

Kaczynski asks court to return his bomb materials

Michael Taylor

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Theodore J. Kaczynski, the onetime UC Berkeley math professor better known as the Unabomber, wants the federal government to return all his stuff — including one of his bombs — that the FBI confiscated when he was arrested in his tiny Montana cabin seven years ago.

Trading in his Ph.D. for his new activity as jailhouse lawyer, Kaczynski has filed a bevy of documents in U.S. District Court in Sacramento, asking that thousands of personal papers and other materials be given back to him now that his days in court are ostensibly behind him and he is serving life without the possibility of parole.

Kaczynski wants the government to ship the material to a Michigan archive that already contains more than 15,000 of Kaczynski's papers.

Kaczynski has requested that all the items described in the government's inch-thick inventory of his belongings be turned over. Among those things, according to R. Steven Lapham, one of the federal prosecutors who tried the case, are a pipe bomb and tons of documents that include his voluminous autobiography.

"Quite a bit of what is on the inventory are bomb components," Lapham said. "Black powder, smokeless powder."

The list also includes Kaczynski's tools, a can of matches, a pair of tweezers and a hatchet.

Lapham would not talk about whether Kaczynski is entitled to the material, but legal experts say the government would probably be allowed to keep them on the remote possibility that Kaczynski's continuing battle to clear himself, despite being turned down by the appellate courts, is successful and the prosecution is forced to start the case all over.

"The real reason the government should hesitate to release (the material) is that he's still fighting the whole background of his having pled guilty," said Peter Keane, the dean of San Francisco's Golden Gate University Law School. "He's never indicated he was satisfied with that plea. The government could argue to a judge that, on the outside chance that Kaczynski were ever successful, they would have to try him, and they might be losing materials of evidentiary value."

'The Public's Interest'

Kaczynski concedes in his legal papers that the issue of whether he can get his effects back is complex, and legal rulings, which he cites copiously, are inconsistent. But he says the government should release the material for the sake of posterity.

"Clearly, therefore," he says in his precisely handwritten papers, some of which have been posted on the www.thesmokinggun.com Web site, "this Court should take into consideration Kaczynski's interest, the public's interest, and the interest of scholars and researchers in the knowledge to be obtained from the study of Kaczynski's documents. Such study will help to reveal the true facts of Kaczynski's case."

But the facts of Kaczynski's case, according to the government and Kaczynski's own guilty plea in January 1998, are that in the 17 years between 1978 and 1995, he killed three men with bombs and injured 23 other people in 16 bombing incidents around the United States.

He was caught only after his ego got the better of prudence, and he offered to cease his murderous ways if he received a platform for his views. In conjunction with the New York Times, and at the request of the government, the Washington Post published his 35,000-word anti-technology manifesto in September 1995. The phraseology was immediately recognized by his sister-in-law, Linda Patrik. Weeks later, her husband, David Kaczynski, by then convinced that his brother had written the tract, went to the authorities with his suspicions.

In Colorado Prison

Now that the Unabomber is in permanent custody — he lives in a 12-by-7-foot cell at ADX Florence, a federal maximum-security prison in Colorado — Kaczynski spends his time reading his mail, doing legal research and corresponding with the University of Michigan, whose library has added thousands of his personal papers to its Labadie Collection, the foremost archive of anarchist papers in the United States.

In his new court filings, Kaczynski says he wants the government to ship its UN-ABOM papers, at government expense, to the curator of the Labadie Collection, “where they will be available to scholars and researchers.”

In one of the court documents, Kaczynski gives a lengthy accounting of why he's broke and can't pay for having the effects shipped to Michigan. Answering what appear to be standard questions, he says he got \$100 from the University of Michigan to cover “my expenditures for postage on papers that I send from time to time to (the Labadie Collection).” Kaczynski said he had \$22.16, as of July, in his prison commissary account.

His only other assets are the items held by the government, he says, including “a .30-06 hunting rifle, which might be worth about \$150 (rough guess). I believe that the rest of the property is of negligible intrinsic financial value (though the documents are of great value as sources of information). I have no idea what the property might be worth to collectors due to its ‘celebrity’ value.”

At the University of Michigan, spokeswoman Julie Peterson said the university believed the documents still held by the government were “important historical materials. They're valuable as a resource for many people across the country and across the world to do research on social protest.”

The Ted K Archive

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To read Ted's letter to the prosecutor on this subject click [here](#).

www.thetedkarchive.com