

# Interview with David Kaczynski on Fox News

Judith Regan

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## Part One

**Judith:** Perhaps no kind of justice, my next guest writes, can address the moral and emotional problems caused by killing. He should know. He was the gentle and loving younger brother who turned his brother in. His brother, Ted Kaczynski, known as the Unabomber, killed three people, injured 23 others, and penned a 35,000-word manifesto condemning technology as the ruin of civilization before his younger brother even suspected that he was responsible. Turning his brother in, he knows, was the right thing to do, and the right thing to do is a subject which he also knows is not always cut and dried. He turned his brother into the FBI with the understanding that the government would not seek the death penalty. He says they betrayed him, ignoring his brother's schizophrenia, another battle that this younger brother fought. And he's fought many on all sides, including for the victims and their families. In fact, he gave most of the million-dollar reward his family received for aiding the government to the victims. He knows, as he writes, that the circle of pain from a violent act spreads out in all directions. And he's tried to live a life where compassion triumphs over cruelty and understanding prevails over rage. He's worked with family members of murder victims who struggle every day with the pain of their loss and with the criminal justice system that he sees as flawed in many ways. And what he says of those who suffer the loss of loved ones is this. The family members of murder victims I have spoken to struggle with a terrible sense of loss and emptiness, aggravated by a wholly, understandable, and justifiable sense of anger toward the person responsible for that loss. But what they always end up talking about the most is not the crime or the killer, but how much they love someone and how special that person was to them. They want the meaning of their loved one's life to touch others and to be remembered for its legacy of human values and human virtues. They want us to know that that legacy could never be taken away, not even by murder. He's a remarkable man who has pondered the question of justice from all points of view, and he's recently left a longtime job counseling troubled young people to become executive director of New Yorkers Against the Death Penalty. It's a pleasure to welcome David Kaczynski. Hi.

**David:** Thank you, Judy. It's good to be here.

**Judith:** Now, you just finished this job counseling at-risk young people, and they would routinely ask you, How could you turn your brother in?

**David:** Some would routinely ask me. I mean, it wouldn't happen in every case. But if I got to know a kid pretty well, at some point, they'd broach the question.

**Judith:** And how would you answer it?

**David:** I think you always have to respect that a person needs to make up their own mind about what's right and wrong. Nobody likes to be lectured or told. And I think adolescence is a time when people form their consciences. A point I would always try to make is to tell my story and to tell what was on my mind, that if I had failed to act and my brother had killed another person, I would have felt that I had that person's blood on my hands, and I couldn't have lived with that. But I also want them to think about the fact that you have to be in a life situation to really know the implications, to really make a decision for yourself. It can't be a formula that decides it for you.

**Judith:** When you went to the FBI, were you worried about what would happen to him as a result? Of course. And what did you do? What steps did you take?

**David:** We were worried on many levels. On one hand, I knew Ted was an extremely fragile person. I thought he might, in his paranoia, commit suicide. I thought he might have a shootout with the FBI. So it was very important for me to give them as much information as I possibly could, and also to get from them an agreement that they would have a very discreet investigation and focus on a safe arrest.

**Judith:** Now that you look back on all this, what did you learn, having gone through all that, about the government, about the law, about the reality of trials? What are the lessons?

**David:** It was a difficult lesson. I think, and maybe there was some naivete there, but when I thought of how forthcoming we had been with the government, we approached them. We opened up our personal lives, our privacy. We spent weekends meeting with them. We gave them everything we possibly could to help them. And I think my assumption was that there would be a real quest for justice, that the government would exert an effort to find out what was the right thing to do in this case. Instead, I had a very chilling experience as I saw the government kind of enter into a legal chess game, which seemed to me to be about winning and losing, not about What's the right thing to do in this difficult, painful, complex situation?

**Judith:** The government wanted to pursue the death penalty.

**David:** Yes.

**Judith:** And what do you feel was the appropriate thing to do? And how would justice be served? Because your brother, you know, obviously harmed a lot of people.

**David:** Yes. I think the victims in a case like this need to know that the perpetrator is put in a place where they're never going to be able to harm someone again. So I think the outcome in my brother's case was justice. I think it would have been terribly unjust if he had been killed for a couple of reasons. One is that he's a mentally ill person, and that has to be factored in. It disturbs me that in no state that I'm aware of is it against the law to execute a mentally ill person. In no state that has the death penalty, that is.

