**CLOSING ARGUMENT**

This type of trial is a lot different than retail theft from Kmart. Not just because the charge is much more serious and sobering. It is because all of your lives have been changed by the testimony you have heard during the last few weeks. You will remember this case and the fate of Erin Justice for the rest of your lives. Long after the DNA testimony wanes from your memory, you will think of her. A girl in line at a grocery store, a movie scene, or even the sight of a girls track team member may spark your memory, and you will think of Erin, and in a way different than her loved ones, you will mourn her death.

This young, pretty, girl had her whole life ahead of her. At age 16, she was just beginning to discover who she was. She may have been focusing on what career to pursue, or what to wear to a movie with friends. By all accounts, she was living the life of an outgoing, young teenager. Her life ended as a result of an unnecessary murder. She is now referred to as a victim of violence. Her family is now referred to as victims of violence. Such labeling could never confer what transpired to all those lives.

Erin was murdered, and that is a definite, but every word uttered of so called proof is nothing more than a pile of MAYBES And if you can bear with me for a few minutes....or more....Ill explain why.

At this point, you know the States Attorneys Office goes first with their opening statement.

They call all of their own witnesses first.

They question all of those first witnesses before we do

The States Attorneys Office goes first with closing argument

...and after Im done the State has an opportunity to have the last word. Have no fear, they will stand up and take another shot at convincing you, and most likely telling you how wrong I am.

All this is explained to you as a just and equitable procedure. WHY? Because the State has the burden of proof.

You have all been told that Laurence is presumed to be innocent of the charges against him. Further, the States Attorneys Office has the burden of proving the guilt of the Defendant beyond a reasonable doubt, and this burden remains on the State throughout the case. The defendant is not required to prove his innocence.

So is that just fancy language, or does it have meaning??

One of the instructions that the judge will read to you is that you should consider all of the evidence in the light of your own observations and experience in life. Clearly, even without that instruction, you would use your brain to digest the evidence, right?

But let’s apply that concept to the presumption of innocence.

Do you believe that your police department is full of a bunch of incompetents, who routinely roust the innocent and toss them in the clink?

Do you believe that truly innocent people should be held in custody, or be forced to post bonds to be released?

I think we all need to have some vote of confidence in our local police departments, and court systems.

We have to believe that the police are arresting mostly guilty people, otherwise, we believe the police are arresting mostly innocent people. If thats the case we have a real problem on our hands.

So lets be honest here, we do believe that most people who are arrested are guilty of something, right? But then we need to factor in that not everyone arrested is guilty. We add to that our knowledge that over that last decade many people have been released from prisons after being wrongfully convicted of crimes that they were innocent of.

In the opening statements to you, Mr. Birkett said that on March 27, 2004 Erin had contact with the man who had raped her. He then followed up with his opinion as to what occurred. He painted a gruesome picture of what the evidence would reveal.

While Mr. Birkett was unveiling his offices beliefs, some of you had certain expressions on your face and there appeared to be some distinct gazes over at our table.

So this is the point where I want to revisit with you what you were thinking at 10:31 on January 23. How many of you were thinking to yourselves something along the lines of what an animal?

I dont blame you if you did. Its human nature. Certain biases and opinions are formed by whoever tells the story first. Have you ever heard the expression, you never get a second chance to make a first impression?

These types of occurrences have been a part of all of our lives. If two kids get into a fight on a playground, the first one to run to the teacher and complain usually results in the other kid being punished.

Have you ever watched television courtroom shows such as People Court. It doesnt matter which one. The first party to tell the judge what a horrific example of human excrement the other is, results in the judge looking over at the Defendant, shaking their head and saying something like so what do you have to say for yourself?

So really, the presumption of innocence is a nice thought, and if you can do it, God Bless you. But I know it will force you to mentally divorce yourself from what has been ingrained in all of us. I hope you can do it.

You were chosen as jurors because of your personalities, your ability to answer questions, and frankly the way you were able to handle some irritating inquiries. If you didnt have the mettle to be a good juror in this case, you would not have been selected.

So where does that leave us?

The judge has told you that the Defendant doesnt need to present any evidence. We didnt even need to ask the witnesses any questions. It is the States Attorneys offices responsibility to bring the evidence to you, so that you can decide for yourselves if Laurence has be proven guilty beyond a reasonable doubt.

So, in that regard, what do you expect from your States Attorneys Office? Do you think that their obligation is to only show you the parts of evidence that supports their assumption of Laurences guilt? Or do you expect that as servants of the community they should show you everything?

Because If we dont have to do anything, shouldnt your opinion be as informed as possible? Remember, the States Attorneys office is supposed to seek justice, not just a conviction. Doesnt that mean that they should tell you the whole story?

