

Behind the Scenes of the Los Angeles County Public Defender's Office



The People's Theory:

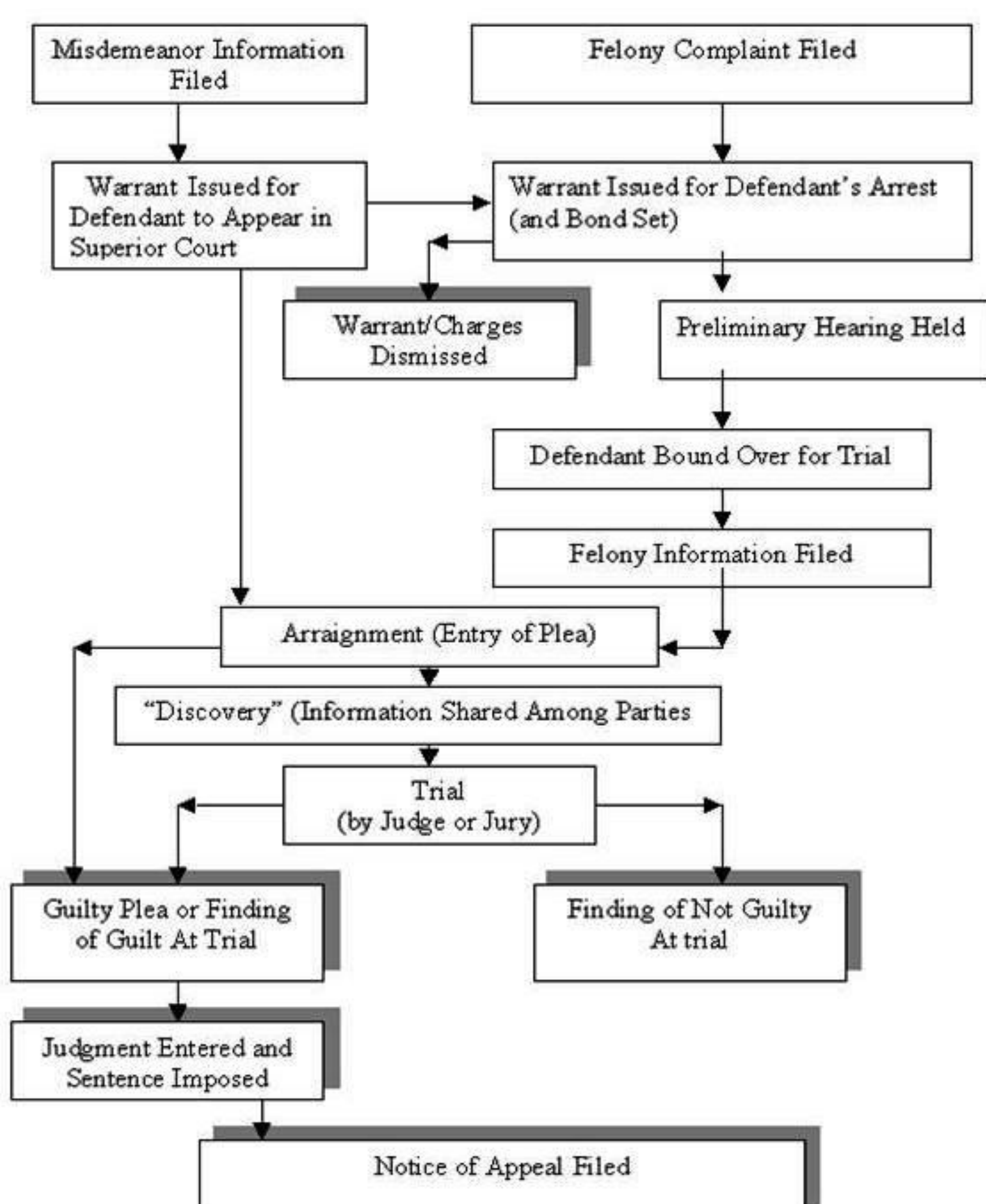
The defendant and the victim (Ms. V) have a child in common. On June 19th, 2010, the defendant went to visit his child at Ms. V's home. While at the home, an argument ensued, and the defendant threw his cell phone at Ms. V—hitting her left eye. Shortly thereafter, Ms. V went to the apartment next door and asked a neighbor to call police. The defendant was arrested and subsequently charged with the crime of domestic violence—a misdemeanor.



