

# POV

Community  
Engagement & Education

DISCUSSION GUIDE

## Better This World

A Film by Katie Galloway  
and Kelly Duane de la Vega



In January 2009, *The New York Times* ran a story about the controversy surrounding the arrest of two young men from Midland, Texas, for the possession of eight Molotov cocktails at the Republican National Convention in Minneapolis-St. Paul. The story immediately captured our imaginations. The government was characterizing David McKay and Bradley Crowder as domestic terrorists intent on murdering or maiming police and Republican delegates, and the defense was asserting that the boyhood friends were victims of a charismatic mentor and an overzealous government. What was the real story?

A dozen phone calls and several days later, we were on a plane to Minneapolis to attend McKay's federal trial. (Crowder did what nearly all those facing federal charges do — he took a plea.) The odds against McKay were long: The federal conviction rate is easily above 90 percent. He faced up to 30 years in prison.

We met McKay at Sherburne County Jail the day before his trial was to begin. He was clad in a prison jumpsuit, his hands shackled. We arrived with very little idea of who McKay was. Walking out six hours later, we had begun to understand an idealistic, affable and very frightened McKay, yet many questions remained unanswered.

Why, we wondered, did the FBI spend more than six months closely following political naïfs with no criminal history? What led these young men to build eight homemade bombs? Did the government save innocent victims from domestic terrorists bent on violence and destruction? Or were Crowder and McKay impressionable disciples set up by a dangerous provocateur? Or did the answer perhaps lie somewhere in between? We were consumed with so many questions and talked for hours about the relationships between those involved and how their personal experiences illuminated larger national issues and debates. By the time we left the trial and headed back to California, we knew we had to make a film.

While our initial intent had been to cover the legal drama, it quickly became clear that a central mystery we wanted to unravel was what had happened between McKay, Crowder and their activist mentor, Brandon Darby, from the time they first met at an Austin, Texas bookstore until McKay's and Crowder's arrests occurred more than six months later.

We started piecing the back-story together through a range of intriguing archival material: intimate jailhouse phone calls, audio of FBI interrogations, electrifying archival footage of Darby railing against the government in the wake of Hurricane Katrina, dozens of surveillance photos and video of street battles between protestors and police. We also learned that the U.S. Department of Homeland Security had granted \$50,000 to the Joint Terrorism Task Force of Minneapolis-St. Paul for surveillance cameras at the convention — and that we could access that footage through the Minneapolis police department. We screened hundreds of hours of footage that included everything from the FBI following our characters as they arrived in town to McKay and Crowder shopping for bomb making materials to video from Darby's handheld camera.

Working closely with our editor (Greg O'Toole), graphics designer/producer (Mike Nicholson), composer (Paul Brill) and cinematographer (David Layton), we developed a look, feel and sound for each strand of archival material, with the goal of integrating them into a coherent aesthetic whole. And after gaining the trust of McKay, Crowder and their families and shooting with them day after day, we were able to capture, vérité-style, the intimacy and rawness of their experiences.

It was critical that the audience could feel key events that transpired before we came to the story (the meeting at Ventana del Sol coffee house in Austin, the van ride from Texas to Minnesota, the making of the Molotov cocktails and so on) and we were able to bring those moments to life through recreations — footage woven with recollections in interview. (Some of our vérité scenes have been mistaken for recreations. To be clear, we only recreated past events where we clearly could not have been present. The audience can distinguish between these scenes, because they use treated, impressionistic footage and are cut with interview bites. Intimate conversations between characters that unfold before the camera do not involve any staging or recreating.)

Over the two and half years it took to make the film, as we interviewed FBI agents, attorneys, defendants, family members, jurors and journalists, we were repeatedly surprised by the twists and turns the story took. At several points we were forced to reevaluate our perspectives — debates about personal responsibility versus government accountability erupted in the field and the edit room. We learned a lot through the process and committed early on to building the twists, moral ambiguity and big questions we confronted in making the film into the film itself so that audiences could experience them as well.

**Better This World** has already inspired intense discussions around the country — encouraging people to grapple with what we see as some of the critical tensions of our time: between civil liberties and security and between democracy and dissent in a post-9/11 world.

**Katie Galloway** and **Kelly Duane de la Vega**,

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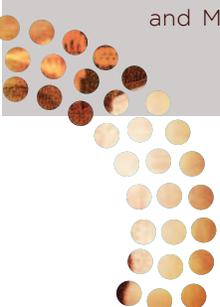
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**INTRODUCTION**

Two boyhood friends from Midland, Texas, Bradley Crowder and David McKay, find themselves increasingly out of step with their neighbors as they react against the wars in Iraq and Afghanistan. After moving to Austin, they go to a presentation at a local bookstore about protesting the 2008 Republican National Convention (RNC) in Minneapolis-St. Paul. There they are approached by a charismatic older activist, who suggests that they work together to prepare for the demonstrations. **Better This World** follows the radicalization of Crowder and McKay under the tutelage of revolutionary activist

Brandon Darby. The results: eight homemade bombs, multiple domestic terrorism charges and a high-stakes entrapment defense hinging on the actions of a controversial FBI informant.

