

1	01:01:59:24	01:02:03:21	WE DON'T ALL START LIFE
2	01:02:03:23	01:02:05:20	ON AN EVEN PLAYING FIELD,
3	01:02:05:22	01:02:09:20	BUT THE RULES ARE THAT
			WE PLAY BY THE RULES
			OF HONESTY AND ETHICS.
4	01:02:09:22	01:02:11:22	BEFORE I TOOK THAT CASE,
5	01:02:11:24	01:02:15:07	I AGREED I WOULD
			DO ANYTHING ETHICAL
6	01:02:15:09	01:02:17:05	TO DEFEND THAT MAN.
7	01:02:17:07	01:02:19:18	I'LL DO THE BEST
			I CAN.
8	01:02:19:20	01:02:21:21	IS IT IMPERFECT?
			YOU BET.
9	01:02:21:23	01:02:24:03	IS IT AWFUL?
			WELL, MAYBE SO.
10	01:02:24:05	01:02:25:21	ISN'T THERE A POINT
11	01:02:25:23	01:02:28:07	WHERE ONE MAN
			HAS TO BE WILLING
12	01:02:28:09	01:02:30:19	TO STEP OUTSIDE
			THE SYSTEM AND SAY,
13	01:02:30:21	01:02:33:07	"I CANNOT DO THIS.
			IT'S WRONG"?
14	01:02:33:09	01:02:37:05	I THINK WE'RE AT THAT POINT,
			WHICH IS NICE, ETHICALLY,
15	01:02:37:07	01:02:40:19	WHERE WE DON'T HAVE
			THE RULES TO PROTECT US.
16	01:02:40:21	01:02:43:18	WE AGONIZE WITH OURSELVES
			AND OUR CONSCIENCE.
17	01:02:50:19	01:02:53:20	SUDDENLY, THE HEADLINES
			IN THE NEWSPAPER
18	01:02:53:22	01:02:55:19	AND ON TELEVISION
			AND RADIO
19	01:02:55:21	01:02:58:19	TRUMPET THE TRAGEDY
			OF A YOUNG WOMAN
20	01:02:58:21	01:03:00:19	KILLED IN
			A VIOLENT CRIME.
21	01:03:00:21	01:03:02:19	THE WOMAN'S FATHER,
			DISTRAUGHT,
22	01:03:02:21	01:03:05:05	SPEAKS WORDS OF GRIEF
			AND VENGEANCE.
23	01:03:05:07	01:03:07:05	IT'S ALL THERE...
24	01:03:07:07	01:03:09:05	THE NEIGHBORS
			DESCRIBING THE VICTIM,
25	01:03:09:07	01:03:11:19	THE POLICE REPORT
			ON THE CRIME.
26	01:03:11:21	01:03:14:18	SOON THERE
			WILL BE LAWYERS, A TRIAL,
27	01:03:14:20	01:03:16:04	SENTENCING, PERHAPS.
28	01:03:16:06	01:03:19:20	THAT STORY IS THERE
			IN ONE FORM OR ANOTHER
29	01:03:19:22	01:03:22:19	EVERY DAY IN ALMOST
			EVERY AMERICAN CITY.
30	01:03:22:21	01:03:24:20	DEFENSE LAWYERS,
			PROSECUTORS,
31	01:03:24:22	01:03:26:19	JUDGES, JURORS,
			FAMILIES,

32	01:03:26:21	01:03:29:04	ALL HAVE THEIR ROLES
			TO PLAY.
33	01:03:29:06	01:03:32:02	SOMETIMES THESE ROLES
			DEMAND EXTRAORDINARY STEPS
34	01:03:32:04	01:03:35:02	THAT SEEM TO BE OUTSIDE
35	01:03:35:04	01:03:38:02	OUR COMMONLY HELD CONCEPT
			OF ETHICAL CONDUCT.
36	01:03:38:04	01:03:40:01	A GUILTY PERSON
			IS PROTECTED
37	01:03:40:03	01:03:42:18	BY THE ATTORNEY-CLIENT
			PRIVILEGE.
38	01:03:42:20	01:03:45:18	OFTEN THE VICTIM'S REPUTATION
			MAY BE SMEARED.
39	01:03:45:20	01:03:47:17	IN THE END,
40	01:03:47:19	01:03:50:17	A CONVICTED FELON
			MAY GET A SENTENCE
41	01:03:50:19	01:03:54:07	THAT OUTRAGES THE SENSE
			OF JUSTICE OF THE COMMUNITY.
42	01:03:54:09	01:03:59:18	NOW, WE ASK YOU TO IMAGINE
			THAT A SENSATIONAL CRIME STORY
43	01:03:59:20	01:04:02:18	HAS JUST MOVED
			OVER THE WIRE SERVICES.
44	01:04:02:20	01:04:05:17	INITIAL REPORTS INDICATE
			THAT THE SLASHED BODY
45	01:04:05:19	01:04:09:01	OF A PROMINENT YOUNG
			STOCK TRADER, ONE WENDY WRIGHT,
46	01:04:09:03	01:04:12:03	HAS JUST BEEN DISCOVERED
			IN HER APARTMENT
47	01:04:12:05	01:04:14:18	IN A FASHIONABLE
			NEIGHBORHOOD.
48	01:04:14:20	01:04:17:02	OUR MODERATOR,
			PROFESSOR CHARLES OGLETREE,
49	01:04:17:04	01:04:20:02	PLAYS THE PART OF JOHN BARNES,
			AN ADVERTISING EXECUTIVE
50	01:04:20:04	01:04:24:01	AND THE FORMER LOVER
			OF THE SLAIN WOMAN.
51	01:04:24:03	01:04:29:03	WE BEGIN AS BARNES SEEKS
			THE COUNSEL OF HIS MINISTER.
52	01:04:29:05	01:04:30:27	REVEREND SHRIVER...
53	01:04:30:29	01:04:32:14	I'M JOHN BARNES.
54	01:04:32:16	01:04:36:03	I'D LIKE TO TALK
			TO YOU IF I COULD.
55	01:04:36:05	01:04:39:00	A TERRIBLE THING
			HAPPENED THIS
			PAST WEEKEND.
56	01:04:39:02	01:04:41:00	I KILLED WENDY.
57	01:04:41:02	01:04:42:29	WILL YOU FORGIVE ME?
58	01:04:46:01	01:04:48:29	I'M NOT SURE
			THAT I AM THE PERSON
59	01:04:49:01	01:04:52:01	WHO COULD BE CAPABLE
			OF FORGIVING YOU
60	01:04:52:03	01:04:55:04	OR HAS THE RIGHT
			TO FORGIVE YOU.
61	01:04:55:06	01:04:57:15	I CAN COPE
			WITH IT BETTER
62	01:04:57:17	01:04:59:15	IF YOU'LL FORGIVE ME,

63	01:04:59:17	01:05:02:23	THAT YOU'LL HELP ME WORK THIS OUT.
64	01:05:02:25	01:05:05:01	I WILL WORK WITH YOU, YES,
65	01:05:05:03	01:05:08:20	EVEN IF I MUST ACCOMPANY YOU TO THE ELECTRIC CHAIR.
66	01:05:08:22	01:05:10:19	I'LL BE THERE AT THAT MOMENT.
67	01:05:10:21	01:05:13:19	WE'RE TALKING ABOUT THAT NOW? ISN'T THIS PREMATURE?
68	01:05:13:21	01:05:15:14	WELL, FIRST OF ALL,
69	01:05:15:16	01:05:18:15	I MUST ENCOURAGE YOU TO TURN YOURSELF IN.
70	01:05:18:17	01:05:20:19	I WON'T DO THAT NOW.
71	01:05:20:21	01:05:23:20	THEN THAT'S OUR FIRST DISAGREEMENT.
72	01:05:23:22	01:05:26:16	LET ME STAY HERE IN THE CHURCH TONIGHT,
73	01:05:26:18	01:05:29:29	IF I CAN DO THAT, TO GIVE ME TIME.
74	01:05:30:01	01:05:32:28	CAN I HAVE SHELTER IN THE CHURCH?
75	01:05:33:00	01:05:34:28	ANCIENT RIGHT OF SANCTUARY, YES.
76	01:05:35:00	01:05:37:10	I WILL CERTAINLY GRANT YOU THAT.
77	01:05:37:12	01:05:38:23	OK.
78	01:05:38:25	01:05:42:03	YOU DON'T MIND THAT I WON'T SAY ANYTHING IMMEDIATELY?
79	01:05:42:05	01:05:43:29	I MIND A GREAT DEAL
80	01:05:44:01	01:05:45:29	WHETHER YOU SAY ANYTHING
81	01:05:46:01	01:05:47:28	SOONER RATHER THAN LATER
82	01:05:48:00	01:05:50:13	BECAUSE YOU HAVE COMMITTED A CRIME
83	01:05:50:15	01:05:52:27	AGAINST US ALL TO SOME EXTENT.
84	01:05:52:29	01:05:54:28	EVERY MURDERER DOES THAT.
85	01:05:55:00	01:05:57:10	I'M COMING TO YOU FOR FORGIVENESS.
86	01:05:57:12	01:05:59:21	YOU HAVE TO RECKON
87	01:05:59:23	01:06:02:13	WITH A CRIME THAT YOU HAVE COMMITTED.
88	01:06:02:15	01:06:03:28	IN THAT RECKONING,
89	01:06:04:00	01:06:06:28	GOD AND YOUR NEIGHBORS WILL BE WITH YOU.
90	01:06:07:00	01:06:09:27	AT NO POINT IN THE MIDST OF THAT
91	01:06:09:29	01:06:11:28	WILL ANY OF US FORGET
92	01:06:12:00	01:06:14:23	THAT YOU COMMITTED

AN IMPORTANT CRIME.

93 01:06:14:25 01:06:16:26 WILL YOU TURN ME IN?  
94 01:06:16:28 01:06:18:27 I WON'T TURN YOU IN.  
95 01:06:18:29 01:06:20:08 PROFESSOR GILLERS,  
96 01:06:20:10 01:06:22:28 IS REVEREND SHRIVER'S  
APPROACH TO ME  
97 01:06:23:00 01:06:25:12 AND HIS CONCERN  
ABOUT MY FORGIVENESS  
98 01:06:25:14 01:06:27:15 AND POSSIBLY CONFESSING,  
99 01:06:27:17 01:06:29:29 IS THAT THE MORAL  
THING TO DO?  
100 01:06:30:01 01:06:31:25 THAT'S UP TO  
HIS CONSCIENCE.  
101 01:06:31:27 01:06:33:07 IN MY WORLD,  
102 01:06:33:09 01:06:36:12 IT'S NOT THE MORAL  
THING TO DO.  
103 01:06:36:14 01:06:38:12 IT'S A DIFFERENT  
MORALITY.  
104 01:06:38:14 01:06:41:11 THE MORAL THING  
FOR HIM TO DO,  
105 01:06:41:13 01:06:43:13 WERE HE  
A DEFENSE LAWYER,  
106 01:06:43:15 01:06:45:18 IS TO GET  
THE BEST DEAL.  
107 01:06:45:20 01:06:48:10 IF THAT'S A WALK,  
IT'S A WALK.  
108 01:06:48:12 01:06:50:13 I'M NOT  
SAVING SOULS.  
109 01:06:50:15 01:06:53:07 I'M OUT TO SAVE  
YOUR TIME  
OR YOUR LIFE.  
110 01:06:53:09 01:06:55:11 JUDGMENT AGAINST  
YOUR DEED  
111 01:06:55:13 01:06:58:10 IS SOMETHING  
THAT HAS TO BE RECKONED WITH  
112 01:06:58:12 01:07:00:26 AS PART OF  
THE FORGIVENESS PROCESS,  
113 01:07:00:28 01:07:03:16 IF I MAY USE THAT PHRASE,  
114 01:07:03:18 01:07:05:16 BUT NEVER  
IN THE DOCUMENTS  
115 01:07:05:18 01:07:08:12 THAT I WOULD SWEAR BY,  
LIKE THE BIBLE,  
116 01:07:08:14 01:07:11:12 THAT MANY ATTORNEYS HAVE  
THEIR WITNESSES SWEAR BY,  
117 01:07:11:14 01:07:12:26 BY THE WAY,  
118 01:07:12:28 01:07:14:25 NONE OF THOSE  
DOCUMENTS SUGGEST  
119 01:07:14:27 01:07:17:25 THAT YOU CAN BE FORGIVEN  
FOR SOMETHING  
120 01:07:17:27 01:07:19:25 THAT YOU  
HAVEN'T CONFESSED,  
121 01:07:19:27 01:07:22:12 ENGAGED IN A PROCESS  
OF REPENTANCE,  
122 01:07:22:14 01:07:24:11 MAYBE TO DO  
RESTITUTION FOR--  
123 01:07:24:13 01:07:26:23 ISN'T THE CONFESSION

		THE FIRST STEP--
124	01:07:26:25	01:07:28:20 AND ENDURED
		PUNISHMENT.
125	01:07:28:22	01:07:31:03 PUNISHMENT?
		PUNISHMENT?
126	01:07:31:05	01:07:34:24 ISN'T MY CONFESSION
		TO YOU THE FIRST
		STEP IN--
127	01:07:34:26	01:07:37:05 THERE IS SOME
		PUNISHMENT IN THAT.
128	01:07:37:07	01:07:38:24 YOU'RE PROBABLY--
129	01:07:38:26	01:07:41:10 YOU'RE BEGINNING
		A CERTAIN
		REPENTANCE PROCESS.
130	01:07:41:12	01:07:43:10 ONE THING
		WE MUST AVOID
131	01:07:43:12	01:07:45:09 IN ALL THIS
		FORGIVENESS BUSINESS
132	01:07:45:11	01:07:47:11 IS CHEAP
		FORGIVENESS.
133	01:07:47:13	01:07:49:22 YOU THINK THIS IS
		CHEAP FORGIVENESS?
134	01:07:49:24	01:07:51:09 CHEAP FORGIVENESS--
135	01:07:51:11	01:07:53:24 YOU CAN THEREBY
		AVOID THE PROCESSES
136	01:07:53:26	01:07:55:23 OF CHANGING
		YOUR ORIENTATION,
137	01:07:55:25	01:07:57:08 DOING SOME
		RESTITUTION,
138	01:07:57:10	01:07:59:10 AND ENDURING
		SOME PUNISHMENT.
139	01:07:59:12	01:08:01:10 IF YOU FORFEIT THAT
140	01:08:01:12	01:08:04:09 OR TRY TO BYPASS
		OR DILUTE IT,
141	01:08:04:11	01:08:07:00 YOU ARE ASKING
		FOR CHEAP
		FORGIVENESS.
142	01:08:07:02	01:08:09:24 MS. SIMS, BASED ON WHAT
		YOU'VE HEARD,
143	01:08:09:26	01:08:12:19 IS THIS AN INTERESTING CASE
		FOR THE PROSECUTION?
144	01:08:12:21	01:08:15:10 AT THIS POINT,
		WE DON'T HAVE
		ANY EVIDENCE.
145	01:08:15:12	01:08:17:18 YES, IT IS INTERESTING.
146	01:08:17:20	01:08:20:09 THE DEATH OF ANYONE
		IS IMPORTANT.
147	01:08:20:11	01:08:23:08 IF REVEREND SHRIVER
		IS STILL IN THE SCENARIO,
148	01:08:23:10	01:08:25:20 IT'S GOING TO BE
		TERRIBLY IMPORTANT
149	01:08:25:22	01:08:28:24 WHETHER OR NOT
		I GET HIS TESTIMONY--
150	01:08:28:26	01:08:30:00 WAIT, WAIT, WAIT.
151	01:08:30:02	01:08:31:29 WHAT DO YOU MEAN?
152	01:08:32:01	01:08:34:01 WE SPOKE

		IN CONFIDENCE.
153	01:08:34:03	01:08:36:27 YOU'RE GOING TO TRY TO GET HIS TESTIMONY?
154	01:08:36:29	01:08:38:22 YES, SIR.
155	01:08:38:24	01:08:39:25 WHY?
156	01:08:39:27	01:08:42:22 BECAUSE THAT'S THE ONLY EVIDENCE I HAVE
157	01:08:42:24	01:08:44:22 OF YOUR HAVING KILLED WENDY.
158	01:08:44:24	01:08:48:16 I'M GOING TO CERTAINLY TRY VERY HARD TO DO THAT.
159	01:08:48:18	01:08:51:21 REVEREND SHRIVER, THAT'S NOT GOING TO HAPPEN, IS IT?
160	01:08:51:23	01:08:53:20 I'M GOING TO RESIST THAT.
161	01:08:53:22	01:08:55:16 TO THE DEATH, RIGHT?
162	01:08:57:24	01:09:00:26 OH, I'LL TAKE A PASS ON THAT ONE.
163	01:09:00:28	01:09:03:03 YOU WON'T REVEAL MY CONFIDENCES?
164	01:09:03:05	01:09:04:18 I WILL NOT.
165	01:09:04:20	01:09:06:17 UNDER THE THREAT OF CONTEMPT?
166	01:09:06:19	01:09:09:07 UNDER THE THREAT OF IMPRISONMENT?
167	01:09:09:09	01:09:11:08 OH, YES, YES.
168	01:09:11:10	01:09:14:02 BUT DON'T ASK ME HOW LONG.
169	01:09:14:04	01:09:15:27 MS. SIMS,
170	01:09:15:29	01:09:18:06 HOW WOULD YOU PROSECUTE THIS CASE?
171	01:09:18:08	01:09:21:08 YOU'VE HEARD A LITTLE BIT ABOUT WENDY WRIGHT
172	01:09:21:10	01:09:22:23 AND HER BACKGROUND...
173	01:09:22:25	01:09:24:07 SUCCESSFUL WOMAN.
174	01:09:24:09	01:09:27:07 YOU'VE HEARD A LITTLE BIT ABOUT JOHNNY BARNES.
175	01:09:27:09	01:09:30:06 I HAVE TO DECIDE WHETHER TO HANDLE IT
176	01:09:30:08	01:09:32:06 AS A TYPICAL HOMICIDE
177	01:09:32:08	01:09:35:09 SO I DON'T GET TOO EXCITED AND OVERZEALOUS
178	01:09:35:11	01:09:37:12 OR WHETHER I'M GOING TO...
179	01:09:37:14	01:09:39:20 GET ON THE VERGE OF HYSTERIA
180	01:09:39:22	01:09:42:04 BECAUSE OF THE PERSONALITIES INVOLVED.
181	01:09:42:06	01:09:44:06 I'LL TRY HANDLING IT CALMLY