Remember when the States Attorneys Office was questioning Officer Dabney? I know we had about 40 witnesses, so allow me to refresh your recollection. Officer Dabney walked through the crime scene and began identifying stains that he believed were blood. He explained that based on his experience he knew what blood looked like and then proceeded to say that in his opinion this stain was blood, that stain was blood, and that stain over there, that was blood too. It was a matter of common sense. Then, the States Attorneys Office finally said, no more questions and sat down.

Mark stood up and asked some questions. OK a lot of questions. But what we learned is that Dabney did some tests on some of those stains he thought were blood, and guess what, some of those stains werent blood at all.

So the States Attorneys Office is having someone who has a great deal of experience as an evidence officer tell you with a straight face that he believed based on his experience that certain stains in various locations were in fact blood. He said that KNOWING that those stains definitely were not blood. But the witness didnt tell you on his own, and the States Attorneys Office didnt elicit that either. You were being misled.

That type of slant and spin repeated itself over and over again like a DNA strand test, as this trial proceeded. So before you hitch your wagon to their star, let me show you, as Paul Harvey would say, the rest of the story.

Dabney was asked to rely on his common sense. You will probably be asked to do the same. But keep in mind that if we historically relied only on common sense, we would still believe the world is flat, and the horseless carriage would be nothing more than fantasy. Certainly, you must use your common sense as a tool, but let your sense of deduction and investigation act as your own laboratory confirmation test.

First, we will start with the allegation of RAPE. The Judge will read to you the relevancy of this allegation by stating in short that it has been received on the issue of the defendants motive and may be considered by you for that limited purpose. It is for you to determine whether the defendant was involved in that offense, and , if so, what weight should be given to this evidence on the issue of motive.

So what we had here, was the State essentially putting on their entire trial evidence for the rape charge over a several day period. We heard the same statements from different people, and every piece of evidence that the States Attorneys Office thought made Laurence look guilty.

Why was so much time taken with that issue?? Because between the murder and the rape, the States Attorneys Office had more evidence to present. It allows you to form a negative impression of Laurence, so that the States Attorneys Office can use that mental momentum during the introduction of the murder evidence.

In order for something to be motive Laurence would have to know about it, or have some expectation regarding it. So lets seen if we can glean from all of the relevant and irrelevant evidence presented, what could possibly be used as motive. To do that we need to look at the whole picture, not just the what the States Attorneys Office puts on the marquee.

Lets examine a few of the things that Erin said to get a better view of the landscape. In Erins written statement she said that **He tells me to sit down on the bed. I do and he begins to give me a massage on my legs at first. Were talking and he makes a comment on my feet and says Hahaha -you got toe jam, and I laugh with him.**

Now what do you make of that? Heres a guy that Erin supposedly cant stand. Hes rubbing her legs with baby oil after she took a 40 minute bath, and shes laughing with him. She didnt say it was a forced laugh, or some sort of act. What does that imply to you???

Next, Erin wrote **At the time, I wasnt thinking anything wrong. Then my mom calls from work and asks me what Im doing and I tell her that Im watching tv, but I am so so so so stupid. Why? Because I didnt tell her that he was giving me a massage.**

Dissect those few sentences with me. It wasnt that she didnt tell her mom about receiving a massage from Laurence because she was scared, or had been threatened, or any other reason involving overt intimidation. At the time she wrote the statement, she expressed regret for not telling her mom, but blamed it on stupidity.

Does anyone here find this to be normal???? Can anyone imagine a father or step-father giving his 16 year old daughter a leg rub with baby oil, and then condone it? Supposedly, Erin had a deep dislike of Laurence. She had no problem turning him away when he approached her with lotion. Her response was no thanks because her skin was sensitive and she couldnt use scented lotion. So why didnt she just say no thanks to the baby oil leg rub??

Erin then wrote that Laurence was **beginning to massage my back and tries to massage my breast and I say Laurence! What are you doing? Stop. He says Okay and then continues. I should have got up right there.**

So why didnt she get up right there? I suppose someone could say well maybe she was scared or well maybe she felt over powered But there isnt a stitch of evidence to support that. Now dont get me wrong. Erin was 16, and Laurence should have known better. Laurence is the one who is totally responsible for initiating this leg rub with baby oil, not Erin. Nonetheless, you have to figure out what really happened here, and then place whatever blame needs to be placed.

According to Erin, Laurence **lifts up my shirt and I push his hand this time again and say stop Laurence. Were done - thank you but were done**

All that this tells us is that Erin wasnt afraid to tell Laurence to stop. She probably could have told him that right when he came in with the baby oil. Again, please let me emphasize, I am not blaming Erin for this incident, but Laurence is charged with murder, and this isnt the time to follow Emily Posts tenets of etiquette. You have to decide what the facts are and then apply the law.