A dramatic tale of patriotism, loyalty, crime and betrayal, **Better This World** goes to the heart of the war on terror and its impact on civil liberties and political dissent in America. As an outreach tool, it challenges viewers to reflect on the meaning of democracy and how well the United States lives up to its most cherished ideals.





**Better This World** is well suited for use in a variety of settings and is especially recommended for use with:

- **Your local PBS station**
- **Groups that have discussed previous PBS and POV films relating to political protest and government response, including *If a Tree Falls: A Story of the Earth Liberation Front*, *The Camden 28*, *Revolution '67* and *A Panther in Africa***
- **Groups that have discussed previous PBS and POV films relating to the criminal justice system, including *William Kunstler: Disturbing the Universe* and *Prison Town, USA***
- **Groups focused on any of the issues listed in the Key Issues section**
- **Groups concerned with the increase in government surveillance or other threats to civil liberties**
- **High school students**
- **Faith-based organizations and institutions**
- **Cultural, art and historical organizations, institutions and museums**
- **Civic, fraternal and community groups**
- **Academic departments and student groups at colleges, universities and high schools**
- **Community organizations with a mission to promote education and learning, such as local libraries**

**Better This World** is an excellent tool for outreach and will be of special interest to people looking to explore the following topics:

- Activism**
- Civil liberties**
- Coming of age**
- Criminal justice system**
- Domestic terrorism**
- Entrapment**
- Ethics**
- FBI**
- FBI informants**
- Freedom of assembly**
- Freedom of speech**
- Law**
- Masculinity**
- Patriotism**
- Political conventions**
- Political dissent**
- Political protest**
- Surveillance**
- Terrorism**
- U.S. Constitution**
- U.S. history (modern)**
- War on terror**

## USING THIS GUIDE

This guide is an invitation to dialogue. It is based on a belief in the power of human connection, designed for people who want to use **Better This World** to engage family, friends, classmates, colleagues and communities. In contrast to initiatives that foster debates in which participants try to convince others that they are right, this document envisions conversations undertaken in a spirit of openness in which people try to understand one another and expand their thinking by sharing viewpoints and listening actively.

The discussion prompts are intentionally crafted to help a wide range of audiences think more deeply about the issues in the film. Rather than attempting to address them all, choose one or two that best meet your needs and interests. And be sure to leave time to consider taking action. Planning next steps can help people leave the room feeling energized and optimistic, even in instances when conversations have been difficult.

For more detailed event planning and facilitation tips, visit [www.pbs.org/pov/outreach](http://www.pbs.org/pov/outreach)

## The Film

Growing up in Midland, Texas, Bradley Crowder and David McKay received little political education beyond their parents' encouragement to "stand up for the oppressed" and "stand up for what you believe in." Somewhere along the way, partly during late-night walks through their town's deserted streets, the friends began to form their own interpretation of their parents' words. It was Crowder who made the first public statement of his political beliefs. In 2003, when the United States declared war on Iraq, he drew an upside-down American flag with the words "No War" on a T-shirt and wore it to his high school the next day — a move that, he recounts, "became a pretty dramatic event."

Seeking "something else," Crowder and McKay moved to more progressive Austin, where they met Brandon Darby, who had gained prominence as the co-founder of Common Ground Relief, a grassroots relief organization that fed and housed thousands of victims of Hurricane Katrina. Crowder and McKay were flattered when the larger-than-life activist approached them at a bookstore in Austin to talk about organizing together.

As several people in the film who knew Darby, Crowder and McKay recount, Darby urged the young men to become more radical — to take more extreme actions. According to Larra Elliott, one of the activists who accompanied the three to the RNC, "Brandon [was] talking and he said something that caught my attention, like, 'Don't you feel that firebombs and armed militias . . . don't you feel like that kind of action is necessary sometimes?' And Brad was like, 'No, I don't feel that way.' Brandon would not leave it alone."

Darby echoes some of this sentiment in letters to his FBI handler about meetings with McKay and Crowder, writing, "I told them that direct action is intense, and we could all expect to have violence used against us. I told them I was ready to deal with that, and if they weren't, then they shouldn't work with me."

On August 28, 2008, Crowder and McKay joined Darby and several other activists Darby had brought together for the long van ride up to the RNC, where they would join thousands of other protestors. Within days Crowder and McKay were under arrest. The "Texas Two," as they came to be known, faced multiple domestic terrorism charges, agonizing legal decisions and decades in prison. Darby, until then their mentor, would be the government's star witness against them.

**Better This World** reconstructs the story of the relationship between these three men and the twists and turns of their legal cases through interviews with Crowder, McKay and their family members; interviews with FBI agents and attorneys; and a wealth of intriguing surveillance and archival footage — presenting an extraordinarily well-documented account and untangling a web of questions: Why did Darby, a committed activist, become a government informant? What led these young men to build eight homemade bombs? Did Darby and law enforcement save innocent victims from domestic terrorists bent on violence and destruction? Or were Crowder and McKay impressionable disciples set up by overzealous agents and a dangerous provocateur? Or does the answer lie somewhere in between?

## Republican National Convention (RNC) Protests of 2008

In September 2008, thousands of delegates, officials and members of the news media descended on the twin cities of Minneapolis and St. Paul for the Republican National Convention (RNC), as did thousands of protesters who wanted to speak out against issues ranging from the Iraq War to the economy to environmental policy.