182	01:09:44:08	01:09:47:05	AND AS TYPICALLY AS I WOULD ANY OTHER HOMICIDE.
183	01:09:47:07	01:09:48:29	MR. HARSHBARGER,
184	01:09:49:01	01:09:51:20	ASSUME I'M A YOUNG, NEW PROSECUTOR.
185	01:09:51:22	01:09:53:20	I'VE BEEN ASSIGNED THIS CASE.
186	01:09:53:22	01:09:56:19	YOU'VE TRIED A LOT OF THESE CASES.
187	01:09:56:21	01:09:59:17	YOU MILK THE MEDIA AND GET CONVICTIONS.
188	01:09:59:19	01:10:02:21	SO, THE FIRST THING I WANT TO KNOW,
189	01:10:02:23	01:10:06:05	CAN WE ISSUE A PRESS RELEASE ON THIS CASE
190	01:10:06:07	01:10:08:05	TALKING ABOUT JOHNNY BARNES
191	01:10:08:07	01:10:10:20	AND CALL THIS A PREPPY MURDER
192	01:10:10:22	01:10:12:20	OR HIGH-SOCIETY MURDER?
193	01:10:12:22	01:10:15:18	I WOULDN'T ASSIGN A YOUNG PROSECUTOR THIS CASE.
194	01:10:15:20	01:10:17:05	ASSUMING HE'S ASSIGNED.
195	01:10:17:07	01:10:19:05	HIS QUESTION IS JUDGMENT.
196	01:10:19:07	01:10:20:20	YES.
197	01:10:20:22	01:10:22:20	THAT IS, DOES HE CONTACT,
198	01:10:22:22	01:10:25:05	DOES HE RESPOND TO MEDIA INQUIRIES--
199	01:10:25:07	01:10:26:20	OUR OFFICE WOULD.
200	01:10:26:22	01:10:28:24	YOU'LL BE ON CAMERA,
201	01:10:28:26	01:10:30:13	AND I WON'T!
202	01:10:30:15	01:10:32:18	YOU ISSUE THE PRESS RELEASE.
203	01:10:32:20	01:10:34:03	YOU'LL SAY,
204	01:10:34:05	01:10:36:17	"I'M HERE DEFENDING THE COMMUNITY'S RIGHTS.
205	01:10:36:19	01:10:39:25	WE'RE MAKING SURE THIS CASE IS FAIRLY PROSECUTED."
206	01:10:39:27	01:10:43:08	I'M TRYING THE CASE, AND YOU'RE GETTING ALL THE COVERAGE.
207	01:10:43:10	01:10:45:08	IT'S MY PROFESSIONAL RESPONSIBILITY
208	01:10:45:10	01:10:47:03	TO CONTROL WHAT IS SAID
209	01:10:47:05	01:10:49:18	AT THIS POINT REGARDING THIS MATTER

210 01:10:49:20 01:10:52:04 BECAUSE OF THE VERY  
TRICKY BALANCE  
211 01:10:52:06 01:10:54:18 BETWEEN THE PUBLIC'S  
RIGHT TO KNOW  
212 01:10:54:20 01:10:57:18 AND THE DEFENDANT'S RIGHTS  
TO A FAIR TRIAL.  
213 01:10:57:20 01:10:59:17 THAT'S PART  
OF MY RESPONSIBILITY.  
214 01:10:59:19 01:11:02:21 BUT WHEN YOU HAVE  
THIS KIND OF FOCUS,  
215 01:11:02:23 01:11:06:02 YOU HAVE A PROFESSIONAL PERSON  
AS THE DEFENDANT, ARGUABLY.  
216 01:11:06:04 01:11:09:13 YOU HAVE A PROFESSIONAL PERSON  
AS THE VICTIM.  
217 01:11:09:15 01:11:13:25 THE FOCUS IS GOING TO  
COME PARTLY FROM THE SYSTEM,  
218 01:11:13:27 01:11:16:17 BUT MOSTLY BECAUSE  
THIS WILL GET PUBLIC ATTENTION.  
219 01:11:16:19 01:11:19:17 IT'S NOT BECAUSE  
WE DON'T ATTEND TO IT.  
220 01:11:19:19 01:11:23:19 THE MEDIA WILL FOCUS ON IT  
BECAUSE IT SELLS NEWSPAPERS.  
221 01:11:23:21 01:11:26:26 THE MURDER OF A HOMELESS PERSON  
DOESN'T SELL NEWSPAPERS.  
222 01:11:26:28 01:11:29:18 THIS IS GOING TO BE  
A PROFESSIONAL CASE.  
223 01:11:29:20 01:11:32:18 THE MEDIA  
WILL PLAY IT.  
224 01:11:32:20 01:11:36:16 THEY WILL ACT AS IF  
THIS CASE DESERVES  
MORE ATTENTION.  
225 01:11:36:18 01:11:39:04 THE INFORMATION  
THAT THE PRESS RECEIVES  
226 01:11:39:06 01:11:41:10 IS NOT NECESSARILY  
INFORMATION  
227 01:11:41:12 01:11:43:18 THAT THEY ARE  
GOING TO RECEIVE  
228 01:11:43:20 01:11:45:18 FROM INVESTIGATIVE  
REPORTING.  
229 01:11:45:20 01:11:48:02 IT NORMALLY COMES  
FROM LAW ENFORCEMENT  
230 01:11:48:04 01:11:50:03 AND THE DISTRICT  
ATTORNEY'S OFFICES  
231 01:11:50:05 01:11:52:02 SO THAT THE INFORMATION  
232 01:11:52:04 01:11:54:17 THAT IS UTILIZED  
BY THE MEDIA  
233 01:11:54:19 01:11:56:26 IS GOING TO,  
IN MOST INSTANCES,  
234 01:11:56:28 01:11:59:04 COME FROM  
LAW ENFORCEMENT  
235 01:11:59:06 01:12:01:09 AND FROM DISTRICT  
ATTORNEYS' OFFICES.  
236 01:12:01:11 01:12:04:18 WHETHER SCOTT OR ONE OF  
HIS ASSISTANTS LEAKS THAT,  
237 01:12:04:20 01:12:07:18 IT'S CERTAINLY GOING TO  
COME FROM THAT OFFICE

238 01:12:07:20 01:12:10:06 OR OUT OF  
 239 01:12:10:08 01:12:12:14 THE POLICE DEPARTMENT,  
 240 01:12:12:16 01:12:15:18 SO THE MEDIA  
 241 01:12:15:20 01:12:17:03 ISN'T CAUSING THIS.  
 242 01:12:17:05 01:12:18:18 MS. QUINDLEN, IS THIS  
 243 01:12:18:20 01:12:21:03 AN IMPORTANT MEDIA CASE?  
 244 01:12:21:05 01:12:25:03 YES.  
 245 01:12:25:05 01:12:28:02 WHY?  
 246 01:12:28:04 01:12:30:03 BECAUSE IT'S NOT  
 247 01:12:30:05 01:12:32:02 WHAT PEOPLE EXPECT.  
 248 01:12:32:04 01:12:35:16 THE MURDER OF A STOCK TRADER  
 249 01:12:35:18 01:12:38:23 BY AN ADVERTISING MAN  
 250 01:12:38:25 01:12:41:15 SHORTLY AFTER THEIR ENGAGEMENT  
 251 01:12:41:17 01:12:44:01 IS BROKEN OFF  
 252 01:12:44:03 01:12:46:01 IS OUT OF THE ORDINARY  
 253 01:12:46:03 01:12:49:17 IN TERMS OF  
 254 01:12:49:19 01:12:53:01 PEOPLE'S EXPERIENCE.  
 255 01:12:53:03 01:12:55:16 THERE'S ALSO SORT OF  
 256 01:12:55:18 01:12:57:16 A BROAD CATEGORY OF STORIES  
 257 01:12:57:18 01:13:00:16 THAT WE'VE COME TO REALIZE  
 258 01:13:00:18 01:13:02:27 READERS LIKE  
 259 01:13:02:29 01:13:05:00 THAT COME UNDER THE HEADING  
 260 01:13:05:02 01:13:06:27 OF LOVERS' QUARRELS.  
 261 01:13:06:29 01:13:09:02 THIS IS THE ULTIMATE  
 262 01:13:09:04 01:13:12:01 LOVERS' QUARREL.  
 263 01:13:12:03 01:13:14:16 YOU GIVE THIS  
 264 01:13:14:18 01:13:17:01 MORE ATTENTION  
 265 01:13:17:03 01:13:20:26 BECAUSE IT INVOLVES  
 266 01:13:20:28 01:13:24:04 A HIGH-SOCIETY  
 COUPLE?  
 IT'S MY PERCEPTION THAT  
 THE READERS WILL BE INTERESTED.  
 HOW DO YOU REACH  
 THAT PERCEPTION?  
 BY SEEING WHETHER  
 PAPERS SELL,  
 BY SEEING WHAT PEOPLE  
 WATCH ON THE NEWS,  
 BY HEARING WHAT PEOPLE  
 TALK ABOUT.  
 YOU JUDGE  
 WENDY WRIGHT'S LIFE  
 BASED ON  
 NEWSPAPER SALES?  
 I WOULDN'T JUDGE  
 HER LIFE.  
 I'D MAKE A JUDGMENT  
 ABOUT THIS STORY.  
 HOW MANY PAPERS SELL  
 IS IMPORTANT?  
 IT'S NOT THE ONLY  
 IMPORTANT THING,  
 BUT IT'S IMPORTANT TO KNOW WHAT  
 THE READERSHIP CONSIDERS NEWS  
 AND TO BALANCE IT  
 WITH WHAT YOU CONSIDER NEWS.

267 01:13:24:06 01:13:26:16 WHAT MAKES THIS  
 268 01:13:26:18 01:13:28:16 AN ATTRACTIVE CASE,  
 269 01:13:28:18 01:13:30:24 POLITICALLY,  
 270 01:13:30:26 01:13:32:24 AND IN THE PRESS,  
 271 01:13:32:26 01:13:35:29 ISN'T SO MUCH  
 272 01:13:36:01 01:13:38:29 THE VICTIM'S IDENTITY,  
 273 01:13:39:01 01:13:41:25 AS THE MURDERER'S  
 274 01:13:41:27 01:13:45:00 IDENTITY.  
 275 01:13:45:02 01:13:48:14 IT'S UNUSUAL FOR SOMEONE  
 276 01:13:48:16 01:13:51:27 IN THAT CLASS  
 277 01:13:51:29 01:13:56:02 TO BE IN THIS KIND  
 278 01:13:56:04 01:13:58:00 OF TROUBLE.  
 279 01:13:58:02 01:14:01:21 THAT'S WHY THE GREEK PLAYS  
 280 01:14:01:23 01:14:03:29 ARE ABOUT KINGS  
 281 01:14:04:01 01:14:07:14 AND NOT JOE DOKES  
 282 01:14:07:16 01:14:09:14 ON THE STREET.  
 283 01:14:09:16 01:14:13:00 THERE IS SOMETHING TERRIBLE  
 284 01:14:13:02 01:14:15:15 ABOUT THE DOWNFALL OF A KING,  
 285 01:14:15:17 01:14:17:14 MORE SO THAN THE DOWNFALL  
 286 01:14:17:16 01:14:19:29 OF A BEGGAR.  
 287 01:14:20:01 01:14:23:14 DR. GAYLIN, IF YOU  
 288 01:14:23:16 01:14:25:29 HAD BEEN APPROACHED  
 289 01:14:26:01 01:14:29:05 BY JOHN BARNES  
 290 01:14:29:07 01:14:31:26 THAT MORNING,  
 291 01:14:31:28 01:14:33:28 AND HE WAS A PRIOR  
 292 01:14:34:00 01:14:36:28 PATIENT OF YOURS,  
 293 01:14:37:00 01:14:39:25 WOULD YOU FEEL  
 294 01:14:39:27 01:14:42:12 ANY DIFFERENT  
 295 01:14:42:14 01:14:46:11 ABOUT HIS REQUEST  
 THAT YOU NOT REVEAL THIS MURDER?  
 I WOULD FEEL DIFFERENT.  
 JOHN, IT'S PAINFUL FOR ME  
 TO TURN YOU IN.  
 IT VIOLATES  
 A PROFESSIONAL CODE  
 WHICH I TAKE  
 VERY SERIOUSLY,  
 BUT I'M A LOT OF THINGS.  
 THE PSYCHIATRIST IS NOT  
 THE FIRST PERSON I AM.  
 I'M A CITIZEN  
 OF THE COUNTRY.  
 I'M A HUMAN BEING  
 WITH A MORAL CODE.  
 I HAVE A HIERARCHY  
 OF THOSE THINGS.  
 I HONOR MY PROFESSION.  
 IF I WERE A PSYCHIATRIST  
 IN THE NAZIS,  
 AND I WERE ASKED  
 TO DO THOSE THINGS,  
 I'M TOLD BY  
 PROFESSOR GILLERS' LAW  
 THAT AS A SOLDIER  
 I'M CULPABLE UNDER  
 THE NUREMBERG TRIALS.

296	01:14:46:13	01:14:48:28	YOU'RE NOW
			IN A MORAL DILEMMA.
297	01:14:49:00	01:14:51:13	YOU'RE
			IN A DILEMMA.
298	01:14:51:15	01:14:52:13	YES.
299	01:14:52:15	01:14:54:12	WHAT WILL YOU DO?
300	01:14:54:14	01:14:57:12	I'M GOING TO
			CONSIDER THE MORAL DILEMMA.
301	01:14:57:14	01:15:00:12	A MORAL DILEMMA
			IS A SITUATION OF ANGUISH.
302	01:15:00:14	01:15:02:23	GOOD OR BAD RESULT
			EITHER WAY.
303	01:15:02:25	01:15:05:12	CONSIDERING THE NATURE
			OF YOUR CRIME,
304	01:15:05:14	01:15:08:27	I AM GOING TO,
			IF I CANNOT CONVINCE YOU--
305	01:15:08:29	01:15:11:27	I'VE CONVINCED YOU
			TO DO MANY THINGS,
306	01:15:11:29	01:15:14:27	TO GIVE UP
			A LOT OF NASTY HABITS--
307	01:15:14:29	01:15:17:12	I'M GOING TO
			TURN YOU IN
308	01:15:17:14	01:15:20:13	IF I CANNOT CONVINCE YOU
			TO TURN IN.
309	01:15:20:15	01:15:23:13	NOW, YOU CAN TAKE COMFORT
			IN THE FACT
310	01:15:23:15	01:15:25:23	THAT THIS WILL
			CAUSE ME PAIN--
311	01:15:25:25	01:15:28:00	IT'S GOING TO
			CAUSE <i>ME</i> PAIN.
312	01:15:28:02	01:15:31:03	YES, YES, AND THE PAIN
			YOU EXPERIENCE
313	01:15:31:05	01:15:34:10	MAY BE THE FIRST STEP
			IN THE EXPIATION
314	01:15:34:12	01:15:36:24	THAT YOUR REVEREND
			WANTS FROM YOU.
315	01:15:36:26	01:15:38:14	PROFESSOR GILLERS?
316	01:15:38:16	01:15:41:12	I HAVE SOME VERY
			GOOD ADVICE FOR YOU.
317	01:15:41:14	01:15:45:03	YOUR MOST
			IMMEDIATE PROBLEM
			IS A LEGAL PROBLEM.
318	01:15:45:05	01:15:47:03	GET YOURSELF
			A DEFENSE LAWYER.
319	01:15:47:05	01:15:49:10	GAYLIN ANGUISHES AND
			INTELLECTUALIZES,
320	01:15:49:12	01:15:52:07	<i>RMANT</i>
321	01:15:49:12	01:15:52:07	AND THEN HE BECOMES
			AN I3
			AGAINST YOU.
322	01:15:52:09	01:15:55:04	STAY AWAY
			FROM THE HEREAFTER.
323	01:15:55:06	01:15:57:11	STAY AWAY
			FROM THE PEOPLE
324	01:15:57:13	01:16:00:11	WHO ARE GOING TO
			HELP YOUR MIND.