Now Erin, in her written statement also said that Laurence placed **his hands over my mouth and I say okay I wont scream anymore.** The problem here is that Detective Griffith testified that Erin told him that Laurence placed his hand over her mouth so hard that she could not breathe. She believed he might suffocate her, so she indicated to him that she wouldnt yell anymore.

In both her written statement Erin wrote that Laurence sucked on each breast continuously, and in her statement to Detective Griffith, Erin stated that Laurence licked both of her breasts. However, at the hospital Erin told Nurse Stanton that Laurence had only licked or kissed her left breast, thats why a swabbing was ONLY done to the left breast, instead of both breasts.

Erin also included in her statements that she put on her junior mints shorts and top following her bath. She did state that Laurence removed her shorts, but that her only pulled up her top. Why wasnt she wearing the top when she was in such a hurry to leave the apartment in March. Remember that she left so quickly, that she didnt even put shoes on? Why was it that the Junior Mints outfit was found in her dresser drawer, instead of on the bed or on the floor, during the subsequent search? Keep in mind that the police secured the scene and kept things right where they were until the search warrant was obtained. The robe and sweat pants that Laurence had been wearing was right on the floor and bed in his own bedroom, so he wasnt the one trying to stash evidence. Now try and answer those questions without using the word Maybe

Lets take a look at the various states of mind that followed Erins account of leg rub.

1. Laurence wasnt charged by law enforcement authorities.

2. DCFS never came to the old or the new home during the weeks that followed the incident.

3. Police never stopped by the old or new house to verify enforcement with their stay-away request.

4. No one from the police department even called Erin or her mother, except to return Valerie Justices phone calls.

5. Even Valerie had her doubts about what Erin had related occurred. She told us that she did believe Erin. But when Erin insisted that she was telling the truth, and was most likely looking for her mother to support her, Valeries response was Lets wait for the DNA report.

6. Valerie continued to have contact with Laurence, and allowed him into the home every weekday for the weeks preceding the murder. Although Laurence abided by the police directive to refrain from having contact with Erin, is this the type of behavior you would expect from a mother who believed that Laurence had raped her daughter.

7. Valerie continued to see Laurence outside of the home and lied to Erin about this ongoing contact, and Laurences frequent contact with the home.

Now that Erin is deceased, everyone just cant emphasize how much they believed her. Their actions, however, speak a little more clearly than their in-court testimony.

But all of these witnesses who believed in Erin wanted to wait for the DNA report to make a decision. Keep in mind, DNA tests havent been around all that long. So, even by the old standards, authorities apparently didnt think that they had enough evidence to even charge Laurence, let alone convict him.

So this big test that everyone waits for is the highly acclaimed DNA, and source test. Forensic Biologist Jean Kinnane did a very scientific test involving the use of her own spit into a Petrie dish. Apparently, thats state of the art. Since there isnt any specific test for saliva, the test using measures the amount of amalase present. This test involves a dish with 6 wells that are incubated over night. In the sample from Erins breast, only low levels of amalase were detected, despite Erins assertions that Laurence licked and sucked on each breast continuously.

No matter how many times the States Attorneys Office tries to tell you that the swab was saliva, Jean Kinnane said no such thing. She said it was an inconclusive result, and admitted that amalase is present in sweat and tears. Jean Kinnane had no way of discerning what the source of the amalase actually was. If it came from sweat, it refutes what Erin said. Now I cant say that, anymore than the States Attorneys Office can tell you that its saliva.

Next question, if its not saliva, then how could it be something else? Easy. In Erins handwritten statement she tells us that Laurence is rubbing her legs back and forth. As Laurence spreads the natural moisture and skin secretion from his hands onto her body, what does he do? According to Erin, Laurence begins to massage her back, and then her breast, which is when Erin said **Laurence what are you doing? Stop** When Erin left the apartment she said that Laurence gave her a hug. In our short course on DNA, we all learned that DNA can transfer very easily. Shaking hands can transfer DNA from one person to another. Simply laying in the same bed can cause one person to pick up the DNA of another person. So there are a lot of possibilities to choose from. As a neutral decision maker, you need proof, not choices that are equal on the possibility meter.

How about those scratches on Laurence. Now they werent anywhere close to his back, which is where Erin told Detective Griffith that she tried to scratch Laurence. Nonetheless, they must be important, or the States Attorneys Office wouldnt have gone to the trouble and expense to enlarge those color photographs. It sure would be nice to know if any objective evidence supported the States Attorneys Offices claim that those scratches are related to this assault accusation. It brings to mind the fingernail scraping that were taken at the hospital, doesnt it. Nurse Santora explained that the fingernail scrapings of Erin were taken to look for trace evidence, such as skin from an assailant if Erin had scratched him. So there it is. The mother lode. But surprise, the, the fingernail examination revealed No trace materials of significance.