Two years prior to the 2008 RNC, Minneapolis-St. Paul was designated a "homeland security site" and the FBI began "preventative" intelligence operations nationwide, including sending informants into many activist circles. As FBI special agent Christopher Langert says, "We, the FBI and the federal and state and local governments, knew that there were go[ing to] be some people that were go[ing to] come to St. Paul to do more than just demonstrate, more than just express their grievances. They were going to try to block delegates, cause destruction and . . . criminal activity."

In anticipation of demonstrations, the St. Paul police department formed a small group of police officers informally referred to as the free speech liaison team, or dialogue officers. These officers were tasked with establishing networks of open communication between law enforcement and demonstrators to preempt any tensions building during the lead-up to the convention. Their preventative measures included printing brochures informing protestors of their rights. The brochures stated that protestors' rights to demonstrate in public areas are protected under the First Amendment, and police and government officials may only place "non-discriminatory and narrowly drawn 'time, place and manner' restrictions" on these rights. Permits may be re-



quired for certain events, but permits “cannot be denied because the event is controversial or will express unpopular views.” The brochures also explained that engaging in unlawful acts, such as blocking traffic, destroying property, harassing people or trespassing on private property, is not protected by the First Amendment.

Over the course of the convention, from September 1 to September 4, when John McCain was announced as the Republican presidential candidate and Sarah Palin as his running mate, thousands peacefully participated in marches and other organized events. According to *The Wall Street Journal*, some protesters soon turned to smashing windows, clashing with police, slashing tires, throwing bags of human waste and confronting Republican delegates on the street. St. Paul police responded with pepper spray, tear gas, smoke canisters and what police called “distraction devices.”

On September 4, the last day of the convention, the American Civil Liberties Union (ACLU) and mainstream media outlets reported that police arrested more than 300 people in St. Paul and about 100 people in Minneapolis. In Minneapolis, all but a handful were cited and released immediately, while in St. Paul, the vast majority were charged with gross misdemeanors or felonies and held for 36 hours, at which point individuals had to be charged or released in accordance with Minnesota law.

But the final night of the convention brought the largest show of force as hundreds of antiwar protesters rallied at the state capitol and tried to march to the convention center without a permit. According to *Democracy Now!*, hundreds of riot police arrived on the scene, using snowplows, horses and dump trucks to seal off downtown from the demonstrators. Protesters continued marching, and police employed concussion grenades, smoke bombs and pepper spray. The march ended with more than 200 demonstrators trapped on a bridge and hundreds of police in riot gear blocking them on either side. According to the *Minneapolis Star-Tribune*, 672 people were jailed over the course of the convention, 442 of whom later had their charges either dropped or dismissed.

In the wake of the convention, the ACLU called for an investigation into possible violations of the First and Fourth Amendments, including the arrest of reporters trying to gather the news, the mass arrest of hundreds of peaceful protesters, surveillance of and subsequent raids on several activist groups and private homes and the confiscation by law enforcement agents of constitutionally-protected private property.

In January 2009, the city of St. Paul released a report examining both the successes and shortcomings of its response to the 2008 RNC and made numerous suggestions for how future convention cities should prepare for such an event.

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## Domestic Terrorism in the United States

### Defining the Term

The Code of Laws of the United States of America defines domestic terrorism as “activities that: (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State; (B) appear to be intended: (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination or kidnapping. (C) occur primarily within the territorial jurisdiction of the United States.”

### Counterterrorism Policy

At the helm of the domestic counterterrorism effort is the FBI, which works closely with state, local and other federal agencies to gather, archive and analyze massive amounts of information on U.S. citizens and residents when law enforcement officers or fellow citizens believe they are acting suspiciously.

Days after the 9/11 attacks, then-recently appointed FBI director Robert Mueller sent his field offices a memo that made prevention of any future terrorist attacks the FBI’s “one set of priorities.” According to the FBI’s website, the FBI “needed to become more adept at preventing terrorist attacks, not just investigating them after the fact.” The key to actualizing these priorities, said Mueller, was intelligence. In November 2001, the U.S. Department of Justice began conducting investigations, seeking individuals whose intentions, rather than actions, constituted a threat.

Journalist Petra Bartosiewicz of *Harper’s Magazine* recently compared the post-9/11 changes to those made at other crucial moments in American history. She writes, “In the run-up to World War I, President Woodrow Wilson decried the danger of ‘hyphenated Americans,’ pointing specifically to Irish and German immigrants. During World War II, 110,000 Japanese Americans were interned without cause. These reactions were obviously hysterical, but were also temporary; the more recent emergency measures, however, have been institutionalized as a permanent law-enforcement priority.”

According to a 2010 investigation by *The Washington Post*, there are currently 3,984 federal, state and local organizations working on domestic counterterrorism. Of those, 934 have been created since the 9/11 attacks. Since 2003, the U.S. Department of Homeland Security has awarded \$31 billion in grants to state and local governments to improve their ability to find and protect against terrorists.

