

# Forgiveness in Place of Rage

The defendant sat hunched in her chair, stealing glances across the courtroom partition at the family of the young man she had accidentally killed.

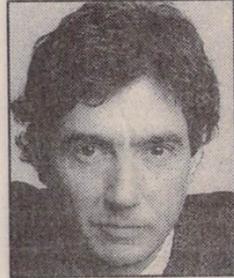
Some members of the victim's family returned her glances. Some didn't.

The courtroom was silent. The silence was charged with the force of a million regrets.

If you have spent any time in the criminal courts, you have seen the kind of emotions usually unbuttoned there. Rage is the main one — teeth-baring, air-shredding, hell-wishing rage pumped straight from the bottom of the well of human experience.

This was something else, however. This was so different that Nassau

County Court Judge Jack Mackston, a veteran known for his thick skin and tough sentences, was taken aback by it, and had just called a recess to compose himself.



**Paul Vitello**

On behalf of the woman who had pleaded guilty to criminally negligent homicide in the death of their son, the victim's family had asked the judge to show mercy.

While he was out of the room Thursday morning, the principals in the matter of the People vs. Yakkey remained fixed in place, as if, carrying so much emotional weight, none of them could bear to move.

Here, sitting erect and purposeful, were Don and Lois Babson of Huron, Ohio, whose 32-year-old son, Edward,

was killed a year ago when a drunk driver lost control of her car and plowed head-on into his.

There, bent over in her chair, was the drunk driver, 28-year-old Deana Yakkey of Levittown.

Here, sitting with the family and yet somehow distant from them, in her own place, sat Edward Babson's fiance, Jennifer Capizzi, who had been Babson's passenger at the time of the collision, and who had suffered serious injuries. They were returning from a wedding when Yakkey's car crossed the divider and hit them on a winding road in Westbury on June 8, 1996.

There, alone at the edge of the room, was Yakkey's husband, Robert, who had been her passenger, and who suffered minor injuries in the collision, too.

It was as if the pieces from an explosion had been reassembled with one piece missing.

Packed tightly in groups throughout the courtroom were relatives of all concerned, all stone-faced, all still.

Then, suddenly, the matter of the People vs. Yakkey moved from the stage of criminal law into a larger arena.

Lois Babson, the mother, stood up. Then Don Babson did the same; and together they moved through the swinging partition that separates the gallery from the well of the courtroom and stood face to face with Yakkey.

Yakkey twisted her fingers around each other and started to talk, then started to cry. Then, Lois Babson put her arms around the woman who had killed her son.

Yakkey spoke a torrent of words, which people in the gallery could not hear. The gist of it, according to Don Babson, was "I wish it had been me."

Lois Babson motioned to the wom-