So, wouldnt you say this case could have used a little more elbow grease? Remember Erin said that Laurence jumped off of her at the sound of the garage door rising and quickly puts on his sweat pants and bathrobe. When the police arrive, there they are, those prime pieces of potential evidence sitting right in Laurence bedroom. Yet, no one checked to see if Erins DNA was either in Laurences underwear, or in the crotch of those sweat pants. Why not? What if they supported Laurences version? The reason those items as well as others werent tested, is because the crime lab apparently decided for you, that the threshold of evidence had been met. Dont you agree that for justice to be served, the crime lab shouldnt have the power to dispense with the obligation to test items specifically submitted for testing by law enforcement agencies? Thats how innocent people are convicted. Plus, dont buy into how time consuming it would be to test everything. The DNA tests on the sex assault case werent completed until after Erins death. There arent that many murders in DuPage County, and a murder should take top priority. When we dont have eyewitnesses and we need to depend on forensic examinations, you should demand more than a cop out.

So lets look at the proofs submitted by the States Attorneys office in a manner completely slanted in their favor.

Did a neighbor really come home, making the sound of the garage door going up as Erin claimed? **Maybe, maybe not**.

Was the lab test for saliva a success, since it just as likely indicates sweat or other bodily secretion? **Maybe, maybe not**.

Since Erin told the police and included in her written statement that Laurence either suck or licked BOTH breasts, is that possible true? **Maybe, maybe not**.

Or was the statement that Erin told Nurse Santora true, that Laurence had only licked her left breast true? **Maybe, maybe not**.

Was there any evidence of Erins DNA in Laurences underwear? **Maybe, maybe not**.

Was there any evidence of Erins DNA in Laurences sweat pants? **Maybe, maybe not**.

Since Erins junior mints outfit was found in her dresser drawer, was she actually even wearing it when she exited the bath? **Maybe, maybe not**.

Now, the real answers to the above support Laurences innocence, but even with a prosecutorial spin, the evidence is what it is. You can answer those questions any way you like, but if you just start interpreting every piece of evidence the same way as the state, havent you forgotten who has the duty to bring in the proof and not the maybes.

Now all of these unanswerable maybes is supposed to be some type of formidable motive to drive Laurence to murder. There wasnt any evidence that Laurence knew where the DNA test was performed on Erin, or that Laurence had seen Erins written statement. In fact the evidence was that Laurence had not seen the written statement of Erin. For all Laurence knew, the DNA test was to check for semen. Laurence knew his penile swab would not incriminate him, so Laurence expected the lab testing to be his key back into the home, not result a criminal charge.

After Laurence was released, No one from the police department was keeping tabs on him. No one was performing any spot inspections. His wife didnt seem to really believe Erin, and he wasnt even charged. There isnt a stitch of evidence that Laurence had a history of violence, and in fact the testimony was just the opposite.

Dont let the States Attorneys office whip you into a conviction frenzy. The are trying to have you conjure up a deep hatred for Laurence, and the more they can heap on the better. Thats why they keep calling this a rape. There isnt even a charge in Illinois called rape. It doesnt matter how many times the States Attorneys point at Laurence and say this defendant... It wont turn water into wine, and it wont make the evidence any stronger.

This will be for another jury on another day to decide what, if any offense Laurence committed, by applying the facts to the law as that judge reads to them. Please stay within the lines and consider all of the evidence and lack of evidence only for motive.

**That brings us to the charge of murder**.

On March 26th, Laurence went out to a late dinner with Valerie Justice and picked up the tab. A lot of things were discussed at that dinner that are of vital importance. We learned a great deal about what Laurence knew or should have known.

We found out that the vet appointment for the dog was set for 10:00 Saturday morning It had been scheduled at that time for on Saturday for at least a week. In addition, the appointment card was displayed on the refrigerator. Now for that same week, it was known that Erins father would not be able to pick Erin up Friday night as planned. Instead, Erins father Edrieck would be picking her up between 9 and 10:00.

Lets do the math here. For a one week period everyone in the house knew that Erins dada would be arriving between 9 and 10:00. Laurence would need to pick up the dog, as according to the vets office, hes the only one bringing in the dog for vet appointments. If hes supposed to be at the vet by 10:00, he would need to pick up the dog before 10:00. Therefore, the odds of Laurence bumping into Erin were pretty darn good. No one seemed to be overly concerned. Clearly, Erin must have seen that appointment card on the refrigerator. Yet nothing was done about the rescheduling until the vets office called to confirm the appointment. It was then that laurence rescheduled the appointment from 10:00 to 12:30. Had the vets office not called, apparently no one else would have called over there. So, really, what was the level of concern re: Laurence having incidental contact with Erin for the purpose of getting the dogs. Regardless of what everyone tells you now in hindsight, no one was talking loud and clear for the week that the appointment was advertised on the refrigerator. Was Laurence really to believe it would have been so horrible to just see if he could pick up his dog from his house?