The U.S. Department of Justice reports that while the U.S. government has carried out more than 1,000 prosecutions of people it labels as terrorists since 9/11, only one — an Egyptian immigrant who opened fire at Los Angeles International Airport in 2002 — committed a terrorist act in the United States during that time.

### The USA Patriot Act

In the wake of the events of September 11, 2001, the USA PATRIOT Act was passed on December 6, 2002. The USA PATRIOT Act reduces restrictions on law-enforcement officials’ ability to gather and share information on suspected terrorists.

One of the provisions provided by the act is the sharing of information between intelligence and criminal investigators, which expands the scope of investigations and cooperation between departments. Additionally, in terrorism investigations, federal judges now have the authority to grant search warrants outside their districts, including providing access to electronic sources such as emails, and the authority to issue “sneak and peek” warrants, which authorities may use to search homes or businesses before notifying the suspects. “Roving wiretaps” now permit investigators to follow suspects continuously through various devices, including cell phones, Blackberry devices and computers, without requiring separate court authorization for each. The group of people the FBI can pursue has also expanded to include anyone who supports terrorist organizations by providing them material resources.

Among the more recent initiatives of the USA PATRIOT Act was the establishment of the Joint Terrorism Task Force (JTTF), which the FBI defines as “small cells of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts and other specialists from dozens of U.S. law enforcement and intelligence agencies. It is a multi-agency effort led by the Justice Department and FBI designed to combine the resources of federal, state and local law enforcement.”

Critics of the USA PATRIOT Act maintain that such provisions lack the transparency to prevent abuses, allowing the government to access and amass information about, as well as search the properties of, non-criminal citizens. The FBI defends its change in practices against public criticism of its constitutionality. In a 2004 statement, FBI director Robert Mueller said, “Many of our counterterrorism successes, in fact, are the direct results of provisions included in the Act . . . Without them, the FBI could be forced back into pre-Sep-



tember 11 practices, attempting to fight the war on terrorism with one hand tied behind our backs.”

On May 27, 2011, President Obama signed into law a four-year extension of the Patriot Act.

To read the full act, visit: [www.fincen.gov/statutes\\_regs/patriot/index.html](http://www.fincen.gov/statutes_regs/patriot/index.html)

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**Use of Informants in the FBI**

The use of FBI informants is an integral part of the government’s response to threats of terrorism in the United States. Shortly after the end of WWI, during the Red Scare of the 1950s into the 1970s, the FBI’s Counter Intelligence Program (COINTELPRO) infiltrated and spied on communist and civil rights organizations. Now, today’s FBI campaign has been dubbed the “Green Scare” and the target is primarily environmental and animal rights activists. Since 2006, 14 members of the Earth Liberation Front have been convicted in FBI cases that have involved informants. One man has been sentenced to 20 years in prison for conspiring to bomb one or more targets, including a federal facility for tree genetics, a federal dam and fish hatchery and a cell phone tower.

According to a recent article in *The New Yorker*, the FBI maintains more than 15,000 informants. These informants can collect evidence that government agents would need court orders to collect. The informants are often paid thousands of dollars — in some cases even hundreds of thousands of dollars — in retainers.

The article states, “In almost every successful case against a large-scale criminal enterprise — from the one against John Gotti’s Mob operation to those involving terrorists plotting against New York synagogues and subways — an informant has played a central role.”

The U.S. Department of Justice identifies several different classes of informants:

A **confidential informant** is any individual who provides useful and credible information to a Justice Law Enforcement Agency (JLEA) regarding felonious criminal activities and from whom the JLEA expects or intends to obtain additional useful and credible information regarding such activities in the future.

**Cooperating witnesses** differ from confidential informants in that cooperating witnesses agree to testify in legal proceedings and typically have written agreements with the U.S. Department of Justice (usually with an assistant U.S. attorney) that spell out their obligations and their expectations of future judicial or prosecutive consideration.

**Sources of information**, in contrast, provide information to law enforcement only as a result of legitimate routine access to information or records. The U.S. Department of Justice explains that sources do not collect information by means of criminal association with the subjects of an investigation, while confidential informants and cooperating witnesses often do.





The use of informants has been standard at the FBI since 1961, when J. Edgar Hoover instructed agents to “develop particularly qualified, live sources within the upper echelon of the organized hoodlum element who will be capable of furnishing the quality information” needed to attack organized crime. In 1978, the FBI formed its current criminal informant program, designed to develop a bank of informants who could assist FBI investigations.

Informants, according to the U.S. Department of Justice, “are often uniquely situated to assist the FBI in its most sensitive investigations. They may be involved in criminal activities or enterprises themselves, may be recruited by the FBI because of their access and status and, since they will not testify in court, usually can preserve their anonymity.” These sources are approved for use in cases involving organized crime, domestic and international terrorism, white-collar crime, drugs, civil rights, cyber crime, gangs and major theft, among other crimes. While informants are instructed about the limits to their authority, they are authorized to perpetrate some crimes as necessary to their duties and as defined by the department.

The use of such sources has become essential to FBI operations, with informants — including “privileged” informants, such as attorneys, clergy and physicians — supplying short- to long-term services.

