African American?

They thought, well, they would want a jury that would be immunized against any hint of race.

System and his brother attorney.

Whether he was stupid or bigoted, I don't know.

But he said that he had not had good experience with black people on juries, and he thought it would be better to get a more educated intelligent jury.

So the end result was that Manny Babbitt got an all white jury that never heard all of the evidence about his mental health history or his war record.

He had actually won a Purple Heart in Vietnam.

All I knew is he beat the elderly woman who died so they sentenced him to death.

And Bill just thought, OK, this is a mistake.

At some point they're going to catch it.

You know his brother is going to be doing life in prison, but not be put to death while he waited.

18 years and the appeals ran out.

So at the point he's calling me, saying, David, I, I feel so guilty and I feel like I've I've murdered my own brother.

And at that point he couldn't work.

He was on antidepressants.

He was actually drinking heavily, contemplating suicide.

And, you know, I'm just saying, Bill, you know you didn't.

You didn't mean your brother any harm you you tried to protect other people you wanted to do the best for your brother.

You have nothing to feel guilty about.

It's this system.

It's this broken system and but the more I heard the story I thought, Gee, you know this.

This is America.

This can't be happening.

I thought you know I had access to media.

I I had Mike Wallace phone number I I could call reporters at the New York Times. I thought if we could shine light on this case, perhaps we could save his brother's life.

So I had a second awakening.

I, my wife Linda and I went out to California.

We spent about two weeks with Bill and his wife Linda.

You know we did just about everything but knock on doors.

We did newspaper interviews, radio interviews.

We did rallies in the park outside the Capitol.

I was where I first began to feel.

Kind of disappointed because the rallies were highly publicized through the media, but almost nobody came.

It was like nobody cared.

About the only people that really came were.

Other Vietnam vets they they showed up.

You know some of them in their old uniforms and and you know I'd had a student deferment.

You know, during the Vietnam War, I didn't have to go.

I didn't have to go to Quezon, but I met people who'd been there and they said, David, you know, we have to save many life and I've had flashbacks.

I've gone through things I could have done.

What he did you know?

I thought we had a chance we we went through a clemency hearing process.

We brought things to the governor and the governor himself, a Vietnam vet.

But but his experience at Governor Gray Davis experience in Vietnam had been very different.

He had a desk job in public relations.

He carried a typewriter, not a gun.

You know when he came back he didn't have a cardboard box to to come to.

He had a, you know, a cushy job in government through his connections.

And he had no sympathy, you know, I guess, under political pressure with the victims family in this case, really wanting an execution he he denied clemency.

And so, ironically, on his brother's 50th birthday, Bill Babbitt went to San Quentin prison and watched his brother be put to death by lethal injection.

Nobody ever thanked him.

You know the the state of California never thanked him.

The prosecutors never thanked him.

But police never thanked him.

The victim's family never thanked him. His thank you. His only thank you was a front row seat at his brother's execution.

One of the issues I'll be talking about at the National Alliance for the mental mentally ill conference here in in Helena will be the issue of people with serious mental illnesses on death row.

It come to find out that not only are we executing people with serious mental illnesses, but they're really.

Disadvantaged in the system if they don't.

If they can't cooperate with their attorneys if they don't fully understand the legal system.

The end result is that we're we're killing those people because, you know, they're not getting adequate defense or not getting a fair shake within the system.

Which is just another way that people with disabilities end up being marginalized within the system.

No government program is perfect if you're going to execute people sooner or later, you're going to execute an innocent person.

And to me, even one mistake is intolerable.

We also had prosecutors and district attorneys actually coming to our State assembly and said look, I have no moral position for or against the death penalty.

But give me $200 million, which is what we spent ten years on the next, you know, program death penalty program that executed no one give me $200 million to protect the people that I serve and I can do it much better than with the death penalty. The death penalty won't stop the next murder, but I tell you what will? It'll be more police?

On the street, more community policing.

More reentry programs.

More restorative justice programs, more programs to work with troubled kids, more mental health clinics, more education.

These are really rational, responsible.

Thoughtful ways of responding to crime.

The emotional response.

The completely understandable reaction.

Let's you know.

Let's let's do what did you do to this person, what they did to somebody else?

It doesn't really get us anywhere.

It doesn't reduce violence.

It doesn't bring healing to murder victim family members and in effect it it.

It just keeps the the cycle going.

But I do think the answer is not in another act of violence.

The answer has.

Got to be.

In a resolve to try to create a better, safer, less violent world.

You know we could spend, you know, millions of dollars as we have, you know, most states have done.

I'm sure Montana has done putting a couple of people to death, or we could put our energy or resources our tax money into programs that actually.

They support law enforcement victim services programs to steer troubled kids in a positive direction these.

Are are ways.

We can respond to violence as civilized human beings and actually make a difference to my way of thinking.

That's a responsible way of dealing with it.

To the irony is that when you execute someone, it says less about them and what they did.

Then it says about us, especially if we've got a system that is on.

Fair, I mean, I've, you know, I've.

Involved in cases where mentally, seriously, mentally ill people have been executed.

We now know that at least four totally innocent people have been executed in the United States in the last 30 years, and that's the only other ones we know about.

We've got a system that literally buries its mistakes and.

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https://www.youtube.com/watch?v=Elu5c4IPVCA

David explains how he wishes prisons looked a lot more like mental health care facilities, but regardless he gives a poignant answer about how life without parole is still better in principle than the death penalty, for the chance that some event can open perpetrators up to the possibility of atonement.