**Judith:** And your brother was a paranoid schizophrenic.

**David:** Yes, he was diagnosed with paranoid schizophrenia. Secondly, I thought it would have been terribly cruel to, in effect, cover my hands with my brother's blood,

which also would have sent a terrible message, I think, to other families who might be in a similar situation. It would have said, don't help us, because look what the result will be.

**Judith:** Now, you say, and you write, that Ted's life was spared because your family was privileged. Talk to me about that.

**David:** It's interesting, I've read about other cases, but my wife Linda and I got involved in another case in California. There was a man named Bill Babbitt who turned in his brother, Manny Babbitt. And there were so many similarities. Both were diagnosed, my brother and his brother were diagnosed with paranoid schizophrenia. Both had been turned in by their brothers. There were assurances in both cases on the part of the law enforcement that there would be some compassion for the circumstances. And everything was the same except for the fact that my brother's life was spared, Manny Babbitt was executed. And the difference is, of course, that Manny Babbitt was poor, his family was African-American, he was tried in front of an all-white jury.

**Judith:** And he had a bad lawyer.

**David:** He had a terrible lawyer.

**Judith:** It always comes down to the lawyer in the end. [...]

Talk to me about your view of the Andrea Yates situation in Texas, the mother who killed her five children, and the possibility of seeking a death penalty in that case.

**David:** I don't, of course, know any more about that case in particular than is available to the general public, but clearly the story screams out that there's some kind of mental disturbance involved here. This does not sound to me, nobody who knows her seems to think that she was the kind of woman who would cold-bloodedly, maliciously murder anyone. To me, it would be horrible to put this woman to death. Clearly, there has to be treatment, punishment of some kind. There has to be a response that protects the safety of people. But to put her to death would be a serious mistake and wrong, in my opinion.

**Judith:** Okay, 29%, you say, the state prisons. 29% of the inmates suffer from mental illness.

**David:** It's one of the figures I've read, yes.

**Judith:** That's pretty high.

**David:** It's very high. And it's interesting if you look at a state like New York, where we had mental institutions and then a process of deinstitutionalization, where we tried to empty the institutions, create community-based residences. There's almost so many of those people have ended up in prison, it certainly communicates to us that we're not doing right by the mentally ill people in our society.

**Judith:** And other factors in terms of who ends up in prison and who ends up on death row. Talk to me about that. The reality of...

**David:** Well, the reality is that 12% of our population is African-American, 43% of the death row inmates are African-American. Of those executed, Clearly, we're executing not the worst criminals, but the criminals with the worst lawyers. You seldom, if ever, see any kind of a privileged person or a wealthy person. We have the O.J.

Simpson story, the DuPont heir who murdered his wrestling trainer, who is now in a mental institution. The people we're seeing executed are people basically who don't have the resources that my family had.

**Judith:** Right. I want to talk about the victims and the victims' families because, you know, so many of them are full of rage, want justice. What do you say to them? Because I know you've talked to them, you've, you know, really extended yourself in the case of your brother's victims and the victims' families. What do we learn from them and what are their needs? And, you know, what did they teach you?

**David:** I don't know if I'm an expert on that. I think one thing you could say is they don't speak with one voice. They're all individuals and they all respond very differently. I would never question or judge what they feel because they've earned what they feel by...

**Judith:** Right, but do you focus enough attention on them?

**David:** Clearly we don't. I think you noticed in the whole McVeigh situation that the victims were also felt re-victimized by the criminal justice process. I have a friend in Connecticut, Sam Rieger, who is the head of a group called Survivors of Homicide. And after his daughter was murdered, he was told by the state's victim services that he had four counseling sessions. and told that he ought to save some of those counseling sessions for the trial because that would be a difficult time. I think anybody who's been in counseling realizes it's completely ineffective. I think we ought to take some of the money, and we're spending vast amounts of money on the death penalty. We have to take that money and use it for crime prevention. We ought to use it for youth programs to prevent, to steer some of these kids straight before they commit violent crimes, and I think some meaningful assistance to victims.

**Judith:** All right. David Kaczynski, if you're interested, New Yorkers Against the Death Penalty, [www.nyadp.org](http://www.nyadp.org). Thanks so much for being here.

The Ted K Archive

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Judith Regan Tonight. <[www.youtube.com/watch?v=lQrHdQVPPHc](http://www.youtube.com/watch?v=lQrHdQVPPHc)>  
There was an advert break in the middle of the interview that I cut out and marked  
with '[...]'

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