However, the use of informants does present certain challenges. Working with informants often means working with people who are themselves engaged in criminal activity. According to Philip B. Heymann, the former deputy attorney general and assistant attorney general in charge of the criminal division, “some informants are responsible citizens who report suspected criminal activities without any hope of return. In the middle, other informants live in the midst of the criminal underworld and inform largely for cash. Still others, at the other pole, are charged with serious crimes and cooperate with law enforcement officials in return for the hope or promise of leniency.”

Informants are not official employees of the FBI, but they are screened for suitability before they enter into relationships with the FBI and are screened periodically thereafter.

A 2005 report from the Office of the Inspector General investigating FBI compliance with the attorney general’s investigative guidelines found significant problems in the FBI’s compliance with the guidelines’ provisions, including serious shortcomings in the supervision and administration of the criminal informant program. Specifically, it was

found that cumbersome paperwork and inadequate support from FBI headquarters and certain field offices led agents either to avoid using informants or to use informants who were not properly registered.

Discussing the role of informants on its website, the FBI writes, “use of informants to assist in the investigation of criminal activity may involve an element of deception, intrusion into the privacy of individuals or cooperation with persons whose reliability and motivation may be open to question. . . . [S]pecial care is taken to carefully evaluate and closely supervise their use so the rights of individuals under investigation are not infringed.”

Many defendants in cases that involve informants have accused informants of entrapment, meaning the defendants were not predisposed to commit crimes, nor would they have done so without the influence of the informants. According to NPR counterterrorism correspondent Dina Temple-Raston, not a single entrapment defense since September 11 has been successful.

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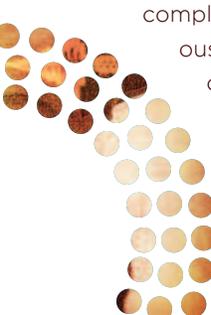
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United States Court of Appeals for the Ninth Circuit. Appeal from the United States District Court for the Eastern District of California Morrison C. England, Jr., District Judge, Presiding, Argued and Submitted August 9, 2010 San Francisco, California <http://www.ca9.uscourts.gov/datastore/memoranda/2010/09/21/08-10250.pdf>

### GENERAL DISCUSSION QUESTIONS

**Immediately after the film, you may want to give people a few quiet moments to reflect on what they have seen. If the mood seems tense, you can pose a general question and give people some time to themselves to jot down or think about their answers before opening the discussion.**

**Please encourage people to stay in the room between the film and the discussion. If you save your break for an appropriate moment during the discussion, you won't lose the feeling of the film as you begin your dialogue.**

**One way to get a discussion going is to pose a general question such as:**

- **If you could ask anyone in the film a single question, who would you ask and what would you ask him or her?**
- **What did you learn from this film? What insights did it provide?**
- **Were you surprised by anything in this film?**
- **Describe a moment or scene in the film that you found particularly disturbing or moving. What was it about that scene that was especially compelling for you?**





## Key People Featured in **Better This World**

**Brandon Darby** was born and raised in Houston, Texas. Darby gained prominence following Hurricane Katrina in 2005, when he became a spokesperson and co-founder of Common Ground Relief, a collectively run relief organization based out of New Orleans' Lower Ninth Ward. Darby's work with the FBI was uncovered in December of 2008, when an unidentified source revealed him to the *St. Paul Pioneer Press* during Crowder and McKay's case. On December 29, 2008, Darby made the information public when he released an official letter on the website Indymedia confirming the rumor.

**Bradley Crowder** was born in 1985 and raised in Midland, Texas. In 2008 he was arrested at the Republican National Convention on domestic terrorism charges. After taking a plea bargain, Crowder was sentenced to two years in federal prison.

**David McKay** was born in Midland, Texas in 1986. In 2008, he was arrested at the Republican National Convention on domestic terrorism charges. After a deadlocked jury failed to decide his case, McKay took a plea bargain instead of going to trial a second time. He is currently serving a four-year sentence in Herlong Federal Prison in California. He is scheduled to be released in 2012.

**Michael McKay** is David McKay's father.

**Twila Crowder** is Bradley Crowder's mother.

**Emily Coleman** is McKay's girlfriend.

**Jeff DeGree** is McKay's attorney.

**Scott Crow** is an activist and co-founder of Common Ground Relief.

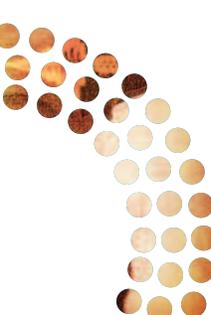
**Andrew Mohring** is Crowder's attorney.