What else did we learn? Valerie was having her nephew Omari move in. In fact valerie thought Omari was planning to move in either on Friday or on Saturday. Laurences response was that when Laurence moves back home, Omari will be moving out. So we learn a few more things. Laurence was still sure that the DNA results would prove he was innocent of the intercourse charge, and he had every intention of moving back into THAT house.

It also tells us that Laurence knew the odds were pretty good that Erin would not be alone Saturday morning. The odds were that Erins nephew had already moved in, and so any thoughts by Laurence of Erin being alone as the State suggests, would have been remote.

What else did we learn from the White Castle meeting? Valerie was set to work in the morning at the carwash. Laurence was well aware of Valeries schedule as was evidenced in Laurences recorded testimony to the police. He lived with Erin and Valerie for nearly a year, so he knew the routine.

Laurence clearly would have known that if he wanted to kill Erin, swinging by the house and covertly entering around 6:15 would have resulted in a surgical kill. He would have simply walked up on a sleeping Erin and murdered her. That is, thats what he would have done, if he had murder on his mind.

To adopt the States Attorneys version of events, we have to assume 2 things. One, Laurence is very smart. He knows about DNA testing, and the probability of amalase showing up in a source test at the crime lab. He would know that the scientific testing for bodily fluids would be positive, and would therefore put him behind bars for life. As an avid reader of the journal of forensic science, now Laurence would have the motive to kill.

Hold on now, because now its time to switch gears. Now this budding biologist needs to morph into a complete idiot, in order to pull off this murder at the least opportune time. However, just as quickly, Laurence needs to transform back into a mensa member to rid the premises of all evidence linking himself to the crime. Then back to a idiot to walk around in blood in his bare feet, then back to genius to resist a highly trained detectives interrogation, and whose recent history has been devoted to tricking suspects into confessing.

Possible? Doubtful!

 Lets see so far the States attorneys office has suggested that Laurence wore a paint suit from work, that made a key to the house on the sly, that some of his clothing is now awol, that Laurence used garbage bags to clean up the house, and that Laurence brought a Large quantity of cold medicines into the house? Id love to spend a few minutes with that crystal ball that they are using for this case.

Lets start with the first theory the States Attorneys Office proposed. In their opening statement the States Attorneys office told you that Erin was home sleeping. She was about to take a shower, when Laurence entered the home and beat her. During the course of the murder, the States Attorneys Office told you that Laurence wore gloves, but not just any gloves, a unique glove that left a unique print.

Lets review the scenario:

1. Defendant comes into house. He was prepared for the murder. Had clothes covering, gloves, cold medicine, and a preconceived plan. However, the plan is to have no weapon. Meet up with Erin by the bath tub, somehow direct her downstairs, where he hits her with a frying pan. Now the frying pan would be any murderers weapon of choice, right. He then forces Erin to drink a large quantity of cold medicines that he bought from a store, but where he did not buy a weapon. Next, he grabs some of the knives and begins to cut Erin. After Laurence murders Ein, he then takes off his shoes and walks around in the blood, to ensure that his foot print would be left around.

Keep in mind that more than one witness observed what appeared to be bloody footprints and bloody shoe prints on the carpet. And although you would have expected someone to do a simple measurement of the footprint and shoe print and compare it to Erins and Laurences, no one did. My God if the foot print was too big to be Erins, but too small to be Laurences what would that tell you. Shouldnt that have been done on this case? Even the crystal ball cant help us now.

Now what did I tell you right from the start. I told you no one ever saw Laurence with any blood on him, did they. Look at that scene. Look at the blood on the carpet, the walls, the floor. Also remember that Dr. Harkey said the type of wrist would sustained by Erins wrist would have caused a blood spray. Was Laurence wearing some sort of Nasa outfit? Nothing was found on the shoes that supposedly left prints. And keep in mind the only shoes Laurence ever wore were his black cat boots.

Its ridiculous that Laurence took a paint suit from work. Mike Guyer told us it is far too large to fit into a pocket, and people are watched at work when they come and go. Why dont we just say that Laurence smuggled a bio hazard suit out of DuPage Central Hospital. Theres just as much evidence.

If Laurence wasnt wearing this covering, what happened to his bloody clothes. Valerie said that there was only a small box of Laurences things in the house. He never moved in, because the move occurred after the rape allegation. So how did Laurence change clothes? He could have ran out to his van nude, but thats a little doubtful. But the thing is that Laurences van was confiscated by the police the next day. Their evidence technicians and investigators went through that Van twice, with the most sophisticated and state of the art tools they had, and found nothing. No blood transfer from Laurences hands, no tiny stain from a plastic garbage bad that could have house bloody debris, not a speck of blood where Laurence would have sat, nothing. As far as evidence was concerned, the van was pristine. How could such a bloody murder be committed so sloppily with so much blood by someone who was so careful?

