

The Case-in-Chief

We decided to start our case-in-chief with the chain of events leading to Ron's and Nicole's murders. I wanted the jury to have a sense of the victims' last hours. Our first witness was Karen Crawford, the Mezzaluna manager who fielded Nicole's call, probably the second-to-last person other than Simpson to talk to her. Next came Stewart Tanner, who had been tending bar that night and had plans to hook up with Ron later in the evening down in Marina del Rey.

From there we went straight to Robert Heidstra, a wild card who had been called in the criminal case by Johnnie Cochran and had been quite antagonistic to Chris Darden. Heidstra was walking his dog near Bundy at about 10:30 or 10:35 in the evening when he heard what he recognized to be Nicole's large Akita "barking like crazy, like he was confused and panicky." Baker moved to strike, "No foundation."

"You want to lay a little dog foundation?" the judge asked. The courtroom broke up in laughter, but I don't think Fujisaki was joking. "The man's had a dog for twenty-six years. He can distinguish it," he ruled.

To avoid risking a dogfight, Heidstra cut through a nearby alleyway. About two minutes later he heard "a clear, young" male voice say, "Hey, hey, hey!" A deeper male voice followed, "very fast, sounded like an argument." Heidstra was probably an earwitness to the murders. "It didn't last no more than fifteen seconds, I would say. Then I heard a gate slamming."

He continued walking his dog and a few minutes later saw "a white kind of Jeep with tinted glass" stop under the streetlight on the right side of Dorothy Street "for one moment" and then speed away south on Bundy, away from the murder scene. Reconstructing his movements and adding up the time each took, rather than simply accepting his estimates, I put the time at between 10:35 and 10:40. Baker used Heidstra's criminal trial testimony ("It must have been in that time exactly when I came to the alley. Exactly. Around that time.") in an attempt to move him closer to 10:45, which would make the timing tighter. Heidstra was on and off the stand before lunch.

Louis Karpf, who lived next door to Nicole, went outside to his mailbox and saw her Akita roaming the street, "barking profusely" enough to frighten him, between 10:45 and 10:50 at the latest. He heard no struggle going on at that time. His original police statement had put the time at between 10:50 and 11:00, but when neighbors had first been interviewed neither they nor the police had an appreciation for the precise timing that would be necessary to resolve this case, and the estimates had been fairly broad.

Stephen Schwab had been surprised to see a dog on the street without an owner. It was about 10:55 P.M. He'd patted its head and noticed it was wearing a collar. When he'd looked down he noticed there was blood on its back legs and paws. There was a combination of blood and mud on its chest. "It was red and shiny." He took the dog to his neighbor, Sukru Boztepe. The dog took Boztepe to the dead bodies.

Mr. Boztepe ran to a neighbor and asked them to dial 911. It was shortly after midnight.

We had established the timeline. Ron and Nicole were dead by around 10:40. We were essentially accepting the criminal defense's timeline because that was the time we thought the murders actually occurred.

In the criminal trial, the timeline witnesses took fifteen hours on the stand. Heidstra alone was up there for five. Our six witnesses were on and off by 2:15 in the afternoon on the first day of testimony. We had planned to follow with our police witnesses, but this was Friday and we had not scheduled them to come to court until after the weekend. I thought we had done a good day's work, but when I asked to resume on Monday, Judge Fujisaki got cranky. "Ladies and gentlemen, that's all the witnesses that they have for today. I have asked them to tighten up the

witness scheduling so that we may have full days, so hopefully we'll be able to utilize our time a little more efficiently." Fujisaki, bless him, cut nobody any slack.

On Monday we went right to work with the police. We debated long and hard about this part of the case. On the one hand, we needed the police to testify about their discovery of the victims' bodies and the evidence the killer left behind at the scene of the murders. They also needed to testify about the evidence found at Simpson's Rockingham estate and in his car. On the other hand, putting these witnesses on in the second day of trial was walking right into the teeth of the defense's strategy. Their goal was to try the case of the Los Angeles Police Department and keep the attention off their client. The last thing we wanted was to serve up a full menu of police witnesses and give the defense weeks of counterattacks in our case-in-chief. We decided we would use a minimum of individuals to lay out the police evidence, and would keep it very tight. There would be no duplication, no two cops telling the same story, no opportunity for Baker to pit one against another. In addition to laying out the physical evidence, we would spend a little time preempting the defense's planting and conspiracy case. But we would keep the witnesses brief, and object persistently to the defense attempts to cross-examine our witnesses outside the scope of their direct testimony. We were armed with the judge's rulings on our motions *in limine*, and these would help to block the defense's cross-examination and limit their ability to insert their case into ours.

We started with Officer Robert Riske, the blond patrolman who, with his partner, Miguel Terrazas, was the first to arrive on the scene, shortly after midnight, June 13. It was very important that we show the jury that all the evidence was found before Detective Fuhrman arrived, thereby limiting the damage the defense could inflict.

In the criminal trial the prosecution went overboard establishing the professional background and knowledgeability of their police witnesses, sounding defensive and giving Simpson's lawyers many openings for attack. We just established that Riske was a cop. That was plenty good enough.

With John Kelly doing the direct questioning, Riske laid out the basic crime scene evidence, including the one glove that was found, the hat, the pager, the various items lying next to the bodies, the blood