**Jeffrey Paulsen** is the federal prosecutor assigned to Crowder and McKay's cases.

**Christopher Langert** is a supervisory special agent at the FBI.

**E.K. Wilson** is FBI Joint Terrorism Task Force supervisor and Minneapolis field office media spokesman.

**Tim Gossfeld** is FBI assistant special agent in charge of the Minneapolis field office.





## What Actually Happened?

- In the film, Crowder says, “Do I think that if I would have never met Brandon Darby that these things would have happened? You know — the crime, my incarceration? I mean, no, I don’t, I don’t think they would have. I mean, it’s . . . it’s hard for me to, you know, point fingers for my own actions because, I mean, Brandon Darby didn’t hold a gun to my head and make me do it, but the guy taught me a lot, and that’s really all I can say about it.” What do you think? Were McKay and Crowder entrapped? Or, as the government claims, were McKay and Crowder “willing and able and intending to use those Molotov cocktails on the night of September 2,” and was Darby simply a tool the government used “to prevent it from happening”?
- McKay and his father both speculate on why the federal government so adamantly pursued prosecution of this case and David’s father, Michael McKay, says - “You had to get busted for something. Somebody had to get busted. I mean, the convention’s gonna come to an end, everybody’s gonna go home and nothing’s gonna happen? Somebody had to be arrested. FBI’s not gonna spend 9 months on some investigation and not—uh—you know—they have to at the end—they have to go to their superior and say, oh yeah, all that money, we spent it wisely. Look, we took this big, these huge terrorists off the street. You know, this is—it’s ridiculous. It’s absolutely ridiculous.”  
Do you agree with this assessment? Why or why not? Are other explanations possible? If so, what are they?
- Prosecutor Jeffrey Paulsen says that McKay had a violent mindset: “At every point where he had a decision to make, whether to choose non-violence or to choose violence, he always chose the choice of violence, and it’s very disturbing.” What evidence do you see that supports this conclusion? What evidence do you see that contradicts it?
- Crowder says, “I wanted to go to the RNC to protest, because I want to change the world and I believe it can be changed. I felt, and I think many other people felt, that it was time to step up our level of commitment.” McKay says, “We felt like enough is enough of an administration that we did not believe represented the people. And I think that’s what we thought we were fighting against.” How do you think they hoped to translate their goals into action? Why did the government conclude that these goals were a problem worthy of surveillance? Why did there seem to be such a mismatch between the government’s view

of these two men and their view of themselves?

- The government believed that its actions prevented the RNC from being disrupted by radical “domestic terrorists.” McKay’s attorney questions that account, saying, “For the government to really believe that they saved people and interrupted [terrorists from] using Molotov cocktails is one of the most ludicrous things I’ve ever heard.” What accounts for these different conclusions? Are the government and those who support Crowder and McKay looking at different pieces of evidence? Looking at the same evidence but interpreting it differently? Selectively giving weight to some evidence while discounting other evidence? What evidence do you find most compelling and why?
- Putting aside the question of whether there was entrapment or not, why do you think McKay and Crowder found Darby persuasive?
- If you were creating a bumper sticker, how would you summarize the cause(s) for which Crowder and McKay were fighting?

## Protest and Social Change

- In an open letter publicizing his work as an FBI informant, Darby says that his past and current actions are all a part of his effort to “better this world.” Look at the RNC protest, including the events leading up to and following it, from the perspective of all those involved: the FBI, local police units, Darby, McKay, Crowder and prosecution and defense attorneys. In what ways do each person’s actions reflect his or her intentions to “better this world”? Are they all trying to achieve the same goal? Do their approaches conflict?
- At the convention, protesters chant, “This is what democracy looks like. Tell me what democracy looks like. This is what democracy looks like.” Which events in this film “look like democracy” to you?
- When McKay is in custody and being interviewed, he disputes the agent’s characterization of him as an “anarchist.” When FBI investigator Langert asks what label would be correct, McKay answers, “I don’t know. American citizen?” In your view, when is dissent an obligation of American citizenship and when is dissent anti-American? What role does protest play in a democracy? Who in government or in your community defends the right to protest? Who objects to it?
- McKay says that both he and Crowder are “very, very proud to be Americans,” and that it’s a citizen’s responsibility to fight against the government when he or she sees it “poisoning what you love, and what you



believe in.” Contrast this with Darby’s description of their actions on G. Gordon Liddy’s radio show: “They were a specific group and they were anarchists and it was a very coordinated effort. It was run almost as a military campaign to actually attack law enforcement and attack Republicans and prevent Republicans from meeting. So they’re America-hating Americans.” If you were a mediator, how would you help people who held each of these points of view (protest is evidence of “America-hating” and protest is evidence of patriotism) find common ground?

- Crowder says, “I wanted to go to the RNC to protest because I want to change the world and I believe it can be changed.” Do you share Crowder’s belief? If so, what do you think needs to change and what might you do to foster that change?
- In an interview while he was heading Common Ground Relief in New Orleans in the aftermath of Hurricane Katrina, Darby says, “When you allow injustice and unfairness and poverty to boil like a sore beneath the surface of the skin, something happens like this storm and then look what happened. We can’t let it happen anymore . . . My question is why do we as people allow things like this to continue, you know? And why does Homeland Security feel so threatened by our social justice movement that we are participating in? I’d like to know that. Why is Homeland Security harassing aid workers in New Orleans?” How might you answer him? Why did people ignore inequity in New Orleans prior to Katrina and why would Homeland Security be concerned about community organizers trying to assist in recovery efforts?
- Over and over, Crowder and McKay say they wanted to do something “effective.” Why didn’t they see talk or non-violent protest as being effective? What would you recommend as effective strategies for young people who are dissatisfied with their government? In your view, is violence ever an appropriate and effective response when government is failing its citizens? If so, under what circumstances?