With all that blood and spray, there wasnt even any testimony that specks of blood were located in the tiny crevices on Laurences glasses. Nope, nothing on anything, just like i told you in opening statements.

So what does the State really have in the way of evidence. Lets list it out.

1. A glove print

2. A foot print

3. DNA on a broken knife piece that matched Laurence and Erin

4. Palm print on a roll garbage bags

5. Laurences inability to provide his exact whereabouts to the police in such a way that they can locate so phantom security camera somewhere.

Lets start with the glove print. Did anyone testify that the glove was unique, or even unusual with regard to the fabric design? No one said anything close. Not Leroy Keith from the lab, or Matt Guyer who worked at CAT with Laurence. For all we know the fabric pattern that gives the glove its type of fabric print is an industry wide design, that is found on gloves at Home Depot, Autozone, Menards, etc. The State should be able to propose theories, but a conviction should not be premised on things they just make up, not even one percent. There was nothing special about the pattern on that glove that anyone could say, ah haha, that print came from a roc glove. If there was something making that print more likely a glove from the Cat plant than from Walgreens, I guarantee you the States Attorneys Office would have presented that evidence to you.

Next.

The foot print. This is the headliner. The star of the States presentation. We had 4 experts talking about blood and DNA in this case. Clearly this matter is very complex. Its not just a matter of eyeballing the situation. No one can look at a stain and tell us what the DNA test will say. The complexities of laboraory science needs to be rolled out.

And in the end, you should have your questions answered.

Lets see if that hapened.

How many of you had heard of Leuko crystal violet before this trial. Now were using it like pros, right. But heres the thing, both Tamara Camp and Doug Saul said it is a preliminary test for blood. A positive reaction means that a substance might be blood, and additional testing should be performed. Doug Saul never said that a positive test could transform the sample into something unusable for future, more blood specific testing. Not even close. He clearly said that a positive result with Leuko crystal violet should prompt the lab examiner to perform a more specific confirmation test.

Tamara Camp took a fork in the road at that point. She explains that although Leuko crystal violet is a preliminary test, and will give a positive result for substances other than blood, she disagreed with Doug Sauls assessment. According to Tamara Camp although Leuko crystal violet is a preliminary test, it can consume all of the enzyme in blood that reacts to testing. Therefore, a negative result in the confirmation test does NOT mean that a substance is not blood. Odd that such an opinion wasnt made by her supervisor Doug Saul

But Im not done. Leroy Keith is the 3rd element in this mess. He claimed that leuko Crystal Violet ONLY reacts with blood. It reacts with the Heme in blood. Thats It. Done Zip over. If Leuko Crystal Violet reacts with a substance, homerun! Youve got blood.

Of course this completely disagrees with the opinions of his co-worker Tamara Camp, Jean Kinnane, and that of his supervisor Doug Saul.

So who do you believe? They cant all be right. Someone is wrong.

When the Dupage County States Attorney brings in their experts from the Dupage County Crime Lab, they dont all necessarily need to be singing in harmony, but at the very least they should be singing the same tune.

Shall I proceed? According to Doug Saul and Tamara camp, Leuko Crystal Violet is a preliminary test. It reacts with things other than blood, however, if it doesnt react with a substance, odds are its not blood. But what else does it react with? For some reason, the evidence techs were taking pictures of all of the substances by the bathtub. I suppose those are substances that may have residue on the floor. But at any rate, what else does the Leuko Crystal Violet react with??? Wouldnt you live to know if the only false positive it could give is with a shark cartilage, as opposed to organic shampoo. But no one told you anything. I suppose you are supposed to guess when figuring out if there is proof beyond a reasonable doubt.

What about it. Is the print in blood. If not, the States Attorneys theory will test positive for doubt. The preliminary test that reacts with who knows what says maybe its blood, maybe its not. So Tamara Camp performs a more sensitive TMB test on the area most direct to th footprint and its negative. Negative for blood. So that should be it, the footprint isnt in blood. According to Leroy Keith a footprint could have been left any time on that floor during the 3 weeks preceding Erins death.

 So what does Tamara Camp say on the stand. She says well, since my more blood specific and sensitive test was negaive, she eyeballed the scene. To her, it was all one big stain in that bathroom. So since other spots were definitely positive for blood, this print was in blood too. It had to be. After all, again, its just one big stain.

Let Leroy Keith enter the scene again. He tells us the difference between a positive print and a negative print. A positive print puts a deposit down and leave an impression. A negative print is when, for example someone steps onto a substance already on the floor and takes some of it away, leaving a print behind. Leroy Keith says that the print left in the bathroom is a positive print. Whatever was on the foot, whether it be sweat, moisture, or some other substance left that bathroom print. Keith admitted that it was his belief that there were at least 2 separate and distinct stains, with the foot print being one by itself. He opined there may even be more than two stains in that bathroom. At any rate, it wasnt one big stain. Now who do you believe? Leroy Keith or Tamara Camp?