325	01:16:00:13	01:16:02:14	GET YOURSELF A GOOD
			DEFENSE LAWYER
326	01:16:02:16	01:16:05:01	BEFORE YOU
			DO ANYTHING ELSE.
327	01:16:05:03	01:16:07:25	MR. LITMAN, ARE YOU
			INTERESTED IN MY CASE?
328	01:16:07:27	01:16:09:20	MAYBE. LET'S TALK
			ABOUT IT.
329	01:16:09:22	01:16:12:09	WHEN DID YOU
			MEET MS. WRIGHT?
330	01:16:12:11	01:16:13:25	THREE YEARS AGO.
331	01:16:13:27	01:16:15:11	YOU LOVED HER?
332	01:16:15:13	01:16:17:05	OH, ABSOLUTELY.
333	01:16:17:07	01:16:19:10	SHE'S A WONDERFUL
			WOMAN.
334	01:16:19:12	01:16:21:10	THE ONLY PROBLEM
			IS THAT...
335	01:16:21:12	01:16:23:10	WE HAVE
			OUR DIFFERENCES.
336	01:16:23:12	01:16:25:24	SHE IS VERY
			AGGRESSIVE SEXUALLY,
337	01:16:25:26	01:16:28:04	AND I'M REPRESSED.
338	01:16:29:13	01:16:32:07	AND SOMETIMES
			SHE TEASES ME.
339	01:16:32:09	01:16:34:14	WE WOULD HAVE...
340	01:16:34:16	01:16:36:09	WE'D GO OUT,
341	01:16:36:11	01:16:38:08	SHE'D FLIRT
			WITH OTHER PEOPLE.
342	01:16:38:10	01:16:40:18	SHE BELITTLED ME
			A LOT.
343	01:16:40:20	01:16:42:22	DID YOU TWO
			DISCUSS THIS?
344	01:16:42:24	01:16:43:23	YES.
345	01:16:43:25	01:16:46:13	YOU EVER TALK
			TO A PROFESSIONAL?
346	01:16:46:15	01:16:48:26	YES. I'M STILL PAYING
			SUBSTANTIAL BILLS--
347	01:16:48:28	01:16:50:13	TO A SHRINK?
348	01:16:50:15	01:16:52:23	THEY'RE NOT
			TERRIBLY HELPFUL.
349	01:16:52:25	01:16:54:15	THEY'RE TERRIBLY
			EXPENSIVE.
350	01:16:54:17	01:16:56:14	SO ARE WE,
			BY THE WAY.
351	01:16:56:16	01:16:58:29	WHAT'S HAPPENED WITH
			THE RELATIONSHIP
352	01:16:59:01	01:17:00:23	THESE LAST
			SEVERAL MONTHS NOW?
353	01:17:00:25	01:17:02:07	IT WENT SOUR.
354	01:17:02:09	01:17:03:24	FOR NO REASON,
355	01:17:03:26	01:17:07:01	SHE DECIDED TO BREAK
			THE RELATIONSHIP OFF.
356	01:17:07:03	01:17:09:24	WHEN DID
			THE RELATIONSHIP
			GET BROKEN OFF?
357	01:17:09:26	01:17:11:23	IN THE LAST

358 01:17:11:25 SIX WEEKS.  
 01:17:14:24 WHAT HAVE YOU  
 BEEN DOING  
 SINCE THEN?  
 359 01:17:14:26 01:17:16:23 I'VE BEEN THINKING A LOT.  
 360 01:17:16:25 01:17:17:23 MM-HMM.  
 361 01:17:17:25 01:17:19:08 THINKING ABOUT HER.  
 362 01:17:19:10 01:17:21:09 THINKING ABOUT  
 WHAT I THOUGHT  
 363 01:17:21:11 01:17:23:08 WE WERE  
 GOING TO HAVE.  
 364 01:17:23:10 01:17:26:09 TRYING TO UNDERSTAND  
 HOW THIS SEEMED SO GOOD.  
 365 01:17:26:11 01:17:29:08 HER PARENTS AND MY PARENTS  
 WERE EXCITED.  
 366 01:17:29:10 01:17:31:29 OUR FRIENDS THOUGHT  
 WE WERE A WONDERFUL COUPLE,  
 367 01:17:32:01 01:17:35:06 AND THEN SHE JUST  
 KIND OF TOSSED ME ASIDE...  
 368 01:17:35:08 01:17:36:20 LIKE A NOTHING.  
 369 01:17:36:22 01:17:39:08 WERE YOU CALLING HER  
 EVERY DAY?  
 370 01:17:39:10 01:17:41:20 NO. FREQUENTLY,  
 BUT NOT EVERY DAY.  
 371 01:17:41:22 01:17:43:07 SHE'D HANG UP.  
 372 01:17:43:09 01:17:44:18 I'D SEND NOTES,  
 373 01:17:44:20 01:17:46:06 WRITE HER LETTERS.  
 374 01:17:46:08 01:17:49:03 YOU SENT IT TO HOME,  
 TO HER BUSINESS?  
 375 01:17:49:05 01:17:52:05 I'D SEND FLOWERS  
 TO HER OFFICE, HER HOME.  
 376 01:17:52:07 01:17:53:21 I'D LEAVE NOTES.  
 377 01:17:53:23 01:17:56:16 I'D LEAVE MESSAGES  
 ON HER ANSWERING SERVICE.  
 378 01:17:56:18 01:17:59:07 WHAT HAPPENED  
 THESE LAST  
 SEVERAL DAYS?  
 379 01:17:59:09 01:18:02:07 I SAW HER AT A PARTY,  
 380 01:18:02:09 01:18:04:21 AND I WAS UPSET AND SAID,  
 381 01:18:04:23 01:18:07:05 "PERHAPS WE SHOULD  
 WORK THIS OUT,"  
 382 01:18:07:07 01:18:09:06 AND SHE JUST BLEW OFF.  
 383 01:18:09:08 01:18:11:21 SHE SAID,  
 "GET AWAY FROM ME.  
 384 01:18:11:23 01:18:14:07 "YOU'RE RIDICULOUS.  
 GET OUT OF HERE.  
 385 01:18:14:09 01:18:15:27 DON'T BOTHER ME."  
 386 01:18:15:29 01:18:19:20 ABOUT AN HOUR OR SO  
 AFTER I WAS AT HOME,  
 387 01:18:19:22 01:18:21:21 SHE CALLED ME,  
 388 01:18:21:23 01:18:23:06 AND SHE SAID,  
 389 01:18:23:08 01:18:26:05 "YOU KNOW,  
 I WISH YOU'D STOP THIS.  
 390 01:18:26:07 01:18:28:05 "YOU CONTINUE TO HARASS ME.  
 391 01:18:28:07 01:18:30:03 I WANT IT TO END."  
 392 01:18:30:05 01:18:32:19 I ASKED HER,

393 01:18:32:21 "CAN WE TALK  
 01:18:35:26 AND SEE IF WE CAN  
 WORK THIS OUT?"  
 394 01:18:35:28 01:18:38:05 BECAUSE WE'VE  
 WORKED THINGS OUT BEFORE.  
 395 01:18:38:07 01:18:39:15 SHE FINALLY AGREED.  
 396 01:18:39:17 01:18:40:27 I WENT OVER,  
 397 01:18:40:29 01:18:43:24 AND WE WERE TALKING,  
 AND I FELT IT.  
 398 01:18:43:26 01:18:45:24 WE WERE THERE AGAIN,  
 399 01:18:45:26 01:18:50:07 AND I EMBRACED HER, AND...  
 400 01:18:50:09 01:18:53:05 SHE JUST REJECTED ME.  
 401 01:18:53:07 01:18:55:19 SHE STARTED LAUGHING  
 AND REJECTED ME  
 402 01:18:55:21 01:18:58:05 AS IF I WAS A NOTHING.  
 403 01:18:58:07 01:19:00:04 WELL, I JUST WENT OFF.  
 404 01:19:00:06 01:19:02:19 I DON'T KNOW WHAT HAPPENED,  
 405 01:19:02:21 01:19:05:20 BUT THE WHOLE RELATIONSHIP  
 JUST CAME BACK,  
 406 01:19:05:22 01:19:07:20 AND I JUST SNAPPED,  
 407 01:19:07:22 01:19:11:06 AND...I KILLED HER.  
 408 01:19:11:08 01:19:12:22 WHAT HAPPENED  
 AFTERWARD?  
 409 01:19:12:24 01:19:14:21 DO YOU REMEMBER  
 WHAT HAPPENED?  
 410 01:19:14:23 01:19:17:04 I WENT TO SEE...  
 411 01:19:17:06 01:19:19:11 REVEREND SHRIVER.  
 412 01:19:19:13 01:19:22:20 DID YOU TELL HIM  
 THAT YOU CAUSED  
 HER DEATH?  
 413 01:19:22:22 01:19:24:20 I DIDN'T  
 GIVE HIM DETAILS.  
 414 01:19:24:22 01:19:27:13 HE WAS TALKING ABOUT  
 THE DEATH PENALTY  
 415 01:19:27:15 01:19:29:04 AND EXECUTION,  
 416 01:19:29:06 01:19:30:25 SO I LEFT.  
 417 01:19:30:27 01:19:33:29 DID ANYONE SEE YOU  
 ENTER OR LEAVE  
 HER BUILDING?  
 418 01:19:34:01 01:19:36:02 NO. I AM THE EVIDENCE.  
 419 01:19:36:04 01:19:37:23 YOU'RE  
 THE EVIDENCE.  
 420 01:19:37:25 01:19:39:02 OK.  
 421 01:19:39:04 01:19:41:16 UH, MY ADVICE  
 RIGHT NOW  
 422 01:19:41:18 01:19:43:18 IS TO, UH...  
 423 01:19:43:20 01:19:46:03 FOR YOU TO MAKE  
 A DECISION  
 424 01:19:46:05 01:19:48:00 TO RETAIN  
 A LAWYER,  
 425 01:19:48:02 01:19:52:00 WHETHER IT BE ME  
 OR SOMEBODY ELSE, AND, UH...  
 426 01:19:52:02 01:19:56:01 I'M GOING TO  
 ADVISE YOU  
 AT THIS POINT  
 427 01:19:56:03 01:19:59:28 LITERALLY NOT TO

DO ANYTHING, UM...

428 01:20:00:00 01:20:03:03 WELL, UH, REVEREND SHRIVER  
AND DR. GAYLIN

429 01:20:03:05 01:20:05:27 SUGGESTED I EXPLAIN  
WHAT HAPPENED TO THE POLICE.

430 01:20:05:29 01:20:09:22 THAT'S THE LAST THING  
I WOULD TELL YOU TO DO.

431 01:20:09:24 01:20:12:06 THAT WOULD EXPLAIN  
HOW IT HAPPENED.

432 01:20:12:08 01:20:15:03 THERE WERE CIRCUMSTANCES  
THAT EXPLAIN IT.

433 01:20:15:05 01:20:17:13 MM-HMM, AND  
AT THIS POINT,

434 01:20:17:15 01:20:20:17 IT MAY NOT BE  
ADVANTAGEOUS  
TO DO THAT.

435 01:20:20:19 01:20:22:25 BUT IT'S THE TRUTH.

436 01:20:22:27 01:20:25:08 WHAT ARE YOU TALKING ABOUT?

437 01:20:25:10 01:20:28:17 THAT CAUSING  
A PERSON'S DEATH  
IS A TERRIBLE EVENT.

438 01:20:28:19 01:20:30:15 BETWEEN CAUSING  
A PERSON'S DEATH

439 01:20:30:17 01:20:33:00 AND BEING GUILTY  
OF A CRIME,

440 01:20:33:02 01:20:35:09 THERE IS AN ENORMOUS  
DIFFERENCE.

441 01:20:35:11 01:20:37:16 WE MUST EXPLORE  
THE CIRCUMSTANCES

442 01:20:37:18 01:20:39:22 AS TO WHAT  
MOTIVATED YOU

443 01:20:39:24 01:20:41:20 AND WHY THIS  
CAME ABOUT

444 01:20:41:22 01:20:44:15 TO DETERMINE  
IF THIS IS A CRIME,

445 01:20:44:17 01:20:47:15 WHAT CRIME, AND HOW  
WE SHOULD DEFEND IT.

446 01:20:47:17 01:20:50:14 WE HAVE WORK TO DO  
BEFORE YOU DECIDE

447 01:20:50:16 01:20:52:16 TO GO TO  
THE AUTHORITIES.

448 01:20:52:18 01:20:55:01 ONCE YOU GO  
TO THE AUTHORITIES,

449 01:20:55:03 01:20:58:22 YOU MAY BE UNABLE  
TO GET OUT OF  
THEIR CLUTCHES.

450 01:20:58:24 01:21:01:15 MS. YAROSHEFSKY,  
WILL YOU REPRESENT ME?

451 01:21:01:17 01:21:04:14 I'D LIKE TO TALK  
TO YOU SOME MORE.

452 01:21:04:16 01:21:07:23 WHAT I WOULD  
LIKE TO KNOW ABOUT

453 01:21:07:25 01:21:10:16 IS AFTER YOU  
LEFT THAT APARTMENT.

454 01:21:10:18 01:21:14:00 TELL ME ABOUT  
WHAT YOU FELT LIKE GOING HOME.

455 01:21:14:02 01:21:15:23 I FELT BAD.  
 456 01:21:15:25 01:21:19:00 I'D JUST KILLED  
 THE PERSON THAT I LOVED.  
 457 01:21:19:02 01:21:21:17 I DIDN'T UNDERSTAND  
 WHY IT HAPPENED.  
 458 01:21:21:19 01:21:24:16 I KNOW YOU'VE SPOKEN  
 WITH MR. LITMAN.  
 459 01:21:24:18 01:21:26:16 I PRESUME  
 ALL THE INFORMATION  
 460 01:21:26:18 01:21:28:16 THAT YOU'VE GIVEN  
 MR. LITMAN.  
 461 01:21:28:18 01:21:31:21 I'M NOT CERTAIN  
 WHETHER I'LL  
 REPRESENT YOU.  
 462 01:21:31:23 01:21:34:00 WHY NOT?  
 463 01:21:34:02 01:21:36:29 THIS WILL BE  
 A HIGH-PUBLICITY CASE.  
 464 01:21:37:01 01:21:38:14 YOU UNDERSTAND THAT?  
 465 01:21:38:16 01:21:39:21 YES.  
 466 01:21:39:23 01:21:42:16 YOU'RE A MIDDLE-CLASS PERSON  
 IN THIS SOCIETY.  
 467 01:21:42:18 01:21:45:15 THAT KIND OF CASE  
 WILL BE COVERED.  
 468 01:21:45:17 01:21:48:19 I PICK AND CHOOSE  
 THE CASES I DO.  
 469 01:21:48:21 01:21:50:10 YOU WILL NOT  
 REPRESENT ME?  
 470 01:21:50:12 01:21:52:14 I'D LIKE TO  
 THINK ABOUT IT.  
 471 01:21:52:16 01:21:54:14 YOU'RE HESITATING  
 BECAUSE I'M A MAN?  
 472 01:21:54:16 01:21:57:01 NO. IT'S BECAUSE  
 OF THE WAY  
 473 01:21:57:03 01:21:59:29 I MIGHT BE USED  
 IN THE COURTROOM.  
 474 01:22:00:03 01:22:03:15 THE FACT THAT  
 I'M A WOMAN  
 IN THE COURTROOM  
 475 01:22:03:17 01:22:05:15 SAYS SOMETHING  
 TO THE JURY  
 476 01:22:05:17 01:22:07:21 ABOUT WHAT HAPPENED  
 IN THIS CASE.  
 477 01:22:07:23 01:22:10:18 I'M NOT CERTAIN  
 I'M THE PERSON FOR YOU.  
 478 01:22:10:20 01:22:13:01 THE DEFENSE LAWYER'S ROLE  
 IS IMPORTANT.  
 479 01:22:13:03 01:22:16:01 IT'S IMPORTANT THAT YOU CAN  
 ZEALOUSLY REPRESENT SOMEBODY.  
 480 01:22:16:03 01:22:18:00 ONCE YOU'RE  
 IN THAT COURTROOM,  
 481 01:22:18:02 01:22:20:09 NO ONE PRESUMES  
 YOU INNOCENT ANYMORE.  
 482 01:22:20:11 01:22:23:00 THAT'S A PRINCIPLE  
 IN THE LAW,  
 483 01:22:23:02 01:22:26:01 BUT WHEN YOU  
 GO INTO THAT COURTROOM,

