

# WORDS CAN KILL

Catholic League president Bill Donohue comments on the conviction and sentencing of Michelle Carter for her role in the death of her boyfriend:

Michelle Carter has been sentenced to 2 1/2 years in prison for encouraging her boyfriend, Conrad Roy III, to kill himself. Her lawyer argued this was, at least in part, a free speech case, but Judge Lawrence Moniz was not persuaded: he ruled she was guilty of involuntary manslaughter after texting dozens of messages beckoning Roy to commit suicide.

There are several moral and legal issues involved in this case; they have grave implications for the First Amendment and right-to-die matters. From a Catholic perspective, the latter issue is the most crucial. But free speech is also important, and cannot be breezily dismissed.

Can words kill? Some civil libertarians say it is preposterous. Indeed, Carter's lawyer, Joseph Cataldo, said, "This is clearly just speech. There was no physical action taken by Michelle Carter in connection with the death. It was just words alone."

Here's a scenario worth considering. A white racist speaks at a rally, getting his angry followers all ginned up. He spots a black man walking by, and then urges his audience to "get that guy and kill him." They do.

Is this free speech? No. It constitutes incitement to riot. No competent judge would ever say that this speech is covered by the First Amendment. So, yes, words can kill.

Treasonous speech may also kill. Moreover, there is no constitutional right to solicit a murder over the Internet.

The question in the Carter case is whether her words were

responsible for Roy's suicide.

Carter did not simply send one text to Roy encouraging him to kill himself: She spent two weeks laboring him to do so. He finally complied, driving to a mall parking lot, filling his truck with carbon monoxide from a generator, and waiting for it to overwhelm him.

We know that Roy called Carter while the truck was filled with fumes. At one point he had second thoughts and exited the car, but Carter pleaded with him to get back in and finish the job. Judge Moniz noted that she "can hear him coughing and can hear the loud noise of the motor." That is why he said her role "constituted wanton and reckless conduct...where there was a high degree of likelihood that substantial harm would arise to Mr. Roy."

The texts Carter sent are chilling. Here is an excerpt (no grammatical changes have been made). The exchange begins after Conrad Roy confesses that he is hesitant about ending his life.

Carter: "You are so hesitant because you keeping over thinking it and keep pushing it off. You just need to do it, Conrad. The more you push it off, the more it will eat at you. You're ready and prepared. All you have to do is turn the generator on and you will be free and happy. No more pushing it off. No more waiting."

Conrad: "You're right."

Carter: "If you want it as bad as you say you do it's time to do it today."

Conrad: "Yup. No more waiting."

Carter: "Okay. I'm serious. Like you can't even wait 'till tonight. You have to do it when you get back from your walk....Always smile, and yeah, you have to just do it. You have

everything you need. There is now way you can fail. Tonight is the night. It's now or never...[D]on't be scared. You already made this decision and if you don't do it tonight you're gonna be thinking about it all the time and stuff all the rest of your life and be miserable...You're finally going to be happy in heaven. No more pain. No more bad thoughts and worries. You'll be free."

Is there freedom in death? To the proponents of euthanasia, this is certainly true. Was it really true for Conrad, a clinically depressed young man? Does it matter that vulnerable people like him can easily be seduced by such appeals? Was not Conrad exploited?

This case involves issues that transcend these two persons. Does society have a right to intervene by dissuading those who are suicidal from succeeding? Cops, representing the public, involve themselves all the time: some are trained to stop jumpers. Indeed, we put up with traffic snarls on bridges to allow these cops to do their job. Why? Because we, as a society, believe that suicide is wrong. If this is the case, how can we blithely disregard the role of suicide enablers?

The ACLU is smart enough to know that Carter's conviction may work against its efforts to support euthanasia. The Massachusetts chapter director, Matthew Segal, knows what is at stake. "If allowed to stand, Ms. Carter's conviction could chill important and worthwhile end-of-life discussions between loved ones across the Commonwealth."

From a Catholic perspective, Carter's conviction may also put the brakes on doctors and insurance agents, as well as family members and friends, who have an extrinsic motive to put down a troubled person. In this case, Carter's role was so obvious that it is hard to write her conduct off as purely a matter of free speech.

Martin W. Healy is the chief counsel of the Massachusetts Bar

Association. Here is what he had to say about this case. "The defendant's fate was sealed through the use of her own words. The communications illustrated a deeply troubled defendant whose actions rose to the level of wanton and reckless disregard for the life of the victim."

Interestingly, Carter herself agrees. Three months after Conrad's death, she sent a text to a friend saying, "his death is my fault, like honestly I could have stopped him. I was on the phone with him and he got out of the car because it was working and he got scared and I f\*\*\*ing told him to get back in [the truck]." He did, and that is why he is dead.

Words matter. They can even kill.