The experts cant even convince each other, and theyre from the same lab. It shouldnt be thrown in your lap like this.

Next

DNA on broken piece of a knife handle came back to Laurence. We can overlook the fact that lab analyst Tamara Camp invoked maximum stutter in the lab to even generate any results. She admitted that the statistics she generated should not have been generated at all according to her laboratory protocol. She further admitted that her deviation from prtocol was not slight. This is flawed evidence.

Even if you overlook these deviations, where are we left. Laurence lived in the house almost every day preceding Erins death. He came over to the house following work and remained there for up to 8 hours a day. Wouldnt you expect him to eat, use the bathroom and touch lots and lots of things in his own home.

So the state will tell you that Laurence was wearing gloves and yet his DNA was on the knife handle that he would have been gripping with the knife. His DNA was on the knife because he probably used it to make food during the several hours a day in he allowed to stay in his own home, just as you would expect.

Next

The plastic bags under the sink. Look at that, a palm print was left on the roll of plastic garbage bags under the sink. The States Attorneys Office doesnt have one scintilla of evidence that suggests those bags were in any way used for some sort of clean up attempt. In fact, wasnt the evidence that the toilet seat in the bathroom was down during the murder, and then up after the murder suggesting something was flushed?

But again, lets examine what the testimony revealed. Valerie tells us that although Erin was murdered on Saturday, she had no recall of those garbage bags being change until at least the preceding Wednesday, and possible before. Now Valerie lived in that house, Erin lived there and Laurence was there during the day. Plus laurence was there all day Friday. Who do you think changed the garbage bags? Of course it was Laurence. Why didnt anyone just check to see what the most bottom item in the trash was? Then at least we would have some idea when that bag was put in, and possibly who changed it.

NEXT

Laurence was interviewed by Nilles and his partner the day after the murder. Although the meeting was supposed to be an arranged meeting, Detective Nilles testified that Laurence was brought down to the station prior to the pre-arranged meeting time. He was questioned for over an hour and a half, by a Detective who has attended at least 5 training courses on acquiring incriminating statements from suspects.

Nilles admitted that he lied to Laurence over and over to the point where even Nilles lost count as to the number of lies he put forth. We all understand that having the police lie to a suspect is regarding by the law enforcement community as a valuable tool. I say bring it on. Laurence isnt guilty, so set all the traps you want.

When Laurence was told he was seen at the townhouse, and his voice was heard in the apartment, he didnt hesitate at all. It wasnt him.

Now admittedly, Laurence had some problems during that interview. I dont think his manner and attention to detail would impress may. But he doesnt have to. Thats just the way he is. If was better with facts and detaiols maybe he would never have been charged in the first place.

But lets do a figurative MRI on laurence while were at this point. To do that we need to revisit the Whit Castle. The White Castle gives us some insight into Laurences train of thought. He was there for over an hour according to Valerie. They talked about a variety of topics according to Valerie. Laurence even picked up the tab.

Yet when Nilles is pressuring Laurence to pony up the details of the preceding night, Laurence talks about being at his ex-wifes house and then leaving. He drives around a bit, gets some coffee, and then tries to find a place to sleep.

As you watched the video, did you feel at all like wanting to reach into the screen and saying What about the White castle you idiot How could you forget about that??? But he did. Thats Laurence. He has no reason to lie to the police about meeting with Valerie for a late dinner. His mental index cards are just a disorganized mess. He thinks of the Vet appointment as being at 10:00, because thats the time it had been set for over a week. Thats the time he had entered into his memory. It had been changed, but not because it was on his mind and called the vet, it was changed because the vets office called him. With sufficient prompting he was able to recall.

Listen, Laurence is sleeping in a rat-trap van in March. You can decide for yourself if it was cold in that van, if maybe he had to start it up once in a while to stay warm. You can decide whether while driving around in a half-sleep fog he should be able to retrace his steps. Who amongst us hasnt driven when we were tired, and at some point we didnt really remember passing through a toll, even though we know we must have.

Laurence is who he is. No one ever came in here and said that after knowing Laurence, or working with Laurence he is the type of guy who would present differently than he did on the video. Not his co-worker Mike Guyer, not his wife Valerie Justice no one. So what does the video prove.

It proves Laurence went to the house to get the dogs. He had been in that van all night and wanted to get the dogs to do something other than vegetate.

Now pay close attention to Laurences Phone records. Valerie did not call Laurence until 7:48 am to let Laurence know that Erins dada would not be picking her up at all. Thats when the phone message was left. However, Laurence didnt dial out to get his messages until after 11 am. That means that Laurence would have still believed that Erins dad would be pulling into that driveway early Saturday morning to pick up Erin. So if Omari wasnt already there, Laurence would have been picking a time when Edreick would have been expected to pull up in the drive. What do you think about that?

