

Better This World Viewing Guide

What Happened

The documentary **Better This World** tells a provocative and cautionary story about the shifting fault lines of civil liberties, protest and government vigilance. Two boyhood friends from the heart of Texas, Brad 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.

Six months later, on the eve of the convention, the two young friends make eight Molotov cocktails, but they then decide not to use them. The matter might end there — but not everything is as it seems. The FBI and other law enforcement agencies have been engaged in a two-year, multimillion-dollar counterterrorism effort leading up to the convention. The young men’s mentor, it turns out, is a government informant and was a government informant long before meeting them; Crowder and McKay are arrested and charged with domestic terrorism.

Clip 1: After the Arrest

Initially, police urge Crowder and McKay to testify against each other in exchange for a plea deal. After Crowder and McKay refuse to do so, the government offers Crowder a deal under which he would plead guilty to the manufacture and possession of Molotov cocktails and receive a two-year sentence.

1. What are the benefits and drawbacks of the deal offered to Crowder?

2. Crowder discusses two main concerns about the offer with his attorney. What are they?

3. If you were in Crowder’s situation, would you waive your right to a trial, plead guilty and take a two-year prison sentence? Or would you risk going to trial, knowing that if you were found guilty, you could receive a 10- to 12-year prison sentence? Why?

McKay is offered a plea deal with a sentence of seven years, because officers claim that McKay's conversations with informant Brandon Darby show that McKay planned to use the Molotov cocktails. McKay believes that he was entrapped by Darby, so he decides to go to trial to tell his story. If he is found guilty, he could receive a 30-year prison sentence.

4. What are the benefits and drawbacks of going to trial?

5. What would you do in McKay's situation? Why?

6. The jury in McKay's trial votes six to six, forcing a retrial. The prosecution then offers McKay a two-year plea deal. At this point, knowing that if you were found not guilty by the jury, you would not go to prison, but if you were found guilty, you could potentially go to prison for 30 years, would you risk going to trial again? Or would you take the plea deal with the two-year sentence? Why?

McKay turns down the deal and begins to prepare for the retrial. The prosecution wants Crowder to testify about what had happened during McKay's second trial. If Crowder refuses, extra years will be added to his sentence. Crowder realizes, though, that McKay lied in the first trial by testifying that it was Darby's idea to make the Molotov cocktails. If Crowder testifies in the second trial, he will have to reveal that McKay lied about Darby under oath — another crime, and a fact that could cause the jury to find McKay guilty. Crowder has a difficult decision to make.

Clip 2: McKay's Plea Deal

McKay agrees to plead guilty and waives his right to a retrial so that Crowder will not have to testify. As part of his plea deal, McKay states that he was not entrapped by Darby. Citing obstruction of justice, the judge sentences McKay to four years in prison — less time than suggested by federal guidelines.

7. What are the benefits and drawbacks of this plea deal for:

McKay:

Prosecutors:

8. How did plea bargaining contribute to or detract from McKay's case?

9. Is going to court always the best way to solve a problem? Why or why not?

10. Given the plea bargaining that took place in McKay's case, do you believe that the final outcome was just? Explain your thinking.