484	01:22:26:03	01:22:28:00	EVERYONE IS
			GOING TO SAY,
485	01:22:28:02	01:22:30:02	"THAT MAN KILLED
			THAT WOMAN."
486	01:22:30:04	01:22:32:29	YOU NEED SOMEBODY
			WHO CAN STAND BY YOU
487	01:22:33:01	01:22:34:29	AND BELIEVE
			THAT THEY'RE DOING
488	01:22:35:01	01:22:37:26	ABSOLUTELY
			THE RIGHT THING
			WITH THEIR TIME.
489	01:22:37:28	01:22:39:28	MR. MASON?
490	01:22:40:00	01:22:42:20	IT'S A TOUGH ONE.
491	01:22:42:22	01:22:45:14	THE PEOPLE WHO WILL BE
			PROSECUTING YOU--
492	01:22:45:16	01:22:47:14	AND DEPENDENT
			UPON THE RESOURCES
493	01:22:47:16	01:22:49:14	THAT WILL BE
			ALLOCATED--
494	01:22:49:16	01:22:51:14	IT'S A HIGH-PROFILE CASE.
495	01:22:51:16	01:22:54:28	THEY ARE GOING TO
			USE ALL OF THEIR RESOURCES.
496	01:22:55:00	01:22:56:28	THEY WON'T
			HAVE THOSE CONFLICTS.
497	01:22:57:00	01:22:59:13	THEY WILL TRY
			PUTTING YOU AWAY
498	01:22:59:15	01:23:01:12	FOR AS LONG
			AS POSSIBLE.
499	01:23:01:14	01:23:04:14	YOU NEED SOMEONE
			WHO WILL ANALYZE THE CASE,
500	01:23:04:16	01:23:06:29	DETERMINE WHETHER
			IT IS MURDER, MANSLAUGHTER,
501	01:23:07:01	01:23:08:13	AND MOST IMPORTANTLY,
502	01:23:08:15	01:23:11:27	TO DETERMINE WHAT TYPE
			OF DEFENSE THAT YOU HAVE
503	01:23:11:29	01:23:16:05	AND THAT THEY WILL BE ABLE
			TO DEVELOP WITH YOU.
504	01:23:16:07	01:23:18:05	THAT LAWYER
			MUST DETERMINE
505	01:23:18:07	01:23:20:06	WHETHER THEY
			ARE COMFORTABLE
506	01:23:20:08	01:23:23:02	WITH YOU, YOUR CASE,
			AND YOUR DEFENSE.
507	01:23:23:04	01:23:25:13	WE'RE DISCUSSING
			THIS AS THOUGH
508	01:23:25:15	01:23:27:12	IT'S AN
			ETHICAL QUESTION
509	01:23:27:14	01:23:30:09	WHETHER A LAWYER
			WANTS TO REPRESENT
			THIS INDIVIDUAL.
510	01:23:30:11	01:23:33:20	SHE MIGHT NOT WANT
			TO REPRESENT YOU
511	01:23:33:22	01:23:36:11	BECAUSE YOU WON'T
			PAY ENOUGH MONEY.
512	01:23:36:13	01:23:38:11	IF THAT
			ISN'T UNETHICAL,

513	01:23:38:13	01:23:41:12	IT'S NOT UNETHICAL TO REFUSE TO REPRESENT YOU
514	01:23:41:14	01:23:43:21	BECAUSE SHE THINKS SHE'LL BE HARMING
515	01:23:43:23	01:23:45:21	THE CAUSE OF WOMANHOOD.
516	01:23:45:23	01:23:48:05	THAT'S A GOOD ENOUGH REASON, JUDGE?
517	01:23:48:07	01:23:51:10	IF THE FACT THAT YOU CAN'T PAY 150,000
518	01:23:51:12	01:23:52:26	INSTEAD OF 100
519	01:23:52:28	01:23:54:27	IS A GOOD ENOUGH REASON,
520	01:23:54:29	01:23:56:12	SURELY THAT IS.
521	01:23:56:14	01:23:59:12	WE'RE NOT INTO THE AREA OF AN ETHICAL OBLIGATION
522	01:23:59:14	01:24:01:11	TO TAKE THE CASE,
523	01:24:01:13	01:24:04:12	UNLESS NO OTHER LAWYER CAN TAKE IT.
524	01:24:04:14	01:24:06:10	THEN THESE QUESTIONS BECOME RELEVANT,
525	01:24:06:12	01:24:08:11	BUT A CRIMINAL LAWYER
526	01:24:08:13	01:24:10:12	CAN REFUSE A CASE
527	01:24:10:14	01:24:12:12	FOR WHATEVER REASON THEY WANT.
528	01:24:12:14	01:24:15:11	THERE IS NO MORE MENDACIOUS REASON THAN MONEY,
529	01:24:15:13	01:24:16:29	AND THAT'S PERMISSIBLE.
530	01:24:17:01	01:24:19:11	WHAT ABOUT IF MS. YAROSHEFSKY
531	01:24:19:13	01:24:21:26	DOES NOT WANT TO REPRESENT ME
532	01:24:21:28	01:24:25:01	BECAUSE I'M CHARGED WITH RAPE?
533	01:24:25:03	01:24:28:17	SHE'S ENTITLED IF THERE ARE OTHER LAWYERS
534	01:24:28:19	01:24:31:10	WHO WILL TAKE UP YOUR CAUSE.
535	01:24:31:12	01:24:33:26	SHE'S THE ONLY LAWYER IN TOWN,
536	01:24:33:28	01:24:37:10	AND AN INDIVIDUAL CHARGED WITH RAPE NEEDS A LAWYER,
537	01:24:37:12	01:24:39:22	THEN SHE HAS AN ETHICAL PROBLEM.
538	01:24:39:24	01:24:42:22	THEY WERE BREAKING THEIR LEGS TO GET THIS CASE.
539	01:24:42:24	01:24:45:12	IT SEEMS TO ME
540	01:24:45:14	01:24:47:25	THAT SHE'S DOING YOU A SERVICE
541	01:24:47:27	01:24:51:10	BY RECOGNIZING THAT

SHE HAS HER OWN  
 PERSONAL CONFLICTS  
 542 01:24:51:12 01:24:53:24 AND THAT PERHAPS  
 SHE CANNOT MAKE  
 543 01:24:53:26 01:24:55:24 THE BEST DEFENSE  
 FOR YOU,  
 544 01:24:55:26 01:24:57:23 AND YOU'RE  
 ENTITLED TO THAT.  
 545 01:24:57:25 01:25:00:08 MR. NEAL,  
 COULD I INTEREST YOU  
 546 01:25:00:10 01:25:02:22 IN BEING MY COUNSEL?  
 547 01:25:02:24 01:25:04:25 YOU'VE ALREADY  
 GOTTEN MY ATTENTION.  
 548 01:25:04:27 01:25:07:25 I UNDERSTAND  
 YOU'RE A MAN OF SOME MEANS.  
 549 01:25:07:27 01:25:08:27 ABSOLUTELY.  
 550 01:25:08:29 01:25:11:15 SEE? WHAT DID  
 I TELL YOU?  
 551 01:25:13:04 01:25:17:00 WE'VE RESOLVED  
 THE ETHICAL DILEMMA.  
 552 01:25:17:02 01:25:20:14 HE'S WORRIED ABOUT *ME*  
 SELLING NEWSPAPERS!  
 553 01:25:20:16 01:25:23:09 NOW THAT YOU'RE  
 IN MY OFFICE, JOHN,  
 554 01:25:23:11 01:25:26:09 I DON'T WANT YOU  
 TO TELL ME ANYTHING.  
 555 01:25:26:11 01:25:28:24 I WANT TO TELL YOU  
 SOMETHING.  
 556 01:25:28:26 01:25:31:22 I'M BOUND BY A CODE  
 OF PROFESSIONAL RESPONSIBILITY.  
 557 01:25:31:24 01:25:34:22 THERE ARE CERTAIN THINGS  
 I CANNOT DO.  
 558 01:25:34:24 01:25:38:21 FOR EXAMPLE, IF YOU TELL ME  
 THAT YOU STABBED WENDY,  
 559 01:25:38:23 01:25:41:16 I CAN'T HAVE YOU  
 LIE ON THE STAND  
 560 01:25:41:18 01:25:43:15 THAT YOU STABBED WENDY.  
 561 01:25:43:17 01:25:45:00 DO YOU UNDERSTAND?  
 562 01:25:45:02 01:25:46:22 I UNDERSTAND.  
 563 01:25:46:24 01:25:48:21 YOU'RE TELLING ME THIS  
 564 01:25:48:23 01:25:50:22 BEFORE I EXPLAIN  
 WHAT HAPPENED?  
 565 01:25:50:24 01:25:52:21 YOU DON'T  
 WANT TO KNOW?  
 566 01:25:52:23 01:25:54:07 NOT NOW.  
 567 01:25:54:09 01:25:59:07 NOW, JOHN, IF YOU TELL ME  
 YOU DIDN'T STAB WENDY...  
 568 01:25:59:09 01:26:01:08 AND, UM...  
 569 01:26:01:10 01:26:04:06 CERTAINLY YOU THINK  
 YOU'RE THE ONLY EVIDENCE.  
 570 01:26:04:08 01:26:06:07 THEY'LL NOT FIND  
 THE KNIFE.  
 571 01:26:06:09 01:26:10:00 NO ONE SAW YOU ENTER  
 OR LEAVE THE APARTMENT.  
 572 01:26:10:02 01:26:12:08 THINK ABOUT  
 THESE THINGS,

573 01:26:12:10 01:26:14:23 AND AFTER YOU'VE  
 THOUGHT ABOUT THEM,  
 574 01:26:14:25 01:26:16:22 WE'LL TALK ABOUT  
 YOUR DEFENSE.  
 575 01:26:16:24 01:26:18:03 DO YOU UNDERSTAND?  
 576 01:26:18:05 01:26:19:16 YES.  
 577 01:26:19:18 01:26:22:08 DON'T TALK TO  
 ANY MORE PREACHERS  
 OR PSYCHIATRISTS.  
 578 01:26:22:10 01:26:26:11 THERE ARE FEW  
 DEAF-AND-DUMB PEOPLE  
 IN THE PENITENTIARY.  
 579 01:26:26:13 01:26:28:17 I'LL THINK ABOUT  
 YOUR CASE, JOHN.  
 580 01:26:28:19 01:26:30:20 YOU GO ON.  
 581 01:26:30:22 01:26:32:24 OK.  
 582 01:26:32:26 01:26:34:21 PROFESSOR GILLERS,  
 583 01:26:34:23 01:26:37:06 I HEAR THIS  
 INTERESTING  
 LEGAL DISCUSSION  
 584 01:26:37:08 01:26:38:29 ABOUT JUDGMENTS  
 THAT LAWYERS MAKE.  
 585 01:26:39:01 01:26:41:05 DEFENSE LAWYERS  
 HAVE MAXIMUM AUTONOMY  
 586 01:26:41:07 01:26:42:20 UNTIL THEY'RE RETAINED.  
 587 01:26:42:22 01:26:45:05 IF THEY DON'T  
 LIKE THE CASE,  
 588 01:26:45:07 01:26:47:04 AND THERE ARE  
 OTHER LAWYERS,  
 589 01:26:47:06 01:26:49:21 THEY COULD  
 WALK AWAY FROM IT.  
 590 01:26:49:23 01:26:51:21 ONCE THEY  
 TAKE THE CASE,  
 591 01:26:51:23 01:26:53:20 THEIR AUTONOMY IS GONE.  
 592 01:26:53:22 01:26:56:05 THEN THEY KNOW  
 ONLY ONE PERSON.  
 593 01:26:56:07 01:26:58:11 THAT PERSON  
 IS THEIR CLIENT.  
 594 01:26:58:13 01:27:00:10 REGARDLESS  
 OF HOW REPULSIVE  
 595 01:27:00:12 01:27:03:06 THAT CASE IS TO THEM  
 AS HUMAN BEINGS,  
 596 01:27:03:08 01:27:07:06 AS LAWYERS, THEY MUST BE LOYAL  
 TO A INFINITE DEGREE.  
 597 01:27:07:08 01:27:09:06 HOW DO YOU DO THAT?  
 598 01:27:09:08 01:27:11:07 THAT'S AN  
 INCREDIBLE BURDEN.  
 599 01:27:11:09 01:27:13:14 IT IS AN INCREDIBLE BURDEN,  
 600 01:27:13:16 01:27:17:02 AND YOU CAN ASK JACK  
 AND ELLEN AND JIM,  
 601 01:27:17:04 01:27:19:19 I THINK, OVER A LIFETIME,  
 602 01:27:19:21 01:27:22:05 IT TAKES  
 A REAL PSYCHIC TOLL.  
 603 01:27:22:07 01:27:24:09 YOU CAN SAY,  
 604 01:27:24:11 01:27:28:05 "I'M DOING THE RIGHT THING.  
 I WAS ASSIGNED THIS JOB.

605	01:27:28:07	01:27:30:03	"I'M FOLLOWING THE RULES.
606	01:27:30:05	01:27:32:03	LET THEM CALL ME NAMES,"
607	01:27:32:05	01:27:34:09	BUT OVER A LIFETIME,
608	01:27:34:11	01:27:36:15	WHEN YOU'RE
			IN YOUR LIVING ROOM,
609	01:27:36:17	01:27:38:11	IT TAKES A PSYCHIC TOLL
610	01:27:38:13	01:27:40:17	BECAUSE THEY GET
			MIXED SIGNALS
611	01:27:40:19	01:27:43:03	BETWEEN THEIR RESPONSIBILITY
			AS PROFESSIONALS
612	01:27:43:05	01:27:45:19	AND THEIR RESPONSIBILITY
			AS HUMAN BEINGS.
613	01:27:45:21	01:27:48:05	DR. GAYLIN RECONCILES
			THOSE MIXED SIGNALS
614	01:27:48:07	01:27:50:02	BY PUTTING HIS HUMAN
			RESPONSIBILITY
615	01:27:50:04	01:27:52:19	ABOVE WHAT
			HE PERCEIVES TO BE
616	01:27:52:21	01:27:54:18	HIS PROFESSIONAL
			RESPONSIBILITY.
617	01:27:54:20	01:27:56:29	MAYBE HE'S RIGHT
			FOR HIS PROFESSION.
618	01:27:57:01	01:27:59:27	BUT HE'S NOT RIGHT
			FOR THE DEFENSE LAWYERS.
619	01:27:59:29	01:28:03:12	BUT THE WAY
			YOU'RE TALKING
			ABOUT THIS AUTONOMY
620	01:28:03:14	01:28:05:18	IN THE LAWYER-CLIENT
			RELATIONSHIP
621	01:28:05:20	01:28:07:18	IN THE ADVERSARY
			SYSTEM,
622	01:28:07:20	01:28:10:24	IT SEEMS LIKE
			ALL THINGS
			ARE PERMISSIBLE.
623	01:28:10:26	01:28:12:14	ARE THERE
			BOUNDARIES?
624	01:28:12:16	01:28:14:19	WHAT I'M REALLY
			CONCERNED ABOUT
625	01:28:14:21	01:28:16:27	IS, I THINK, IN THE LAW--
626	01:28:16:29	01:28:20:03	IS ALL PERMITTED
			WHEN ONE HAS
627	01:28:20:05	01:28:23:02	THIS ABSOLUTE OBLIGATION
			TO DEFEND THE CLIENT?
628	01:28:23:04	01:28:24:19	ONE LAST QUESTION.
629	01:28:24:21	01:28:27:03	I THINK WE,
			ON THE WHOLE,
630	01:28:27:05	01:28:30:00	TEND TO THINK
			IT'S AN INTRINSIC VALUE
631	01:28:30:02	01:28:32:17	THAT DOCTORS
			SHOULD CURE DISEASE.
632	01:28:32:19	01:28:35:26	DO WE HAVE THE SAME SENSE
633	01:28:35:28	01:28:39:16	THAT WINNING ALL THE CASES
			IS AN INTRINSIC VALUE?
634	01:28:39:18	01:28:41:22	I DON'T KNOW ABOUT
635	01:28:41:24	01:28:43:22	WINNING CASES AS
			AN INTRINSIC VALUE.

