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## **Family Members of Murder Victims Called to Testify at Final Death Penalty Hearing in Santa Clara**

### *Loved ones say execution is not the answer*

**WHAT:** Third and final hearing on the death penalty by the California Commission on the Fair Administration of Justice

**WHEN:** Friday, March 28, from 9:30 a.m. to 12:30 p.m.

**WHERE:** California Mission Room, Benson Student Center, Santa Clara University, 500 El Camino Real, Santa Clara, CA 95053

**WHO:**

- **Judy Kerr**, California Crime Victims for Alternatives to the Death Penalty (CCV). Judy's brother Robert Kerr was brutally murdered in 2003.
- **Derrel Myers**, Murder Victims' Families for Reconciliation. Derrel's son, Jojo, was gunned down in San Francisco in 1996.
- **Bill Babbitt**, Murder Victims' Families for Human Rights. Bill's brother Manny Babbitt was executed by California in 1999 and his second cousin Butchie was murdered two years ago.

Victims' family members have been called to give testimony at the third and final hearing on the death penalty by the California Commission on the Fair Administration of Justice on March 28 in Santa Clara.

Judy Kerr of Albany, Calif., and spokesperson for CCV, said, "Personally, I would like to see our scarce public safety resources directed towards solving cold cases and increasing services for victims, instead of being used on just one or two costly death penalty trials. After five years, my brother's murder still remains unsolved. Axing resources intended for investigating unsolved murders, like they've done in Santa Clara County, and closing down crime labs, is not going to make the situation any better."

Murder victims' families who spoke during the public comment period at first hearing, held on Jan. 10 in Sacramento, raised many serious questions about the cost of California's death penalty and whether funds could be better used elsewhere. Amanda and Nick Wilcox of Grass Valley, Calif., whose 19-year-old daughter Laura was murdered in 2001, told the Commission that funding for grief counseling services ran out well before they were ready to end the sessions.

The California Commission on the Fair Administration of Justice was created by the state Senate to investigate the causes of wrongful conviction and wrongful executions, and to recommend reforms to make California's criminal justice system "just, fair, and accurate."

## **Profiles of the family members who will testify:**

**Judy Kerr** waited weeks for investigators to identify the brutally beaten body her brother, Robert James Kerr. She is still waiting, five years later, for a suspect to be named and for justice to take its course. As agonizing as her brother's murder has been, the possibility of the death penalty for the murderer is an additional burden. "I know now, more than ever, that killing is wrong," she says. Images: ([Judy and Bob Kerr](#) | [Judy Kerr](#))

**Derrel Myers** lost his 23-year-old son, Joshua "Jojo" White, when he was shot for no apparent reason by a young stranger. On the night he was killed, Jojo was driving home from counseling at-risk youth in San Francisco. Myers and Naomi White, Jojo's father and mother, believe their son's killer was not the only one responsible for this crime. "We think our entire society bears responsibility for the social conditions and attitudes that foster such violence," they say. Myers and White want the millions of dollars that are wasted on the death penalty each year to be spent instead on crime prevention and programs that offer alternatives to young people.

**Bill Babbitt** is both the brother of a man who was executed and the family member of a murder victim. Bill contacted the police and helped them arrest his brother, Manny Babbitt, for the 1980 murder of an elderly woman. Manny was a paranoid schizophrenic and suffered from post-traumatic stress disorder. While on death row, he received a Purple Heart for service in Vietnam. Bill believed his brother would get the mental-health assistance he needed from the authorities. Instead, Manny was executed on May 4, 1999. Bill Babbitt and David Kaczynski, who notified law enforcement about his brother, known as the Unabomber, often speak out together against the death penalty. David has said that, like Manny Babbitt, his brother most likely would have been sentenced to death by execution had his family not been able to afford competent counsel. Bill Babbitt's second cousin Butchie was murdered two years ago.

For more info on the Commission, visit [www.ccfaj.org](http://www.ccfaj.org). For more information on CCV, visit [www.californiacrimevictims.org](http://www.californiacrimevictims.org)