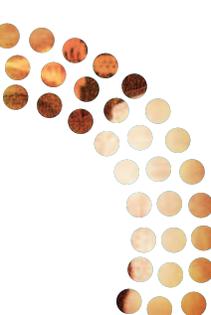
## Justice System Policies and Practices

- Andrew Mohring says, “Under the federal sentencing guidelines there, there’s a built-in punishment for going to trial. There is a direct cost in prison time for exercising your right to trial.” Crowder adds, “The prosecution has unbelievable amounts of power in the negotiation process to make sure people don’t go to trial . . . Going to trial is like you’re a liar and you don’t want to take responsibility, when what you want to do is lay out all the evidence and say, look, this is the whole story . . . If I am guilty then convict me, but don’t give me dozens of years more just because I wanted to have the full story laid out.” In your view, what role should plea bargains play in the justice system? What are the benefits and drawbacks of plea bargains in cases such as Crowder’s and McKay’s?
- Crowder says, “I think it’s important for people to be able to question the role of informants in these circumstances, you know, I mean how is the government using informants, what role do they play in our society and our justice system?” What questions do you have about the government’s use of informants? Under what circumstances would it be appropriate or important to use informants and under what circumstances is the use of informants overstepping the bounds of government power in a democracy?
- What was your reaction to each of the various attempts by the government to convince Crowder and McKay to testify against each other?
- Consider these questions from the point of view of each of the following: a non-violent protestor, a convention delegate who has to walk a few blocks from the hotel to get to the convention center, a police officer, an FBI agent, a “spin doctor” for the Republican party and the mayor of Minneapolis or St. Paul. (You may want to break participants into small groups and assign each group an identity and then have each group share its answers.)
  - What would you have wanted the police to do in preparation for the Republican National Convention?
  - How would you describe the law enforcement actions that you see and hear about in the film?
  - Did you learn anything from this event that would lead you to do things differently in the future?



- McKay questions the purpose of a trial, saying, “You can’t go in there and say the truth, because the truth doesn’t help anybody. They don’t want to hear the truth; they don’t want to even acknowledge the truth. Because this isn’t about justice, and this isn’t about doing the right thing, and its not about them taking responsibility for anything. You know, this is about there being a winner and a loser.” What is the value and vulnerability of an adversarial justice system (a system with a two-sided structure)?
- FBI special agent Christopher Langert says, “We, the FBI and the federal and state and local governments, knew that there were go[ing to] be some people that were go[ing to] come to St. Paul to do more than just demonstrate, more than just express their grievances. They were going to try to block delegates, cause destruction and . . . criminal activity.” In your view, under such circumstances, are preventive raids of people or organizations planning protests reasonable? When is pre-emption appropriate and when does it simply suppress dissent?
- McKay’s complex story ends up as this news soundbite: “David McKay initially claimed he was entrapped by a government informant, but now the Austin, Texas resident admits he and co-defendant Brad Crowder would have made the bombs no matter what. McKay pled guilty to three charges.” If you were a news director and a reporter came to you with this script, would you accept this telling of the story? Why or why not? If not, what would you want the reporter to add and what sources would you expect the reporter to consult?

**Additional media literacy questions are available at:**  
[www.pbs.org/pov/educators/media-literacy.php](http://www.pbs.org/pov/educators/media-literacy.php)





## FILM-RELATED WEB SITES

### **Better This World Website** **[www.betterthisworld.com](http://www.betterthisworld.com)**

Visit the filmmakers' website to learn more about the film, the filmmakers, cast and crew and upcoming screening events.

### **Original Online Content on** **POV Interactive ([www.pbs.org/pov](http://www.pbs.org/pov))**

To further enhance the broadcast, POV has produced an interactive website to enable viewers to explore the film in greater depth. The POV **Better This World** website

#### **[www.pbs.org/pov/betterthisworld](http://www.pbs.org/pov/betterthisworld)**

offers a **streaming video trailer** for the film; an **interview with filmmakers** Katie Galloway and Kelly Duane de la Vega; a **list of related websites, articles and books**; a **downloadable discussion guide**; and **special features** including a quiz, a timeline of the events in the case, more stories about Brandon Darby, a live chat with the filmmakers and Bradley Crowder, and much more. In addition, the film will stream in its entirety from Sept. 7 to Oct. 8.

## What's Your POV?

Share your thoughts about **Better This World**

by posting a comment on the *POV Blog*

[www.pbs.org/pov/blog](http://www.pbs.org/pov/blog) or send an email to [pbs@pov.org](mailto:pbs@pov.org).

### **ACADEMY OF CRIMINAL JUSTICE SCIENCES**

**[acjs.org](http://acjs.org)**

The Academy of Criminal Justice Sciences provides a forum for the research, polity, education and practice of criminal justice sciences.

### **AMERICAN CIVIL LIBERTIES UNION**

**[aclu.org](http://aclu.org)**

The website of this advocacy organization provides a range of resources related to defense of civil liberties, including sections devoted to provisions of the USA PATRIOT Act.