Kayleen Steel, the neighbor tells us that she heard scuffling between 8:30 and 9:00. She thought the noises stopped about 5 to 10 minutes before a phone call she received, which she said was at 8:30.

Our mastermind killer is cutting it a little close to Edreicks expected arrival wouldnt you say.

So, for a 30 second review:

1. A glove print - Odds that it was Laurences glove is between 0-100 percent, so maybe maybe not.

2. A foot print - Is it in blood, maybe, maybe not

3. DNA on a broken knife piece that matched Laurence and Erin, was it left during the murder, if it really is Laurences maybe, maybe not

4. Palm print on a roll garbage bags - was it left during a clean up? Maybe, maybe not

5. Laurences inability to provide his exact whereabouts to the police in such a way that they can locate so phantom security camera somewhere - thats his personality and IQ. IQ doesnt improve. Despite clever strategies, Laurence did not incriminate himself. Anyone here think that Laurence is smarter than the police??

6. There was a frying pan that had fingerprints that did not belong to Laurence. The witnesses in this case believe that the blood on that frying pan indicates that it was wielded as a weapon against Erin. However, despite the fact that the murder occurred in March of 2004, no one check those fingerprint tips until late 2006. Are you satisfied with the explanation. If so, what was the explanation. None was given. It is insane to have released Erins body without taking full fingertips. Could this have been the first time in history when full fingertips were needed from a victim? I dont know who to blame for this, but its not Laurence. If those fingerprint tips came back to someone other than Laurence (which they didnt) Valerie or Erin we have the murderer? So does the frying pan tell us who the real murderer was? Maybe, maybe not.

7. How about that bent screen in the front yard? Valerie tells us that she is very familiar with that screen. She brings the dogs out over there, and that screen was NOT bent before the murder. Was someone trying to get in through the window? We know they didnt get in that way, but did someone try? Maybe, maybe not.

Now lets take a look at some other lab evidence. DNA was found in the bathroom that wasnt identified to Laurence or to Erin. So whose was it?

DNA was found on one of the knife handle pieces that did not return to Erin or to Laurence. So whose was it? In fact, was it the same DNA??? What it was, how could that happen?? We dont know because apparently the lab was too busy.

There is a fingerprint in the bedroom that no one could identify. Whose was it.

There was a blood stain in the master bedroom, the same bedroom that had a mattress that was displaced. Something happened there, although its unclear what. None the less, Valerie Justice had moved in just a few weeks before. The whole townhouse was bare. There wasnt any furniture in that bedroom, and she would have had the eagles view of those walls. She testified there werent any stains that looked like blood anywhere on those bedroom walls. So where did that blood come from? Was the DNA in the bedroom the same as the DNA in the bathroom, and the same as the DNA on the knife handle? Who knows? The lab couldnt make time. But you need to answer those questions.

Compare to Dr. Harkey.

Temperature

Rigor Mortis

Bruising post-mortem

Alcohol in vitreous fluid

Pettichia

He is a forensic pathologist.

He decides within a reasonable degree of medical certainty, which he said is a legal term.

Isnt that what you have to do. You can define reasonable doubt any way you like, but if you like and trust Dr. Harkey, dont be any less thorough and professional.

Im very close to sitting down, but I want to make a remark about one of the jury instructions. We have told you from the start that Laurence did not murder Erin. But the jury instruction will guide you to a point where you can memorialize you decision.

However, those instructions include a question for you, regarding whether Erins murder was exceptionally brutal and heinous behavior indicative of wanton cruelty. It isnt even an issue unless all of you are in unanimous agreement that Laurence is guilty of murder as charged, and hence, I dont believe this will even become an issue.

Doesnt every murder strike you as brutal and heinous behavior. Comparatively, I suppose some murders involve purposeful torture, or a sadistic intent to prolong agony for some cruel satisfaction to the murderer. But you need to decide whether Erins murder was accompanied by exceptionally brutal and heinous behavior indicative of wanton cruelty.

Youll have to figure out why no screaming was heard by Kayleen Steele, because when she heard Valerie scream at about 10:30, Kayleen said she called the police. I know there is a lot of blood, but the jury definitions include everything including the state of mind of the assailant.

End with Sky is blue.

Every example can be turned around.

If you think everything I said is baloney, disregard it. Youve heard all of the evidence, and youve already heard 2 closing arguments. At this point, if Ive said some things that make sens, hold on to it. I wont get another opportunity to speak, so Ill have to count on some of you.

We may not be as polished as the State. We have the computer guy, the science guy and the grunt. I dont even get a real spot at the table

But we have come together to represent Laurence. And as a team, we ask you to find Laurence Not Guilty