The Defense Theory:

On June 19th, 2010, Mr. Doe went to visit the child he has in common with Ms. V. When Mr. Doe arrived at Ms. V's apartment, she became angry that the defendant would not pay her rent. After arguing for several more minutes, Ms. V told Mr. Doe that he was going to pay for "breaking her heart." Ms. V went to the apartment next door and asked the neighbor to call police. The defendant never struck Ms. V, nor did he pull her hair.

Criminal Law Trial Process:



This project takes the observer through the entire process of a real domestic violence trial in Los Angeles—from the first 911 call through the verdict.

James Speights prepared the entire case file for trial, as if he were the Public Defender of record. The case binder includes the actual court documents, an overview of each trial procedure, a personally written opening statement and closing argument, and an in-depth analysis of every aspect of the case.

The People of the State of California v. Defendant Doe

Step By Step



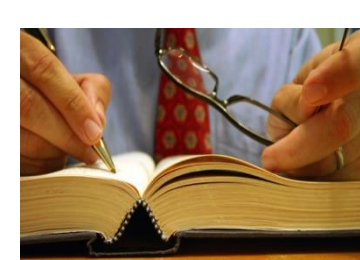
Arrest

June 19th, 2010: Four separate 911 calls were made by Ms. V. West Covina police arrested Mr. Doe on suspicion of committing domestic violence.



Complaint

The District Attorney filed a criminal complaint charging Mr. Doe with CORPORAL INJURY TO SPOUSE/COHABITANT/CHILD'S PARENT, in violation of PENAL CODE SECTION 273.5(a), a Misdemeanor



Pretrial

It is the duty of both the prosecution and defense to disclose all witnesses and evidence that will be used in trial. Motions can be made before trial to determine the admissibility of such evidence.



Jury Selection

Selection of the individual jurors from the jury panel is accomplished during the process of *voir dire*, which is intended to expose either expressed or implied juror bias. During *voir dire*, the judge, as well as the attorneys for the prosecution and defense, asks questions of the jury in an attempt to ascertain potential bias.



The Trial



Opening Statements

At the start of trial, each attorney outlines their respective theory of the case. Based on the facts of Mr. Doe's trial, James Speights authored an opening statement as if he were the Public Defender of record.



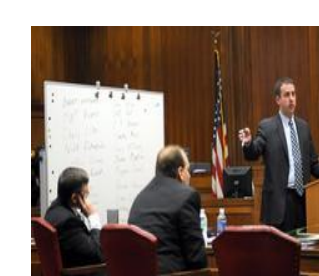
People's Case In Chief

The state presents its witnesses first. In this case, the prosecutor brought to the stand the alleged victim, Ms. V's neighbor and a detective who interviewed Ms. V. Mr. Speights performed an in-depth analysis of both direct and cross examinations as part of this project.



Defense Case In Chief

After the state had finished calling their witnesses, the defense presented its case in chief. Public Defender, and Mr. Speights' project mentor, Raul Sabado presented three witnesses including Mr. Doe, the arresting officer and a friend of Mr. Doe. Mr. Speights performed an in-depth analysis of both direct and cross examinations as part of this project.



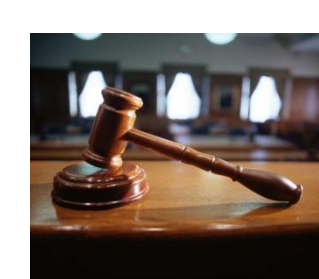
Closing Arguments

After the evidence has been presented, both the prosecution and defense summarize their cases and argue for their respective case theories. As a part of this project, Mr. Speights authored a closing argument based on the facts contained in the actual transcript of Mr. Doe's trial.



Jury Deliberation

Following closing arguments, the judge gave the jury instructions that defined the issues the jurors must consider before rendering judgment on Mr. Doe. After the instructions, the jury was ordered to the jury room to deliberate.



The Verdict

Hung Jury: After deliberating for 4 hours, 8 jurors voted for acquittal while 4 jurors voted to convict. Without a unanimous verdict, Mr. Doe was released.

James R. Speights, Political Science
Professor Raul Sabado, Esq.