636	01:28:43:24	01:28:45:21	IT IS AN
			INTRINSIC VALUE
637	01:28:45:23	01:28:48:00	TO HAVE THE POWER
			OF GOVERNMENT
638	01:28:48:02	01:28:50:01	CONSTANTLY CHECKED
			BY DEFENSE LAWYERS
639	01:28:50:03	01:28:52:19	SO ACCUSATIONS DON'T
			INEVITABLY BECOME GUILT.
640	01:28:52:21	01:28:56:24	I GUESS IT ALL DEPENDS
			ON WHOSE OX IS GORED.
641	01:28:56:26	01:29:01:00	SINCE ALL OF US HERE
			FEEL WE WON'T COMMIT A CRIME,
642	01:29:01:02	01:29:03:07	WHEN YOU'RE IN THAT SITUATION,
643	01:29:03:09	01:29:05:06	WHEN YOU ARE FACING IT,
644	01:29:05:08	01:29:08:21	YOU REALIZE WHY YOU NEED
			A CRIMINAL DEFENSE LAWYER.
645	01:29:08:23	01:29:11:02	EVERYONE PRESUMES
			EVERYONE IS GUILTY.
646	01:29:11:04	01:29:13:01	THAT IS NOT THE FACT.
647	01:29:13:03	01:29:15:16	EVERYONE PRESUMES PROSECUTORS
			DO THEIR JOB
648	01:29:15:18	01:29:17:16	ZEALOUSLY AND PROPERLY.
649	01:29:17:18	01:29:19:13	THAT IS NOT A FACT.
650	01:29:19:15	01:29:22:02	EVERYONE PRESUMES
			THAT JUDGES ARE IMPARTIAL
651	01:29:22:04	01:29:24:02	AND WONDERFUL
			TO EVERYONE'S RIGHTS.
652	01:29:24:04	01:29:26:01	THAT IS ALSO NOT A FACT.
653	01:29:26:03	01:29:28:01	EVERYONE PRESUMES JURORS
			ARE UNHAMPERED
654	01:29:28:03	01:29:31:00	BY WHAT THEY READ
			IN THE PRESS,
655	01:29:31:02	01:29:32:14	FAIR-MINDED, IMPARTIAL.
656	01:29:32:16	01:29:34:13	THAT, TOO, ISN'T A FACT.
657	01:29:34:15	01:29:36:20	YOU NEED ZEALOUS
			CRIMINAL DEFENSE LAWYERS,
658	01:29:36:22	01:29:38:20	"IN ORDER,"
			AS BRANDEIS SAID,
659	01:29:38:22	01:29:42:00	"IN ORDER TO PROMOTE LIBERTY,
			WE NEED ETERNAL VIGILANCE."
660	01:29:42:02	01:29:45:08	CRIMINAL DEFENSE LAWYERS MUST
			ALWAYS STAND UP TO GOVERNMENT.
661	01:29:45:10	01:29:47:29	I DO HAVE SOMETHING
			I WANT TO SAY
662	01:29:48:01	01:29:49:24	TO MR. LITMAN.
663	01:29:49:26	01:29:52:14	I'VE SELECTED YOU
			AS MY LAWYER.
664	01:29:52:16	01:29:55:12	THERE ARE
			A COUPLE THINGS
			YOU SHOULD KNOW.
665	01:29:55:14	01:29:57:15	THEY'RE NOT
			NECESSARILY
			RELEVANT,
666	01:29:57:17	01:30:00:16	BUT YOU ASKED ME
			TO TELL YOU
			EVERYTHING.

667	01:30:00:18	01:30:03:29	I'VE TOLD YOU WHAT I REMEMBER ABOUT THE MURDER.
668	01:30:04:01	01:30:06:01	DON'T KEEP CALLING IT THAT.
669	01:30:06:03	01:30:07:29	THE KILLING, THE DEATH.
670	01:30:08:01	01:30:10:03	GO AHEAD.
671	01:30:10:05	01:30:13:03	ABOUT TWO YEARS AGO,
672	01:30:13:05	01:30:17:21	I WAS INVOLVED IN ANOTHER CASE.
673	01:30:17:23	01:30:21:29	IT WAS A SIMILAR CASE OF A YOUNG WOMAN
674	01:30:22:01	01:30:25:25	WHO, AS A RESULT OF A DISPUTE...
675	01:30:25:27	01:30:27:14	I KILLED HER.
676	01:30:27:16	01:30:30:26	I'M NOT JUST SURE WHAT I SHOULD DO ABOUT IT.
677	01:30:30:28	01:30:33:25	BUT I WANTED TO TELL YOU
678	01:30:33:27	01:30:37:07	TO LET YOU HAVE AS MUCH INFORMATION AS POSSIBLE.
679	01:30:37:09	01:30:40:27	IS THAT ALSO PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE?
680	01:30:40:29	01:30:42:06	ABSOLUTELY.
681	01:30:42:08	01:30:45:18	THERE'S NO WAY YOU'LL TELL THE POLICE ABOUT IT?
682	01:30:45:20	01:30:48:17	UNLESS WE DETERMINE-- I DON'T QUITE SEE IT.
683	01:30:48:19	01:30:52:17	IT MAY DEPEND ON A VARIETY OF THINGS THAT WE UNCOVER
684	01:30:52:19	01:30:56:12	WHEN WE INVESTIGATE THE BEST WAY TO DEFEND YOUR CASE
685	01:30:56:14	01:30:58:16	TO BRING THAT TO LIGHT,
686	01:30:58:18	01:31:00:27	BUT I DON'T QUITE SEE THAT.
687	01:31:00:29	01:31:03:11	UNTIL AND UNLESS I DETERMINE THAT,
688	01:31:03:13	01:31:06:09	THEN WE WILL NEVER BRING THAT TO LIGHT.
689	01:31:06:11	01:31:09:27	MS. WATTLETON, IF YOU KNEW JOHN BARNES KILLED WENDY WRIGHT,
690	01:31:09:29	01:31:12:14	AND HE EXPLAINED IT TO YOU AS A FRIEND,
691	01:31:12:16	01:31:14:14	YOU'D FEEL TROUBLED WITHHOLDING THAT.
692	01:31:14:16	01:31:16:05	I'D FEEL VERY TROUBLED.
693	01:31:16:07	01:31:18:26	I FIND IT VERY DIFFICULT TO SUGGEST
694	01:31:18:28	01:31:22:11	THAT WE HAVE A KILLING AND, YET, NOT A CRIME.
695	01:31:22:13	01:31:24:02	THAT'S STRANGE TO ME
696	01:31:24:04	01:31:27:25	IN THE ETHICAL FRAMEWORK OF OUR SOCIETAL VALUES.
697	01:31:27:27	01:31:31:11	I WOULD FEEL DRIVEN TO PERSUADE THIS GENTLEMAN

698 01:31:31:13 01:31:35:24 TO GO TO LAW  
ENFORCEMENT OFFICIALS

699 01:31:35:26 01:31:39:12 TO CONFRONT THE RESULTS  
OF THE ACTS

700 01:31:39:14 01:31:42:08 THAT HE HAS COMMITTED.

701 01:31:42:10 01:31:44:11 PROFESSOR GILLERS.

702 01:31:44:13 01:31:47:27 LAWYERS, ESPECIALLY  
CRIMINAL DEFENSE LAWYERS,

703 01:31:47:29 01:31:52:08 ARE AMORAL AGENTS WHO CAN  
JUSTIFY THEIR BEHAVIOR

704 01:31:52:10 01:31:56:01 ONLY BY BEING PART  
OF AN ADVERSARY SYSTEM

705 01:31:56:03 01:31:59:12 THAT IS BASED LARGELY  
ON THE CONSTITUTION,

706 01:31:59:14 01:32:01:12 AND THAT /S MORAL.

707 01:32:01:14 01:32:03:11 WE COULD CHANGE IT.

708 01:32:03:13 01:32:06:27 IT'S NOT THAT JACK AND ELLEN  
ARE ARROGATING TO THEMSELVES

709 01:32:06:29 01:32:09:29 A CERTAIN PREROGATIVE  
THAT NO ONE ELSE CAN.

710 01:32:10:01 01:32:12:16 THEY'RE *TOLD* TO BEHAVE  
THAT WAY.

711 01:32:12:18 01:32:14:21 JACK SQUEALS...  
WE DISBAR HIM.

712 01:32:14:23 01:32:17:27 WE DISBAR HIM,  
YOU AND I AND SOCIETY.

713 01:32:17:29 01:32:21:10 MR. NEAL, WE'VE TAKEN  
THAT FACT AWAY

714 01:32:21:12 01:32:24:12 ABOUT KILLING A WOMAN  
IN SIMILAR CIRCUMSTANCE.

715 01:32:24:14 01:32:27:27 BUT I DO HAVE A PROBLEM  
I WANT TO TELL YOU

716 01:32:27:29 01:32:30:26 NOW THAT YOU'VE AGREED  
TO REPRESENT ME.

717 01:32:30:28 01:32:33:25 EVERYTHING I SAY  
IS IN CONFIDENCE?

718 01:32:33:27 01:32:36:13 YES. BUT IF  
YOU TELL ME--

719 01:32:36:15 01:32:39:17 NOTHING IN THE FUTURE.  
THIS IS PAST,

720 01:32:39:19 01:32:42:27 SOMETHING I WANT  
TO GET OFF MY CHEST.

721 01:32:42:29 01:32:46:26 I WAS INVOLVED  
IN A ROBBERY, IN A HOLDUP.

722 01:32:46:28 01:32:50:26 DURING THE ROBBERY,  
A YOUNG MAN WAS KILLED.

723 01:32:50:28 01:32:54:10 THE POLICE,  
THROUGH SOME SCREW-UP,

724 01:32:54:12 01:32:56:14 ARRESTED THE WRONG PERSON.

725 01:32:56:16 01:32:59:25 THAT PERSON--  
I'VE BEEN FOLLOWING  
HIS CASE.

726 01:32:59:27 01:33:02:29 AND I KNOW THAT  
HE'S FILED SOME APPEALS,

727 01:33:03:01 01:33:05:29 AND THOSE APPEALS  
HAVE BEEN UNSUCCESSFUL.

728	01:33:06:01	01:33:07:24	HE'S BEEN CONVICTED.
729	01:33:07:26	01:33:10:18	AND, IN FACT, UM...
730	01:33:10:20	01:33:13:25	HE'S SCHEDULED TO BE EXECUTED.
731	01:33:15:27	01:33:19:07	WELL, HE PROBABLY DID SOMETHING ELSE WRONG, ANYWAY.
732	01:33:19:09	01:33:21:18	HA HA HA!
733	01:33:19:09	01:33:21:18	HA HA!
734	01:33:21:20	01:33:24:04	HE PROBABLY SHOULD HAVE WENT.
735	01:33:25:23	01:33:27:09	JOHN...
736	01:33:27:11	01:33:31:01	THE TRUTH IS, YOU PUT A VERY DIFFICULT THING ON ME.
737	01:33:31:03	01:33:33:22	ONE THING I WANTED TO POINT OUT--
738	01:33:33:24	01:33:35:23	SOCIETY, AS THE PROFESSOR SAYS,
739	01:33:35:25	01:33:39:24	SOCIETY HAS MADE THE JUDGMENT THAT WE CAN'T DIVULGE
740	01:33:39:26	01:33:41:24	A CONFIDENTIAL COMMUNICATION.
741	01:33:41:26	01:33:44:08	NOT ONLY WOULD WE BE DISBARRED,
742	01:33:44:10	01:33:47:03	BUT, IN MOST STATES, IT IS A FELONY
743	01:33:47:05	01:33:50:23	FOR A LAWYER TO VIOLATE THE ATTORNEY-CLIENT PRIVILEGE.
744	01:33:50:25	01:33:54:09	I WON'T TELL ABOUT THAT FELLOW UNLESS I CONCLUDE--
745	01:33:54:11	01:33:58:03	THIS FELLOW THAT'S GOING TO PRISON OR BEING EXECUTED--
746	01:33:58:05	01:34:02:23	UNLESS I CONCLUDE THAT THIS IS AN ONGOING FRAUD ON THE COURT,
747	01:34:02:25	01:34:05:00	WHICH WOULD BE AN EXCEPTION
748	01:34:05:02	01:34:07:00	TO THE ATTORNEY-CLIENT PRIVILEGE,
749	01:34:07:02	01:34:09:19	SOMETIMES CALLED THE CRIME-FRAUD EXCEPTION.
750	01:34:09:21	01:34:11:09	I UNDERSTAND THAT.
751	01:34:11:11	01:34:15:03	I JUST TOLD YOU THAT A MAN WHO DIDN'T COMMIT A CRIME
752	01:34:15:05	01:34:17:08	IS SCHEDULED TO BE EXECUTED,
753	01:34:17:10	01:34:19:22	AND I'M RESPONSIBLE FOR THAT CRIME.
754	01:34:19:24	01:34:23:22	JOHN, MAYBE YOU OUGHT TO GO SEE REVEREND SHRIVER.
755	01:34:23:24	01:34:26:03	BUT AS FOR ME...
756	01:34:26:05	01:34:28:09	THAT IS NOT AN EXCEPTION
757	01:34:28:11	01:34:30:22	TO THE ATTORNEY-CLIENT RELATIONSHIP,
758	01:34:30:24	01:34:33:08	AND I MUST NOT DIVULGE THAT.
759	01:34:33:10	01:34:36:14	HE CAN'T TELL YOU ANYTHING AT ALL
760	01:34:36:16	01:34:40:06	AND HAVE IT COVERED BY

THE ATTORNEY-CLIENT RELATION.

761 01:34:40:08 01:34:44:20 IT HAS TO BE ONLY INFORMATION  
ENABLING YOU TO DEFEND HIM.

762 01:34:44:22 01:34:48:18 EVERYTHING ABOUT HIS PAST  
IS NECESSARY FOR ME

763 01:34:48:20 01:34:51:22 TO PLAN A DEFENSE FOR HIM.  
ABSOLUTELY.

764 01:34:51:24 01:34:56:20 IS THERE ANY POINT  
AT WHICH A DEFENSE ATTORNEY  
IS A PERSON FIRST

765 01:34:56:22 01:34:58:26 AND A DEFENSE ATTORNEY SECOND?

766 01:34:58:28 01:35:01:03 ONLY AS SOCIETY  
HAS DETERMINED

767 01:35:01:05 01:35:05:19 THAT HE IS VIOLATING THE CODE  
OF PROFESSIONAL RESPONSIBILITY.

768 01:35:05:21 01:35:09:06 OTHERWISE, MY SOLE DUTY  
AT THAT POINT IN LIFE

769 01:35:09:08 01:35:13:02 IS TO STAND BESIDE THE MAN  
ACCUSED OF THE CRIME.

770 01:35:13:04 01:35:16:21 YOU CAN BE THE MOST POPULAR MAN  
IN THE WORLD.

771 01:35:16:23 01:35:19:15 BUT ONCE YOU'RE ACCUSED  
OF THE CRIME,

772 01:35:19:17 01:35:23:27 ONLY ONE MAN OR WOMAN  
WILL STAND UP WITH YOU--  
YOUR DEFENSE COUNSEL.

773 01:35:23:29 01:35:28:12 SOCIETY DOES NOT HELP YOU.  
YOUR FRIENDS LEAVE YOU.

774 01:35:28:14 01:35:33:00 THAT IS MY ONLY GOAL  
WHILE I AM DEFENDING THAT MAN,

775 01:35:33:02 01:35:37:07 BUT I MUST DO IT WITHIN THE CODE  
OF PROFESSIONAL RESPONSIBILITY.

776 01:35:37:09 01:35:39:07 BEFORE I TOOK THAT CASE,

777 01:35:39:09 01:35:43:20 I HAD TO AGREE THAT I WOULD  
DO *ANYTHING* ETHICAL

778 01:35:43:22 01:35:45:19 TO DEFEND THAT MAN.

779 01:35:45:21 01:35:48:18 YOU CONSIDER  
WHAT YOU'RE DOING ETHICAL?

780 01:35:48:20 01:35:52:07 YOU WOULD LET  
AN INNOCENT MAN BE EXECUTED

781 01:35:52:09 01:35:56:16 JUST TO PROTECT  
THE ATTORNEY-CLIENT RELATIONSHIP  
THAT WE HAVE.

782 01:35:56:18 01:35:57:29 ABSOLUTELY!

783 01:35:58:01 01:35:59:28 IF I CONCLUDED THAT...

784 01:36:00:00 01:36:02:15 OH, WE HAVE VALUES TO SERVE!

785 01:36:02:17 01:36:04:13 PEOPLE DIE EVERY DAY.

786 01:36:04:15 01:36:06:12 THIS MAY SOUND HARSH.

787 01:36:06:14 01:36:08:21 IT *IS* HARSH!

788 01:36:08:23 01:36:11:14 PEOPLE DIED FOR  
ATTORNEY-CLIENT  
PRIVILEGE!

789 01:36:11:16 01:36:14:06 YOU'LL ALLOW  
AN INNOCENT MAN TO DIE

790 01:36:14:08 01:36:17:18 TO PROTECT  
THE ATTORNEY-CLIENT

RELATIONSHIP.

791 01:36:17:20 01:36:22:00 JIM ISN'T SAYING  
HE'LL ALLOW  
AN INNOCENT MAN TO DIE.

792 01:36:22:02 01:36:25:15 HE SAYS HE WON'T VIOLATE  
THE ATTORNEY-CLIENT--

793 01:36:25:17 01:36:28:00 THERE ARE WAYS OF DOING IT.

794 01:36:28:02 01:36:31:01 THE QUESTION  
I WANT HIM  
TO ANSWER IS

795 01:36:31:03 01:36:33:18 ARE YOU GOING TELL  
MR. HARSHBARGER...

796 01:36:33:20 01:36:35:18 THAT YOU TOLD ME?

797 01:36:35:20 01:36:39:01 THAT MY CLIENT TOLD ME  
AN INNOCENT MAN

798 01:36:39:03 01:36:40:11 WILL BE EXECUTED?

799 01:36:40:13 01:36:42:00 NO, I WOULD NOT.

800 01:36:42:02 01:36:44:17 HE'LL TELL ME  
HE HAS INFORMATION.

801 01:36:44:19 01:36:48:11 I PROBABLY WOULD SAY TO HIM,  
"DON'T EXECUTE THAT MAN."

802 01:36:48:13 01:36:53:15 BUT I'D HAVE TO DO IT IN A WAY  
THAT WOULD NOT ALLOW HIM TO FIND

803 01:36:53:17 01:36:55:16 THAT IT CAME FROM YOU.

804 01:36:55:18 01:36:59:21 HE SAYS AN INNOCENT MAN  
IS BEING EXECUTED.  
IS THAT ENOUGH?

805 01:36:59:23 01:37:02:01 HE HAS FULFILLED  
HIS RESPONSIBILITY.

