

Testimony of Bill Babbitt  
Murder Victims' Families for Human Rights

I was a supporter of the death penalty until I learned, firsthand, something I wish I didn't know: what it's actually like to lose a member of your family to an execution. My brother, Manny Babbitt, was executed at San Quentin Prison in 1999. Six years later, I experienced another violent loss: my cousin, Nicholas "Butchie" Correia, was murdered in Sacramento.

I serve on the board of directors of an organization called Murder Victims' Families for Human Rights. Our members are relatives of homicide victims and relatives of people who have been executed. We have members here in California, throughout the United States, and in other countries around the world. All our members are opposed to the death penalty.

One of our special projects focuses on educating people about the effect of executions on surviving family members. A little over a year ago we released a report called *Creating More Victims: How Executions Hurt the Families Left Behind*.

So, I am speaking to you as the brother of someone who was executed in California, the cousin of someone who was murdered in California, and the board member of an organization that represents survivors from both groups. Speaking from these combined perspectives, I would like to ask the Commission to consider four points:

1. As a citizen trying to do the right thing and help ensure public safety, I was betrayed by a false promise. When I suspected that my brother might have had something to do with the death of Leah Schendel, I made the difficult decision to go to the police. They promised me that Manny would get the help he needed, but instead he was executed. I had agonized over what to do, and in the end I turned Manny in to the police because I couldn't live with the risk that someone else might become a victim of Manny's war demons. I wanted to prevent another killing, not cause one.
2. You have heard the testimony of Manny's attorney, Chuck Patterson, and so you have heard how Manny had been diagnosed with paranoid schizophrenia, and, on top of that, suffered from post-traumatic stress

disorder as a result of his two tours of duty in Vietnam. I wish we *had* been able to get my brother the help we needed, and I wish families like mine could live in a society that properly treated its mentally ill citizens, rather than executing them. Treatment and prevention, rather than execution, should be our state's response to mental illness and to the tragedy of post-traumatic stress disorder resulting from the horrors of combat duty.

3. I will always remember the look on my mother's face on the night of Manny's execution. She suffers to this day from the effect of losing her son to execution. Manny's children suffer too. His daughter Desiree testified before the clemency board that she felt as if Manny had raised her from prison. She said if he remained in prison, serving a life sentence, he would still be able to play an important role in her life. Today, Desiree says she wishes people could understand how her father's execution traumatized her and how she still suffers because of it. My mother, my niece Desiree, other members of my family – these are innocent people who have been harmed by the death penalty.
  
4. When my cousin Butchie was killed, the police referred to his killing as a murder, but the man responsible for Butchie's death served less than one year in prison. I am opposed to the death penalty as a family member of a murder victim, too, but it's hard to make sense of how disproportionate my brother's punishment was compared to the punishment for the man who killed my cousin.

I supported the death penalty until it came knocking on my door. Believe me, I wish I didn't know what it's like to experience the execution of a beloved family member. But now that I do know it, from my own experience and from the experience of the fellow members of my organization, I have to share that knowledge with you. The death penalty compounds the tragedy of murder by harming another set of families. Please consider that harm when you consider the role of the death penalty in California.