### **COMMON GROUND RELIEF**

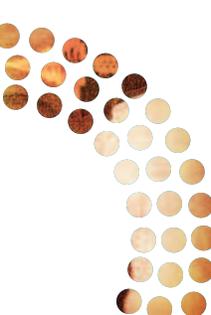
**[commongroundrelief.org](http://commongroundrelief.org)**

Common Ground Relief is the organization that Brandon Darby co-founded to help residents of New Orleans' Lower Ninth Ward rebuild in the aftermath of Hurricane Katrina. His name is now completely absent from the site, which describes the work and philosophy of the organization.

### **FEDERAL BUREAU OF INVESTIGATION**

**[http://www.fbi.gov/news/stories/2010/november/anarchist\\_111610/anarchist\\_111610](http://www.fbi.gov/news/stories/2010/november/anarchist_111610/anarchist_111610)**

The FBI's website has a Domestic Terrorism Anarchist Extremism primer which describes different types of terrorist threats.





**FBI. “TEXAS MAN SENTENCED ON FIREARMS CHARGES CONNECTED TO THE REPUBLICAN NATIONAL CONVENTION”**

<http://minneapolis.fbi.gov/dojpressrel/pressrel09/mp052109a.htm>

This U.S. Justice Department press release describes the conviction of David McKay. It explains the government’s position on the case. For more general information, see [fbi.gov/about-us/faqs](http://fbi.gov/about-us/faqs), which covers policies regarding use of informants, or search the FBI site ([fbi.gov](http://fbi.gov)) for “civil liberties.”

**OFFICE OF THE LAW REVISION COUNSEL.  
“UNITED STATES CODE”**

<http://143.231.180.80/browse/title18/part1/chapter113B>

The United States Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. Chapter 113B outlines laws relating to terrorism, including legal definitions and criminal penalties.

**THE END OF AMERICA**

[endofamericamovie.com](http://endofamericamovie.com)

The discussion topics and action guide pages of this website outline many of the objections to Bush administration policy shared by Crowder and McKay. The site also provides a set of links to related organizations.

**THIS AMERICAN LIFE**

**“EPISODE 381: ‘TURNCOAT’”**

<http://www.thisamericanlife.org/radio-archives/episode/381/turncoat>

On this episode of the weekly public radio show *This American Life*, Darby addresses his history of activism and explains how he became an FBI informant.



## HOW TO BUY THE FILM

To order **Better This World** for home use, please visit [betterthisworld.com](http://betterthisworld.com).  
To order **Better This World** for educational use, please visit [www.bullfrogfilms.com](http://www.bullfrogfilms.com).



Produced by American Documentary, Inc. and beginning its 24th season on PBS in 2011, the award-winning POV series is the longest-running showcase on American television to feature the work of today's best independent documentary filmmakers. Airing June through September with primetime specials during the year, POV has brought more than 300 acclaimed documentaries to millions nationwide and has a Webby Award-winning online series, *POV's Borders*. Since 1988, POV has pioneered the art of presentation and outreach using independent nonfiction media to build new communities in conversation about today's most pressing social issues. Visit [www.pbs.org/pov](http://www.pbs.org/pov).

### POV Digital [www.pbs.org/pov](http://www.pbs.org/pov)

POV's award-winning website extends the life of our films online with interactive features, interviews, updates, video and educational content, as well as listings for television broadcasts, community screenings and films available online. The *POV Blog* is a gathering place for documentary fans and filmmakers to discuss their favorite films and get the latest news.

### POV Community Engagement and Education [www.pbs.org/pov/outreach](http://www.pbs.org/pov/outreach)

POV films can be seen at more than 450 events across the country every year. Together with schools, organizations and local PBS stations, POV facilitates free community screenings and produces free resources to accompany our films, including discussion guides and curriculum-based lesson plans. With our community partners, we inspire dialogue around the most important social issues of our time.

Major funding for POV is provided by PBS, The John D. and Catherine T. MacArthur Foundation, National Endowment for the Arts, The Educational Foundation of America, New York State Council on the Arts, New York City Department of Cultural Affairs, FACT and public television viewers. Special support provided by the Academy of Motion Picture Arts and Sciences. Funding for POV's Diverse Voices Project is provided by the Corporation for Public Broadcasting. Project VoiceScape is a partnership of Adobe Youth Voices, PBS and POV. POV is presented by a consortium of public television stations, including WGBH Boston and THIRTEEN in association with WNET.ORG.

### American Documentary, Inc. [www.amdoc.org](http://www.amdoc.org)

American Documentary, Inc. (AmDoc) is a multimedia company dedicated to creating, identifying and presenting contemporary stories that express opinions and perspectives rarely featured in mainstream media outlets. AmDoc develops collaborative strategic-engagement activities around socially relevant content on television, online and in community settings. These activities are designed to trigger action, from dialogue and feedback to educational opportunities and community participation.

### Join our Community Network! [www.amdoc.org/outreach/events](http://www.amdoc.org/outreach/events)

Learn about new lesson plans, facilitation guides and our other free educational resources and find out about screenings near you. Joining our network is also the first step towards hosting your own POV screening.

You can also follow us on Twitter @POVengage for the latest news from POV Community Engagement & Education.

Front cover: Bradley Crowder and David McKay protesting at the 2008 Republican National Convention before their arrests on domestic terrorism charges. Photo courtesy of Robert Stewart



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