806 01:37:02:03 01:37:04:12 BUT IT IS MY RESPONSIBILITY,

807 01:37:04:14 01:37:06:18 THE RESPONSIBILITY  
OF THE GOVERNMENT,

808 01:37:06:20 01:37:08:05 TO PROVE THESE CASES.

809 01:37:08:07 01:37:11:02 I DON'T BELIEVE  
THE DEFENSE COUNSEL

810 01:37:11:04 01:37:14:08 HAS ANY RESPONSIBILITY  
WHATSOEVER UNDER OUR SYSTEM

811 01:37:14:10 01:37:17:19 TO PARTICIPATE IN ANY WAY  
IN ASSISTING GOVERNMENT

812 01:37:17:21 01:37:20:19 TO STIGMATIZE SOMEONE  
OR TAKE THEIR LIBERTY.

813 01:37:20:21 01:37:24:16 BUT WHAT ABOUT  
THE INNOCENT MAN  
WHO WILL BE *KILLED*

814 01:37:24:18 01:37:26:27 BECAUSE THIS LAWYER  
DIDN'T COME FORWARD?

815 01:37:26:29 01:37:29:00 HE'S GOT A TERRIBLE DILEMMA.

816 01:37:29:02 01:37:31:00 THERE'S A BIG DIFFERENCE HERE.

817 01:37:31:02 01:37:34:22 WE'RE ALL SAYING,  
"HOW CAN HE DO THAT ETHICALLY?"

818 01:37:34:24 01:37:36:26 IT'S NOT  
AN ETHICAL QUESTION.

819 01:37:36:28 01:37:38:26 AS PROFESSOR GILLERS  
RIGHTLY SAID,

820 01:37:38:28 01:37:42:16 WE HAVE MADE A JUDGMENT  
IN THIS SOCIETY

821	01:37:42:18	01:37:46:00	THAT THERE'S A CERTAIN WAY
			WE'LL ADMINISTER JUSTICE.
822	01:37:46:02	01:37:49:23	THE CONSTITUTION GOVERNS
			THESE PARTICULAR ISSUES.
823	01:37:49:25	01:37:52:27	WE CAN'T PUT
			EVERY TOUGH ISSUE ON THEM,
824	01:37:52:29	01:37:55:07	SAYING "YOU'RE
			THE BAD PEOPLE!"
825	01:37:55:09	01:37:58:15	ISN'T IT LAWYERS
			THAT MADE THAT RULE?
826	01:37:58:17	01:38:00:08	NOT SOCIETY.
827	01:38:00:10	01:38:03:15	LAWYERS MADE THAT RULE
			FOR LAWYERS.
828	01:38:03:17	01:38:07:09	THE PUBLIC AND
			THE LEGISLATURE LOOK AT IT.
829	01:38:07:11	01:38:10:26	BUT, BASICALLY, NOBODY'S
			PAYING ANY ATTENTION TO LAWYERS,
830	01:38:10:28	01:38:13:02	WHO DEBATE THESE
			AT CONVENTIONS
831	01:38:13:04	01:38:16:25	AND PASS NEW RULES ABOUT
			WHAT LAWYERS CAN AND CAN'T DO.
832	01:38:16:27	01:38:18:25	IT'S ONLY THEM, NOT SOCIETY.
833	01:38:18:27	01:38:20:29	ISN'T IT OUR JOB
			COLLECTIVELY
834	01:38:21:01	01:38:23:14	TO QUESTION THE ETHICS
			OF THE SYSTEM?
835	01:38:23:16	01:38:25:26	THE JUSTICE SYSTEM
			MAY BE UNETHICAL
836	01:38:25:28	01:38:27:19	IN CERTAIN ASPECTS,
837	01:38:27:21	01:38:31:29	AS IT WAS WHEN THE NAZI JUDGES
			FOUND GOOD KANTIAN REASONS
838	01:38:32:01	01:38:34:18	FOR GOING ALONG
			WITH THE RACIAL LAWS.
839	01:38:34:20	01:38:36:25	SO AREN'T WE FREE TO SAY,
840	01:38:36:27	01:38:41:04	IF THE SYSTEM DRIVES US
			INTO AN UNETHICAL POSITION,
841	01:38:41:06	01:38:43:28	WE ARE FREE
			IN A DEMOCRATIC SOCIETY
842	01:38:44:00	01:38:47:17	TO ALTER BY LEGISLATION,
			LITIGATION, DISCUSSING ETHICS
843	01:38:47:19	01:38:49:08	THE SYSTEM?
844	01:38:49:10	01:38:51:08	MS. QUINDLEN,
			PLEASE.
845	01:38:51:10	01:38:53:17	DR. GAYLIN
			SAYS COLLECTIVELY.
846	01:38:53:19	01:38:55:28	SOMETIMES
			IN A CIVILIZED SOCIETY
847	01:38:56:00	01:38:59:12	ONE MAN HAS TO BE WILLING
			TO STEP OUTSIDE THE SYSTEM
848	01:38:59:14	01:39:02:17	AND SAY, "NO, I CANNOT DO THIS
			BECAUSE IT'S WRONG."
849	01:39:02:19	01:39:04:18	YOU TALK ABOUT MEDIA REACTION.
850	01:39:04:20	01:39:09:04	I CAN TELL YOU WHAT I THINK
			THE MEDIA REACTION WOULD BE
851	01:39:09:06	01:39:12:13	IF MR. NEAL STEPPED OUTSIDE
			THIS SYSTEM AND SAID,

852	01:39:12:15	01:39:15:12	"I CANNOT LET AN INNOCENT MAN BE EXECUTED."
853	01:39:15:14	01:39:17:28	THE SOCIETY WOULD SAY, "DAMN RIGHT."
854	01:39:18:00	01:39:21:08	OH, I'D BE VERY POPULAR, BUT I'D BE WRONG.
855	01:39:21:10	01:39:23:22	I DON'T THINK YOU'D BE WRONG!
856	01:39:23:24	01:39:26:12	YOU SAID YOU'D CIRCUMVENT THE SYSTEM
857	01:39:26:14	01:39:29:05	TO GET A WORD TO THE GOVERNOR.
858	01:39:29:07	01:39:32:20	YOU WERE VIOLATING YOUR LAWYER-CLIENT RELATIONSHIP.
859	01:39:32:22	01:39:35:11	I MIGHT CONCLUDE I COULDN'T DO ANYTHING
860	01:39:35:13	01:39:37:01	WITHOUT DIVULGING THE CONFIDENCE,
861	01:39:37:03	01:39:39:10	AND THAT MAN WOULD HAVE TO DIE.
862	01:39:39:12	01:39:41:01	OVER A CODE.
863	01:39:41:03	01:39:42:27	OVER A LAW!
864	01:39:42:29	01:39:46:19	A LAW SAYS THAT YOU CAN'T GIVE THAT INFORMATION?
865	01:39:46:21	01:39:49:02	THERE IS A LAW THAT SAYS THAT?
866	01:39:49:04	01:39:51:26	IN TENNESSEE IT IS A FELONY.
867	01:39:51:28	01:39:54:26	I COULD BE PROSECUTED FOR A FELONY
868	01:39:54:28	01:39:57:24	FOR VIOLATING ATTORNEY-CLIENT RELATIONSHIP.
869	01:39:57:26	01:40:02:09	IT'S TIME YOU LITIGATED THAT. IT'S TIME WE TESTED THAT.
870	01:40:02:11	01:40:05:10	GET YOURSELF A LAWYER AND SAY, "I'M DIVULGING THIS.
871	01:40:05:12	01:40:07:26	THIS MAN IS NOT GOING TO DIE."
872	01:40:07:28	01:40:10:18	LET'S LITIGATE IT. WALK THROUGH THAT COURTROOM--
873	01:40:10:20	01:40:13:12	I WON'T LITIGATE IT BECAUSE I BELIEVE IN IT.
874	01:40:13:14	01:40:16:05	VALUES ARE SERVED FAR BEYOND A LIFE
875	01:40:16:07	01:40:18:14	BY THE ATTORNEY-CLIENT PRIVILEGE.
876	01:40:18:16	01:40:19:29	I BELIEVE IT.
877	01:40:20:01	01:40:22:11	MR. LITMAN, YOU'LL REPRESENT JOHN BARNES.
878	01:40:22:13	01:40:24:26	ARE YOU INTERESTED IN SOME INVESTIGATION
879	01:40:24:28	01:40:27:13	THAT WE'VE GATHERED FROM THIS CASE?
880	01:40:27:15	01:40:32:12	NOT ONLY WHAT WE HAVE GATHERED, BUT WHAT WE BETTER GATHER.
881	01:40:33:29	01:40:36:29	THE INVESTIGATOR FOUND SOME INFORMATION FOR YOU.

882	01:40:37:01	01:40:40:09	WE WERE ABLE TO OBTAIN
			AN ALBUM OF PHOTOGRAPHS
883	01:40:40:11	01:40:42:28	SHOWING THE DECEDENT
			POSING NUDE
884	01:40:43:00	01:40:44:29	ON A NUMBER OF OCCASIONS.
885	01:40:45:01	01:40:48:19	WE WERE ABLE TO LOCATE
			A PRIOR BOYFRIEND
886	01:40:48:21	01:40:51:10	WHO CLAIMS THAT, UH...
887	01:40:51:12	01:40:53:25	HE HAD A SIMILAR
			RELATIONSHIP,
888	01:40:53:27	01:40:56:18	WHERE SHE SEEMED
			TO TEASE A LOT,
889	01:40:56:20	01:40:58:09	BE JEALOUS.
890	01:40:58:11	01:41:00:29	HE WAS WILLING
			TO TESTIFY
891	01:41:01:01	01:41:04:21	ABOUT HER ATTITUDE
			TOWARD MEN IN RELATIONSHIPS.
892	01:41:04:23	01:41:07:17	DOES ANY
			OF THAT INFORMATION
			INTEREST YOU?
893	01:41:07:19	01:41:09:10	CERTAINLY SOME OF IT.
894	01:41:09:12	01:41:10:25	WHICH PART?
895	01:41:10:27	01:41:13:09	THE PART OF
			THE RECENT RELATIONSHIP
896	01:41:13:11	01:41:15:09	SHE HAD
			WITH HER BOYFRIEND.
897	01:41:15:11	01:41:18:14	THAT MAY BE VERY CORROBORATIVE
			OF YOUR CREDIBILITY
898	01:41:18:16	01:41:21:10	IN STATING
			WHAT HAPPENED IN THIS CASE.
899	01:41:21:12	01:41:24:10	THERE ARE SOME STATES
			UNDER SOME CONDITIONS
900	01:41:24:12	01:41:28:10	IN WHICH THAT TYPE OF EVIDENCE
			IS ACTUALLY ADMISSIBLE.
901	01:41:28:12	01:41:31:23	HOW WOULD YOU USE IT?
			WHAT WOULD YOU DO?
902	01:41:31:25	01:41:34:24	IN ANY CASE
			WHICH TURNS ON AN ISSUE
903	01:41:34:26	01:41:36:25	OF WHY A PERSON ACTED--
904	01:41:36:27	01:41:39:25	INVOLVING CASES
			OF PSYCHIATRIC DEFENSE,
905	01:41:39:27	01:41:42:10	SELF-DEFENSE,
			AND THE LIKE--
906	01:41:42:12	01:41:45:24	IT IS IMPORTANT TO NOTE
			WHAT IS THE REALITY
907	01:41:45:26	01:41:50:05	THAT WAS GOING ON
			AT THE TIME THE ACT OCCURRED.
908	01:41:50:07	01:41:53:10	THIS HAPPENED
			IN THE PAST
			WITH ANOTHER GUY.
909	01:41:53:12	01:41:56:28	HOW IS THAT RELEVANT
			TO JOHN BARNES' CASE?
910	01:41:57:00	01:41:59:24	WE DON'T KNOW
			UNTIL A JUDGE RULES
911	01:41:59:26	01:42:03:08	THAT IT MAKES AN ISSUE
			IN YOUR PARTICULAR CASE

912	01:42:03:10	01:42:07:09	MORE PROVABLE THAN NOT
			BECAUSE WE HAVE THIS EVIDENCE.
913	01:42:07:11	01:42:09:27	IT MAY BE
			VERY, VERY RELEVANT
914	01:42:09:29	01:42:12:10	TO YOUR DEFENSE
			AND CREDIBILITY,
915	01:42:12:12	01:42:15:09	SHOWING THAT
			THE SO-CALLED VICTIM'S ACTS
916	01:42:15:11	01:42:17:09	WERE REPLICATED
			IN THIS CASE,
917	01:42:17:11	01:42:20:00	EXPLAINING WHY
			YOU ACTED THAT WAY.
918	01:42:20:02	01:42:22:09	MS. WATTLETON,
			IS THAT INFORMATION
			RELEVANT?
919	01:42:22:11	01:42:23:24	I DON'T THINK SO.
920	01:42:23:26	01:42:26:24	WHATEVER SHE HAS DONE
			IN THE PAST
921	01:42:26:26	01:42:30:23	DOESN'T MEAN SHE SHOULD BE
			KILLED FOR HER PAST ACTIONS.
922	01:42:30:25	01:42:33:08	WHETHER SHE HAS COMMITTED
			THESE ACTIVITIES
923	01:42:33:10	01:42:35:22	SOCIETY CONSIDERS
			UNDESIRABLE OR NOT,
924	01:42:35:24	01:42:38:28	SHE SHOULDN'T END UP DEAD
			AS A RESULT.
925	01:42:39:00	01:42:42:03	NO ONE IS SAYING
			THAT IT JUSTIFIES HER DEATH.
926	01:42:42:05	01:42:44:18	IT WILL, PERHAPS,
			SUBSTANTIATE YOUR STORY.
927	01:42:44:20	01:42:47:23	YOU MAY NOT, IN FACT,
			BE TOTALLY EXONERATED
928	01:42:47:25	01:42:50:15	AS A RESULT
			OF THAT PAST CONDUCT,
929	01:42:50:17	01:42:53:17	BUT IT MAY PUT SOME MEAT
			ON THE BONES.
930	01:42:53:19	01:42:57:15	MS. QUINDLEN,
			WHAT DO YOU THINK ABOUT
			THAT KIND OF EVIDENCE,
931	01:42:57:17	01:43:01:10	THE VICTIM'S PAST DIFFICULTIES
			IN A RELATIONSHIP
			WITH ANOTHER MAN?
932	01:43:01:12	01:43:03:25	I'M NOT CRAZY ABOUT IT.
933	01:43:03:27	01:43:06:28	I'M NOT SURE I SEE
			HOW IT'S RELEVANT
934	01:43:07:00	01:43:09:27	TO THE FACTS
			JOHN HAS SPELLED OUT.
935	01:43:09:29	01:43:13:12	I DON'T SEE THAT
			HER RELATIONSHIP
			WITH ANOTHER MAN
936	01:43:13:14	01:43:16:18	AND THE AGGRESSIVE POSTURE
			SHE TOOK WITH HIM
937	01:43:16:20	01:43:19:02	LED TO THE INCIDENT
			WITH JOHN.
938	01:43:19:04	01:43:21:02	WHAT'S WRONG
			WITH USING IT?

939 01:43:21:04 01:43:22:23 WHAT'S MORALLY WRONG  
 940 01:43:22:25 01:43:24:22 WITH MR. LITMAN  
 USING THAT INFORMATION  
 941 01:43:24:24 01:43:27:22 IF IT MIGHT  
 PERSUADE JURORS  
 942 01:43:27:24 01:43:30:20 TO REDUCE THE CHARGES  
 AGAINST ME OR ACQUIT ME?  
 943 01:43:30:22 01:43:33:19 I WOULD HOPE THAT  
 WOULDN'T CONVINCE THE JURORS.  
 944 01:43:33:21 01:43:37:06 I THINK IT'S MORALLY WRONG  
 TO BLAME THE VICTIM,  
 945 01:43:37:08 01:43:40:06 TO SAY, "YOU HAD YOUR PICTURE  
 TAKEN NUDE,  
 946 01:43:40:08 01:43:42:06 ERGO YOU DESERVE TO DIE."  
 947 01:43:42:08 01:43:44:28 WHILE MR. LITMAN  
 WOULD LIKE TO SAY  
 948 01:43:45:00 01:43:48:11 HE DOESN'T MAKE  
 THAT CAUSE-AND-EFFECT LINK,  
 949 01:43:48:13 01:43:51:08 BY ADMITTING THAT EVIDENCE,  
 HE'S IMPLYING IT.  
 950 01:43:51:10 01:43:53:19 IF THE INFORMATION  
 WAS AVAILABLE  
 951 01:43:53:21 01:43:57:00 TO YOU AS A REPORTER,  
 WOULD YOU REPORT IT?  
 952 01:43:57:02 01:43:59:11 THE NUDE PICTURES?  
 953 01:43:59:13 01:44:01:28 NO. THAT THIS WAS  
 THE VICTIM'S HISTORY.  
 954 01:44:02:00 01:44:04:11 I PROBABLY WOULDN'T  
 REPORT THAT.  
 955 01:44:04:13 01:44:07:27 YOU'D BE THE ONLY REPORTER  
 IN TOWN WHO WOULDN'T.  
 956 01:44:07:29 01:44:09:17 IS THAT CHOICE  
 PERSONAL  
 957 01:44:09:19 01:44:11:17 RATHER THAN  
 PROFESSIONAL,  
 ETHICAL?  
 958 01:44:11:19 01:44:13:21 A COMBINATION OF THE TWO.  
 959 01:44:13:23 01:44:16:20 I FIND IT DIFFICULT  
 TO NEATLY SORT OUT  
 960 01:44:16:22 01:44:18:28 MY PERSONAL  
 AND PROFESSIONAL CHOICES.  
 961 01:44:19:00 01:44:21:01 YOU'D PRINT IT,  
 WOULDN'T YOU?  
 962 01:44:21:03 01:44:22:08 WELL...  
 963 01:44:22:10 01:44:23:24 SHE WOULD.  
 964 01:44:23:26 01:44:25:10 HA HA!  
 965 01:44:25:12 01:44:27:29 IF I WORKED  
 FOR A TABLOID,  
 966 01:44:28:01 01:44:31:01 I'D PROBABLY BE PUSHED  
 VERY HARD TO PRINT IT.  
 967 01:44:31:03 01:44:34:23 IF I WORKED FOR THE SORT  
 OF NEWSPAPER I DO WORK FOR,  
 968 01:44:34:25 01:44:37:28 I THINK MY EDITORS  
 WOULD BE MORE RESTRAINED.  
 969 01:44:38:00 01:44:40:25 I WOULD BE PREDISPOSED  
 NOT TO DO IT.

