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# Crime and effect

## *Capital Consequences: Families of the Condemned Tell Their Stories*

**Rachel King, Rutgers University Press**

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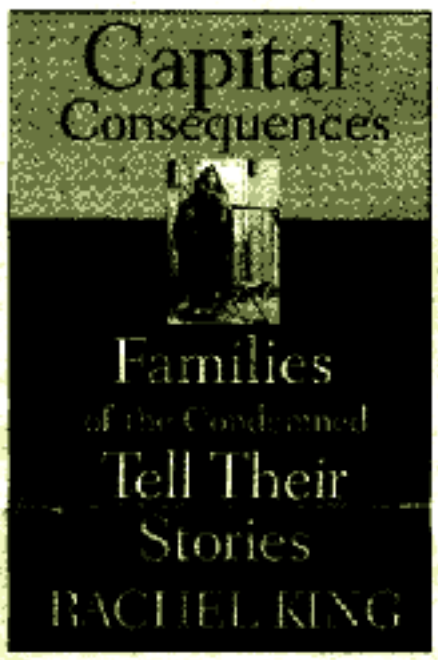
**The crimes described in Rachel King's new book are** heinous and heartbreaking, and she doesn't attempt to discount the pain of the victims and their families. What *Capital Consequences: Families of the Condemned Tell Their Stories* makes clear is that there are more than enough victims to go around in any capital case.

A sequel to her 2003 book, *Don't Kill in Our Name: Families of Murder Victims Speak Out Against the Death Penalty*, this new work allows the families of convicted killers who have been sentenced to death to tell their stories. In nine cases, including one in which an innocent man was sent to death row and later was exonerated by DNA evidence, King gives the parents, siblings, wives and friends of the condemned a chance to speak.




No one here is trying to make excuses for the crimes of a loved one. The relatives of the killers are clear that what their loved ones have done is wrong—and often inexplicable. They grieve for the victims and their families, but they simply cannot accept that the death penalty, particularly the way it is enforced in the United States, is a punishment the state should be in the business of enforcing.

King selects a variety of cases: a man mistakenly focused on by the police early in an investigation who is sentenced to death in two separate trials, only to be freed when suppressed DNA evidence leads to the confession of the real killer; a case in which the family of a schizophrenic had fruitlessly sought help for him and was ignored until he'd committed a gruesome mass murder; an alcoholic who killed his wife and father-in-law during a blackout; a murder committed during a failed drug deal; and another murder committed during a failed robbery.

One of the cases detailed is that of Manny Babbitt, a decorated Vietnam veteran who killed a Sacramento grandmother while in the grips of a post-traumatic flashback. Babbitt was turned in to the police by his brother, who was terrified of what would happen if Babbitt didn't get help; he was promised that the death penalty wouldn't be invoked, because of Babbitt's mental state. Instead, Babbitt was sentenced to die; evidence his brother gave of his mental state was used to help convict him. In spite of the appeals of his family and veterans groups, as well as evidence of his diminished capacity due both to a childhood head injury and the trauma he suffered in Vietnam, he was executed by the state of California in 1999.

Most of these convicted killers are not nice people; we wouldn't necessarily want them out walking around. Still, their stories make a strong case that the death penalty is neither a just nor an appropriate response.

For example, in the case of Fred Gilreath, who killed his wife and father-in-law, none of the victims' family members asked for the death penalty. In prison, he sobered up, became religious and was a model prisoner, helping other inmates for more than 20 years. His children, Felicia and Chris, reconciled with him and sought commutation of his sentence. By the time the state of Georgia finally executed him, he no longer was the unstable drunk who had committed the murders; instead, the state "made orphans" of his children, in their words.

**King's new book gives the families of convicted killers who have been sentenced to death a chance to tell their stories.**

What is gained for the state in such a situation? How did the death of Gilreath make Georgia any safer? Even more disturbing is the case of Ray Krone, who twice was sentenced to die for a murder he did not commit.

King's collection of these stories makes clear that the system of justice we have in place cannot be trusted to make life-or-death decisions; although a reasonable person would not want these killers walking around free, killing them is not a solution we should be able to live with.