970	01:44:40:27	01:44:44:24	SOME OF THAT HAS TO DO
			WITH BEING A WOMAN.
971	01:44:44:26	01:44:46:24	BUT EDITORS WOULD PRINT IT.
972	01:44:46:26	01:44:49:29	THAT WOULD GET PRINTED
			IN A NEWSPAPER.
973	01:44:50:01	01:44:52:28	WHY IS THIS EVIDENCE
			REALLY RELEVANT?
974	01:44:53:00	01:44:56:17	IN THIS CASE, BASED UPON
			WHAT I'VE HEARD SO FAR,
975	01:44:56:19	01:44:58:23	I WOULDN'T FIND IT'S RELEVANT.
976	01:44:58:25	01:45:02:02	WE'RE NOT CONCERNED
			ABOUT THE VICTIM'S INTENT HERE.
977	01:45:02:04	01:45:04:08	WE'RE CONCERNED
			ABOUT THE DEFENDANT'S.
978	01:45:04:10	01:45:07:19	HER PRIOR CONDUCT
			ISN'T RELEVANT TO HIS INTENT.
979	01:45:07:21	01:45:11:03	IF I DETERMINE
			THAT THE EVIDENCE IS RELEVANT...
980	01:45:11:05	01:45:15:07	I'VE GOT TO WEIGH OVER
			ITS PROBATIVE VALUE
981	01:45:15:09	01:45:17:24	AGAINST ITS PREJUDICIAL VALUE.
982	01:45:17:26	01:45:21:06	THAT'S A VALUE JUDGMENT
			I HAVE TO MAKE,
983	01:45:21:08	01:45:24:29	SOMETIMES WITH LITTLE GUIDANCE
			IN THE LAW.
984	01:45:25:01	01:45:26:28	IT IS A DILEMMA,
985	01:45:27:00	01:45:29:25	PARTICULARLY WHEN A PERSON
			WHO CAN'T DEFEND THEMSELVES
986	01:45:29:27	01:45:31:14	BECAUSE SHE'S DEAD
987	01:45:31:16	01:45:33:23	IS GOING TO HAVE HER PAST
988	01:45:33:25	01:45:36:23	ACROSS THE FRONT PAGES
			OF THE NEWSPAPER
989	01:45:36:25	01:45:39:10	AS WELL AS IN THE COURTROOM.
990	01:45:39:12	01:45:41:09	WHAT IF
			YOU WERE CONVINCED
991	01:45:41:11	01:45:43:15	THE EVIDENCE
			IS LEGALLY RELEVANT,
992	01:45:43:17	01:45:46:01	AND YOU'RE COMPELLED
			TO ADMIT IT?
993	01:45:46:03	01:45:48:16	HOW WILL YOU FEEL
			THAT NIGHT--
994	01:45:48:18	01:45:51:16	I'LL BE SADDENED BY IT,
			AS A PERSON.
995	01:45:51:18	01:45:55:20	BUT AS A JUDGE,
			I HAVE TO FOLLOW THE LAW.
996	01:45:55:22	01:45:58:06	JUSTICE SCALIA,
997	01:45:58:08	01:46:03:03	YOU ARE BOUND BY LAW TO RULE
			THIS EVIDENCE IS ADMISSIBLE--
998	01:46:03:05	01:46:04:24	ASSUMING THAT FACT--
999	01:46:04:26	01:46:07:01	THAT IT'S LEGALLY
			ADMISSIBLE EVIDENCE.
1000	01:46:07:03	01:46:09:10	CAN YOU EXPLAIN
			TO MS. WATTLETON
1001	01:46:09:12	01:46:11:17	WHY YOU'RE ADMITTING
			THIS EVIDENCE
1002	01:46:11:19	01:46:13:24	ABOUT THESE

1003	01:46:13:26	VERY PRIVATE DETAILS 01:46:15:28 OF WENDY WRIGHT'S BACKGROUND?
1004	01:46:16:00	01:46:17:16 I SUPPOSE,
1005	01:46:17:18	01:46:21:15 IF I ACCEPT YOUR PREMISE THAT IT IS ADMISSIBLE,
1006	01:46:21:17	01:46:23:21 MY EXPLANATION IS SIMPLY
1007	01:46:23:23	01:46:27:02 THAT WE HAVE HERE A VERY SERIOUS MATTER.
1008	01:46:27:04	01:46:29:04 TO WIT, THE FREEDOM...
1009	01:46:29:06	01:46:31:25 DOES THIS STATE HAVE CAPITAL PUNISHMENT?
1010	01:46:31:27	01:46:33:09 I DON'T KNOW.
1011	01:46:33:11	01:46:35:24 PERHAPS THE LIFE OF AN INDIVIDUAL
1012	01:46:35:26	01:46:38:13 WHO'S BEEN ACCUSED OF THIS MURDER.
1013	01:46:38:15	01:46:41:03 THIS EVIDENCE IS RELEVANT TO ESTABLISHING,
1014	01:46:41:05	01:46:42:21 IF NOT A DEFENSE,
1015	01:46:42:23	01:46:48:00 AT LEAST A MATTER IN MITIGATION OF THE CRIME'S SERIOUSNESS,
1016	01:46:48:02	01:46:49:29 HOWEVER UNFORTUNATE IT IS
1017	01:46:50:01	01:46:54:14 THAT IT MAY SULLY THE REPUTATION OF THE DECEASED.
1018	01:46:54:16	01:46:56:21 UM...THE DECEASED IS DECEASED,
1019	01:46:56:23	01:47:01:20 AND WE'RE TALKING ABOUT THE LIFE OF A LIVE INDIVIDUAL.
1020	01:47:01:22	01:47:04:09 THAT'S THE REASON IT'S LET IN.
1021	01:47:04:11	01:47:06:08 MS. WATTLETON.
1022	01:47:06:10	01:47:08:21 TO WHAT EXTENT DO YOU GO?
1023	01:47:08:23	01:47:12:06 ANY INFORMATION ABOUT HER PREVIOUS BEHAVIOR AND BACKGROUND?
1024	01:47:12:08	01:47:16:11 ONLY IF IT'S RELEVANT TO THE DEFENSE.
1025	01:47:16:13	01:47:19:13 WE HAVE ONE FINAL SAGA IN THIS CASE.
1026	01:47:19:15	01:47:21:21 JOHN BARNES GOES TO TRIAL,
1027	01:47:21:23	01:47:26:14 AND HE'S NOT CONVICTED OF MURDER BUT OF MANSLAUGHTER,
1028	01:47:26:16	01:47:28:16 A LESSER INCLUDED OFFENSE.
1029	01:47:28:18	01:47:30:06 IN THIS JURISDICTION,
1030	01:47:30:08	01:47:32:24 THE MAXIMUM PENALTY IS 20 YEARS.
1031	01:47:32:26	01:47:36:27 THE MINIMUM PENALTY IS NO TIME, PROBATION.
1032	01:47:36:29	01:47:39:28 JUDGE PATEL, THE JURY HAS CONVICTED JOHN BARNES.
1033	01:47:40:00	01:47:42:21 ARE YOU READY TO SENTENCE HIM?
1034	01:47:42:23	01:47:45:21 AFTER I'VE GOT A VERY THOROUGH REPORT
1035	01:47:45:23	01:47:47:17 FROM A PROBATION OFFICER

1036	01:47:47:19	01:47:49:17	OR SOMEONE WHO IS ASSIGNED
1037	01:47:49:19	01:47:52:17	TO DEVELOP ALL
			OF THE BACKGROUND INFORMATION,
1038	01:47:52:19	01:47:54:18	AFTER I'VE GOTTEN
			SENTENCING MEMORANDA
1039	01:47:54:20	01:47:57:27	FROM THE GOVERNMENT ATTORNEY
			AND MR. BARNES' ATTORNEY
1040	01:47:57:29	01:48:01:08	AND HEARD ALL OF THAT,
			YES, THEN I WILL BE.
1041	01:48:01:10	01:48:03:19	WHAT'S HIS BACKGROUND
			HAVE TO DO
1042	01:48:03:21	01:48:07:17	WITH WHETHER
			YOU IMPOSE PROBATION
			OR SOME TERM OF YEARS?
1043	01:48:07:19	01:48:12:17	WE HAVE TO KNOW IF THIS PERSON
			HAS PRIOR CRIMINAL HISTORY--
1044	01:48:12:19	01:48:14:17	ASSUME HE HAS
			NO PRIOR RECORD.
1045	01:48:14:19	01:48:17:13	WE NEED TO KNOW MAYBE
			SOME OTHER CIRCUMSTANCES
1046	01:48:17:15	01:48:19:12	NOT REVEALED
			AT THE TRIAL.
1047	01:48:19:14	01:48:21:02	ALSO ABOUT
			THIS INDIVIDUAL--
1048	01:48:21:04	01:48:23:20	HOW REMORSEFUL IS HE
			ABOUT WHAT HAPPENED?
1049	01:48:23:22	01:48:26:28	YOU WANT
			AS MUCH INFORMATION
			AS YOU CAN GET?
1050	01:48:27:00	01:48:29:25	ABSOLUTELY. I HAVE A VERY
			SERIOUS RESPONSIBILITY.
1051	01:48:29:27	01:48:32:09	I AM NOW SENTENCING
			A HUMAN BEING
1052	01:48:32:11	01:48:35:10	AND MAKING SIGNIFICANT DECISIONS
			ABOUT HIS LIFE
1053	01:48:35:12	01:48:38:00	FOR POSSIBLY
			THE NEXT 20 YEARS.
1054	01:48:38:02	01:48:40:27	I NEED TO KNOW
			AS MUCH ABOUT HIM,
1055	01:48:40:29	01:48:44:11	AS MUCH AS THE PROSECUTOR FEELS,
			THE DEFENSE ATTORNEY FEELS,
1056	01:48:44:13	01:48:47:02	AND ANYBODY ELSE
			WHO'S INTERESTED.
1057	01:48:47:04	01:48:49:26	SO, INFORMATION. INFORMATION
			TO HELP MAKE A DECISION.
1058	01:48:49:28	01:48:52:26	THE PARENTS
			WANT TO SPEAK AT SENTENCING.
1059	01:48:52:28	01:48:54:18	WILL YOU HEAR THEM?
1060	01:48:54:20	01:48:56:10	YES, I WILL.
1061	01:48:56:12	01:48:59:20	THEY SAY
			THE ONLY RATIONAL SENTENCE,
			IN THEIR VIEW,
1062	01:48:59:22	01:49:01:16	IS 20 YEARS.
1063	01:49:01:18	01:49:03:24	A VICTIMS' RIGHTS GROUP
			IS CONCERNED
1064	01:49:03:26	01:49:06:06	ABOUT ABUSED WOMEN

IN THIS COMMUNITY.

1065 01:49:06:08 01:49:07:20 WILL YOU HEAR THEM?

1066 01:49:07:22 01:49:09:03 IN SOME FASHION.

1067 01:49:09:05 01:49:13:06 THE ORGANIZATION  
FOR A BETTER COMMUNITY  
COMES FORWARD.

1068 01:49:13:08 01:49:17:06 THEY WANT TO SPEAK  
ABOUT JOHN BARNES  
AND WENDY WRIGHT.

1069 01:49:17:08 01:49:19:21 THEY WANT  
A 20-YEAR SENTENCE.

1070 01:49:19:23 01:49:22:12 WHAT SENTENCE  
WILL YOU IMPOSE?

1071 01:49:22:14 01:49:24:04 NO PRIOR RECORD?

1072 01:49:24:06 01:49:25:25 NO PRIOR RECORD.

1073 01:49:25:27 01:49:27:23 WE'RE PROBABLY LOOKING  
AT SOMETHING

1074 01:49:27:25 01:49:30:08 LIKE BETWEEN  
10 AND 15 YEARS.

1075 01:49:30:10 01:49:31:29 JUDGE DUNCAN?

1076 01:49:32:01 01:49:33:23 ABOUT THE SAME.

1077 01:49:33:25 01:49:37:05 I, UH. .THINK  
THE FACT THAT JUDGES

1078 01:49:37:07 01:49:41:18 ARE SO ALL OVER THE MAP  
IN THIS SORT OF A DECISION

1079 01:49:41:20 01:49:44:23 IS WHY CONGRESS  
AND STATE LEGISLATURES

1080 01:49:44:25 01:49:46:23 HAVE NOW STARTED TO SAY,

1081 01:49:46:25 01:49:49:29 "WE WANT TO MAKE YOU  
FOLLOW SOME GUIDELINES.

1082 01:49:50:01 01:49:53:29 "FOR THIS CRIME, EIGHT YEARS  
WOULD BE THE MIDDLE TERM.

1083 01:49:54:01 01:49:56:13 "IF YOU DON'T GIVE HIM EIGHT,

1084 01:49:56:15 01:49:59:24 "YOU BETTER TELL US  
IN A LONG MEMO, JUDGE,

1085 01:49:59:26 01:50:02:03 WHY YOU'RE NOT  
GOING EIGHT YEARS."

1086 01:50:02:05 01:50:03:08 DR. GAYLIN.

1087 01:50:03:10 01:50:04:28 IT'S AN INTERESTING THING.

1088 01:50:05:00 01:50:08:23 THE COURTS HAVE BEEN  
SO CONDITIONED AND BRAINWASHED

1089 01:50:08:25 01:50:12:03 TO LOOKING FOR CAUSES  
IN THE PAST,

1090 01:50:12:05 01:50:15:08 THAT THEY SEEM  
TO HAVE FORGOT--

1091 01:50:15:10 01:50:18:27 THEY THINK OF PUNISHMENT  
AS A FORM OF DETERRENCE,

1092 01:50:18:29 01:50:21:29 WARNING THE PUBLIC  
NOT TO DO THE SAME--

1093 01:50:22:01 01:50:25:07 THAT THEY SEEM TO HAVE FORGOTTEN  
THAT THE COURT,

1094 01:50:25:09 01:50:28:21 IN ALL ITS MAJESTY  
AND WITH ALL ITS INSTRUMENTS--

1095 01:50:28:23 01:50:31:06 DEFENSE ATTORNEY,  
PROSECUTING ATTORNEY, JURY--

1096 01:50:31:08 01:50:34:09 HAS DECIDED THAT

1097 01:50:34:11 A CRIME WAS COMMITTED.  
 01:50:38:01 THEY FORGET THAT CERTAIN CRIMES  
 1098 01:50:38:03 DEMAND CERTAIN PUNISHMENTS.  
 01:50:39:27 THEY DEMAND IT.  
 1099 01:50:39:29 01:50:44:05 AS KANT SAID,  
 "THE LAST MURDERER  
 SHOULD BE PUNISHED."  
 1100 01:50:44:07 01:50:47:06 THEY DEMAND IT BECAUSE  
 THE SYSTEM OPERATES  
 1101 01:50:47:08 01:50:49:16 WITH A SENSE  
 THAT THINGS WORK.  
 1102 01:50:49:18 01:50:52:02 I'M NOT ALLOWED  
 TO WREAK VENGEANCE  
 1103 01:50:52:04 01:50:53:23 ON MY DAUGHTER'S MURDERER.  
 1104 01:50:53:25 01:50:55:23 I'M PROTECTED BY THE FACT  
 1105 01:50:55:25 01:50:58:21 THAT SOCIETY WILL GIVE  
 A RETRIBUTIVE PUNISHMENT,  
 1106 01:50:58:23 01:51:02:27 INDEPENDENT OF WHETHER  
 HE WAS POOR, RICH,  
 PSYCHOLOGICALLY ILL.  
 1107 01:51:02:29 01:51:05:29 MY DAUGHTER IS DEAD.  
 THAT DEATH DEMANDS IT.  
 1108 01:51:06:01 01:51:10:06 I DON'T GIVE A DAMN IF HITLER  
 WOULD HAVE REPEATED THE CRIME.  
 1109 01:51:10:08 01:51:13:06 I DON'T WANT HIM  
 TO GO TO ARGENTINA  
 1110 01:51:13:08 01:51:15:06 WITH HIS PAINTS  
 AND PALETTE.  
 1111 01:51:15:08 01:51:18:05 I DON'T WANT TO HEAR  
 HE HAD GREAT TALENTS.  
 1112 01:51:18:07 01:51:21:07 MY MORAL OUTRAGE DEMANDS  
 THAT HE BE PUNISHED.  
 1113 01:51:21:09 01:51:23:06 I DIDN'T PICK THE SENTENCE.  
 1114 01:51:23:08 01:51:25:07 THEY DID. THE SYSTEM WORKED.  
 1115 01:51:25:09 01:51:27:06 THERE'S THE SENTENCE.  
 1116 01:51:27:08 01:51:31:17 THERE'S ALL TOO MUCH  
 GOING INTO THE SOCIOLOGY  
 AND THE PSYCHOLOGY  
 1117 01:51:31:19 01:51:33:09 WITHOUT THE RECOGNITION  
 1118 01:51:33:11 01:51:37:08 THAT THERE'S AN IMPERATIVE  
 TO SHOW PEOPLE THAT THINGS WORK.  
 1119 01:51:37:10 01:51:39:29 LISTENING  
 TO THE LAST FEW COMMENTS,  
 1120 01:51:40:01 01:51:41:22 ESPECIALLY DR. GAYLIN'S,  
 1121 01:51:41:24 01:51:45:06 ALMOST COMPELS ME  
 TO INVOKE OLIVER WENDELL HOLMES,  
 1122 01:51:45:08 01:51:48:20 WITH APOLOGIES TO HIM BECAUSE  
 I'M ONLY PARAPHRASING IT.  
 1123 01:51:48:22 01:51:51:25 "HARD CASES, LIKE GREAT CASES,  
 MAKE BAD LAW."  
 1124 01:51:51:27 01:51:53:25 CASES ARE CALLED HARD  
 1125 01:51:53:27 01:51:57:25 NOT BECAUSE OF SOME INTRINSIC  
 DIFFICULTY IN THE CASE,  
 1126 01:51:57:27 01:52:02:21 BUT BECAUSE OF SOME ACCIDENT OF  
 IMMEDIATE OVERWHELMING INTEREST  
 1127 01:52:02:23 01:52:06:16 WHICH INFLATES AND APPEALS

TO FEELINGS

1128 01:52:06:18 01:52:09:09 AND DISTORTS THE JUDGMENT.

1129 01:52:09:11 01:52:13:07 AS HOLMES SAID, "THESE INTERESTS  
HAVE A HYDRAULIC PRESSURE,

1130 01:52:13:09 01:52:17:23 "WHICH MAKES THINGS THAT ONCE  
SEEMED CLEAR APPEAR DOUBTFUL,

1131 01:52:17:25 01:52:21:09 AND BEFORE WHICH EVEN  
SETTLED PRINCIPLES OF LAW  
WILL BEND."

1132 01:52:21:11 01:52:24:20 WE HAVE A LEGISLATURE  
THAT WE, AS CITIZENS, ELECTED.

1133 01:52:24:22 01:52:26:21 THEY'VE ENACTED A LAW SAYING

1134 01:52:26:23 01:52:29:09 IF YOU ARE CONVICTED  
OF MANSLAUGHTER,

1135 01:52:29:11 01:52:31:24 FOR WHICH JOHN BARNES  
WAS CONVICTED,

1136 01:52:31:26 01:52:35:25 YOU MAY GET A MINIMUM SENTENCE  
OF NO TIME AT ALL,

1137 01:52:35:27 01:52:37:26 A MAXIMUM, MAYBE 20 YEARS.

1138 01:52:37:28 01:52:40:11 WE DON'T HAVE  
THE WILLARD GAYLINS SAYING,

1139 01:52:40:13 01:52:43:00 "I'LL BE THE LEGISLATURE.  
FORGET THE LAW.

1140 01:52:43:02 01:52:45:00 THE ONLY SENTENCE  
IS 20 YEARS."

1141 01:52:45:02 01:52:47:29 IF THE PEOPLE THAT WE,  
AS CITIZENS, ELECT

1142 01:52:48:01 01:52:50:25 HAVE GIVEN THAT KIND  
OF POWER TO JUDGES,

1143 01:52:50:27 01:52:54:01 WE EXPECT THIS KIND  
OF DISCRIMINATING,  
CAREFUL JUDGMENT.

1144 01:52:54:03 01:52:57:20 CERTAINLY THERE SHOULD BE  
UNIFORMITY AND FAIRNESS.

1145 01:52:57:22 01:52:59:28 BUT SOMEWHERE  
ALONG THAT CONTINUUM

1146 01:53:00:02 01:53:03:09 THERE HAVE TO BE A VARIETY  
OF DIFFERENT SENTENCES.

1147 01:53:03:11 01:53:06:19 I'M SAYING IT MAY BE,  
THAT WE OUGHT NOT,

1148 01:53:06:21 01:53:08:27 THAT WE'VE SOLD YOU THAT

1149 01:53:08:29 01:53:13:01 BECAUSE WE GOT INTO A WHOLE  
REHABILITATIVE CONCEPT,

1150 01:53:13:03 01:53:16:14 A WHOLE SOCIOLOGICAL  
AND PSYCHOLOGICAL CONCEPT

1151 01:53:16:16 01:53:18:24 THAT COULD EXPLAIN EVERYTHING.

1152 01:53:18:26 01:53:22:04 EVERYBODY IS EITHER POOR,  
DISAFFECTED, UH...

1153 01:53:22:06 01:53:24:04 A WOMAN, A MINORITY,

1154 01:53:24:06 01:53:25:19 OR WORSE, RICH,

1155 01:53:25:21 01:53:29:17 AND, THEREFORE,  
NO RATIONALE FOR DOING IT,

1156 01:53:29:19 01:53:32:15 SO THEY MUST BE CRAZY!

1157 01:53:32:17 01:53:34:02 I'M SAYING IT'S TIME

1158 01:53:34:04 01:53:36:11 WE EMPHASIZED  
THE RETRIBUTIVE ASPECTS,

1159	01:53:36:13	01:53:39:00	AND THE RECOGNITION
			THAT TAKING A LIFE
1160	01:53:39:02	01:53:40:20	MAY DEMAND--
1161	01:53:40:22	01:53:43:17	WITH ALL THE EXCULPATIONS
			OF EVERYTHING ELSE--
1162	01:53:43:19	01:53:45:02	A CERTAIN PRICE,
1163	01:53:45:04	01:53:48:01	WHICH I'M HAPPY TO LET
			THE LEGISLATURES DETERMINE.
1164	01:53:48:03	01:53:52:01	THERE'S ONE FINAL END
			TO THIS STORY.
1165	01:53:52:03	01:53:53:21	THIS CONVICTION IS REVERSED
1166	01:53:53:23	01:53:56:28	BECAUSE THE PROSECUTOR
			IMPROPERLY USED THE CONFESSION.
1167	01:53:57:00	01:54:00:17	JOHNNY BARNES ON THE STEP
			OF THE COURTHOUSE SAYING,
1168	01:54:00:19	01:54:02:23	"THE SYSTEM
			OF JUSTICE WORKS.
1169	01:54:02:25	01:54:06:07	"I ADMITTED I WAS WRONG.
			MY RIGHTS WERE VIOLATED.
1170	01:54:06:09	01:54:08:07	THE PROCESS PROTECTED ME."
1171	01:54:08:09	01:54:13:18	AS CAN BE EXPECTED,
			MRS. AND MR. WRIGHT ARE FURIOUS.
1172	01:54:13:20	01:54:15:22	THEY'VE LOST THEIR DAUGHTER.
1173	01:54:15:24	01:54:18:16	JOHNNY BARNES IS
			NOT ONLY ACQUITTED,
1174	01:54:18:18	01:54:21:01	HE CAN NEVER
			BE PROSECUTED AGAIN.
1175	01:54:21:03	01:54:22:28	LO AND BEHOLD...
1176	01:54:23:00	01:54:25:25	MRS. WRIGHT KILLS
			JOHNNY BARNES.
1177	01:54:25:27	01:54:28:25	JUSTICE SCALIA,
			WHAT ARE YOU--
1178	01:54:28:27	01:54:35:00	I DON'T ANSWER QUESTIONS
			UNTIL TWO OTHER LEVELS OF JUDGES
			HAVE FIRST TALKED ABOUT THEM.
1179	01:54:35:02	01:54:37:21	EVERY OTHER JUDGE HAS...
1180	01:54:37:23	01:54:40:00	HAS PASSED THE BUCK
			TO YOU.
1181	01:54:40:02	01:54:42:27	SHE STANDS BEFORE YOU
			TO BE SENTENCED.
1182	01:54:42:29	01:54:46:03	WHAT'S GOING
			THROUGH YOUR MIND?
1183	01:54:46:05	01:54:47:13	UM...
1184	01:54:47:15	01:54:51:16	I SUPPOSE WHAT WOULD BE
			GOING THROUGH MY MIND
1185	01:54:51:18	01:54:53:15	WOULD BE, UH...
1186	01:54:53:17	01:54:57:15	A CERTAIN SADNESS
			THAT THE SYSTEM
1187	01:54:57:17	01:55:00:16	SHOULD NOT ONLY HAVE, UH...
1188	01:55:00:18	01:55:03:00	SUCCEEDED IN
			LETTING OFF SOMEONE
1189	01:55:03:02	01:55:05:02	WHO SHOULD HAVE
			BEEN PUNISHED,
1190	01:55:05:04	01:55:08:15	BUT, UH...APPEARS
			TO, UH...BE ABOUT TO SUCCEED
1191	01:55:08:17	01:55:12:15	IN PUNISHING SOMEONE WHO SHOULD

		NEVER HAVE BEEN DRIVEN
1192	01:55:12:17	01:55:14:12 TO DO WHAT SHE DID.
1193	01:55:14:14	01:55:16:26 NONETHELESS, SHE DID
		WHAT SHE DID,
1194	01:55:16:28	01:55:18:28 AND I'D GIVE THE SENTENCE.
1195	01:55:19:00	01:55:22:02 THE QUESTION IS
		WHAT SENTENCE
		WOULD YOU IMPOSE?
1196	01:55:22:04	01:55:23:21 THAT'S IT.
1197	01:55:23:23	01:55:26:22 GIVE HER
		AT LEAST FIVE YEARS.
1198	01:55:26:24	01:55:29:00 DR. GAYLIN.
1199	01:55:29:02	01:55:32:19 I WOULD LEAVE IT
		TO THE WISDOM OF THE JURY,
1200	01:55:32:21	01:55:36:18 WHO ACTS WITH THEIR HEART
		RATHER THAN WITH THEIR MIND.
1201	01:55:36:20	01:55:39:03 I DON'T THINK
		SHE'D BE CONVICTED.
1202	01:55:39:05	01:55:41:22 IT WOULD BE HANDLED
		BEFORE JUDGMENT.
1203	01:55:41:24	01:55:45:13 BUT IF SHE WERE CONVICTED,
		THEN MY PRINCIPLE HOLDS.
1204	01:55:45:15	01:55:49:24 I DON'T BELIEVE SHE HAD A RIGHT
		TO TAKE ANOTHER LIFE.
1205	01:55:49:26	01:55:52:17 REVEREND SHRIVER?
1206	01:55:52:19	01:55:55:28 I SPEAK AS A CITIZEN,
		AS MUCH AS ANYTHING,
1207	01:55:56:00	01:56:00:13 TO SAY THAT THE LEGAL SYSTEM
		IN THESE CASES
1208	01:56:00:15	01:56:02:03 OWES US TWO THINGS--
1209	01:56:02:05	01:56:05:05 ONE--RETRIBUTION
		FOR THE CRIME.
1210	01:56:05:07	01:56:07:19 BUT YOU ALSO OWE US
1211	01:56:07:21	01:56:11:20 THE MODERATION
		OF OUR POPULAR PROPENSITY
1212	01:56:11:22	01:56:13:22 FOR REVENGE
1213	01:56:13:24	01:56:16:19 AND FOR DISPROPORTIONATE
		RETRIBUTION.
1214	01:56:16:21	01:56:20:28 WHAT THIS MOTHER WAS DOING WAS
		IMPOSING CAPITAL PUNISHMENT
1215	01:56:21:00	01:56:22:27 UPON THIS MAN
1216	01:56:22:29	01:56:26:14 WHOM THE JUDICIAL SYSTEM
		HAD ALREADY SAID
1217	01:56:26:16	01:56:28:20 DOES NOT DESERVE
		CAPITAL PUNISHMENT.
1218	01:56:28:22	01:56:30:25 YOU OWE US RETRIBUTION.
1219	01:56:30:27	01:56:35:11 YOU ALSO OWE US THE MODERATION
		OF OUR NATURAL WILLINGNESS
1220	01:56:35:13	01:56:37:04 TO ALWAYS TAKE
1221	01:56:37:06	01:56:41:02 AN EYE FOR AN EYE,
		A TOOTH FOR A TOOTH,
1222	01:56:41:04	01:56:44:16 AND MAYBE TWO EYES AND TWO TEETH
		WHILE WE'RE AT IT.
1223	01:56:46:00	01:56:49:27 IN A FAMOUS 19th-CENTURY CASE,
		A BRITISH JURIST WROTE
1224	01:56:49:29	01:56:52:26 THAT A LAWYER

		DEFENDING HIS CLIENT
1225	01:56:52:28	01:56:57:10 "MUST NOT REGARD THE ALARM,
		THE TORMENTS, THE DESTRUCTION
1226	01:56:57:12	01:57:00:11 "WHICH HE MAY BRING UPON OTHERS.
1227	01:57:00:13	01:57:03:26 "HE MUST GO ON
		RECKLESS OF THE CONSEQUENCES,
1228	01:57:03:28	01:57:06:26 "THOUGH IT SHOULD BE
		HIS UNHAPPY FATE
1229	01:57:06:28	01:57:09:17 TO INVOLVE HIS COUNTRY
		IN CONFUSION."
1230	01:57:09:19	01:57:12:20 NOW IN THE CASE STUDY
		YOU'VE JUST WATCHED,
1231	01:57:12:22	01:57:15:26 THE NATION'S FATE, HAPPILY,
		WAS NOT AT STAKE.
1232	01:57:15:28	01:57:19:21 BUT IN RECENT REAL-LIFE CASES
		SIMILAR TO OURS,
1233	01:57:19:23	01:57:22:26 MANY AMERICANS
		HAVE EXPRESSED OUTRAGE
1234	01:57:22:28	01:57:25:26 AT THE SACRIFICE
		OF THE VICTIM'S RIGHTS
1235	01:57:25:28	01:57:28:02 BY ATTORNEYS
		FOR THE DEFENSE.
1236	01:57:28:04	01:57:30:19 SOME OF US
		WHO ARE NOT LAWYERS
1237	01:57:30:21	01:57:32:17 MAY QUESTION SUCH BEHAVIOR.
1238	01:57:32:19	01:57:35:00 INDEED,
		DOES OUR LEGAL SYSTEM
1239	01:57:35:02	01:57:39:26 FORCE LAWYERS TO STEP OUTSIDE
		THE NORMS OF ETHICAL CONDUCT?
1240	01:57:39:28	01:57:44:10 OR AS LAWYERS JAMES NEAL
		AND JACK LITMAN MAINTAINED,
1241	01:57:44:12	01:57:46:23 IS SUCH SINGLE-MINDED
		ZEALOUSNESS
1242	01:57:46:25	01:57:51:08 THE ONLY WAY A DEFENDANT'S
		RIGHTS CAN BE PROTECTED?
1243	01:57:52:21	01:57:56:11 NEXT WEEK WE EXPLORE
		THE CONFLICT
1244	01:57:56:13	01:57:59:11 BETWEEN PRIVATE INTEREST
		AND PUBLIC TRUST.
1245	01:57:59:13	01:58:02:24 OUR SUBJECT
		IS ETHICS IN GOVERNMENT.
1246	01:58:04:11	01:58:06:00 TRY TO JOIN US.
1247	01:58:22:26	01:58:24:26 CAPTIONING MADE POSSIBLE BY
		THE ANNENBERG/CPB PROJECT
1248	01:58:24:28	01:58:26:25 CAPTIONING PERFORMED BY
		THE NATIONAL CAPTIONING
		INSTITUTE, INC.
1249	01:58:26:27	01:58:28:22 CAPTIONS COPYRIGHT 1989
		THE TRUSTEES OF COLUMBIA
		UNIVERSITY
1250	01:58:28:24	01:58:30:21 IN THE CITY OF NEW YORK
1251	01:58:37:08	01:58:41:27 THIS HAS BEEN A PRODUCTION OF...
1252	01:58:41:29	01:58:45:27 IN ASSOCIATION WITH...
1253	01:58:45:29	01:58:48:28 COLUMBIA UNIVERSITY SEMINARS
		ON MEDIA & SOCIETY
1254	01:58:49:00	01:58:52:28 IS SOLELY RESPONSIBLE

FOR THE CONTENT OF THIS PROGRAM.