

JUDGE. — that motion is also overruled —

DEFENSE. We would then request the Court to declare a mistrial in this case —

JUDGE. — *Overruled.* Proceed, Counsel. (*Lights slowly go out on Kerry's Defense and Judge during the Prosecutor's speech. Lights remain up on Kerry and Prosecutor.*)

PROSECUTION. Thank you, Your Honor. (*To audience; with crescendoing fervor.*) Ladies and Gentlemen of the Jury. I would be remiss in my duty if I did not show you every last grotesque detail because the killer sits right before you in this courtroom and it is time for twelve good people from this county to put that man on the scrap heap of humanity where he belongs. He has a warped perversion and he will not reason with you. The victim was a young woman just beginning to realize her dreams and he butchered her body. This is the kind of sick perversion that turns Kerry Max Cook on.

You people have no right to even submit prison guards to the kind of risk that man poses. Think about it. Do you want to give this pervert his butcher knife back? Now, we must look upon it as putting a sick animal to sleep. Kerry Max Cook has forfeited his right to walk among us. He no longer has rights.

So let's let all the freaks and perverts and murderous homosexuals of the world know what we do with them in a court of justice. That we take their lives. (*Lights out on Kerry and Prosecution; up on Sunny.*) SUNNY. My husband Jesse was tried first, and he had a past record, from when he was seventeen years old, and his trial lasted four days. We both had, of course, no good attorneys, no dream team, no expert witnesses, and so he was convicted, and sentenced to death.

My trial came later. I thought, surely that won't happen to *me*, I mean, I was a hippie, I'm one of those peace and love people, I'm a *vegetarian!* How could you possibly think I would kill someone?

And so I thought I'd go in, they'd figure out I didn't kill anyone, and they'd let it go. But that's not how it works. There was prosecutorial misconduct, there was hiding of evidence that would have proven I didn't do it; the jury wasn't even allowed to know that Rhodes accepted a plea bargain of three life sentences in exchange for his testimony! Now, I don't think three life sentences is a bargain. Nobody I know would think it's a bargain ...

And I didn't have any investigators, I didn't have any expert witnesses, I didn't have thousands of dollars. My parents said, "Well, you know, we were told we could try and get you a better lawyer, but you *have* a lawyer, they've *appointed* you one, so it's okay." We

didn't know. (*Lights down on Sunny; up on David, his Prosecution and Defense, sparring verbally.*)

START DAVID'S PROSECUTION. The state respectfully submits to this jury that in that grocery store, David Keaton actually fired at Sheriff Carroll in order to come to the assistance of his co-defendant, who was in the process of cold-bloodedly murdering and killing Officer Khomas Revels. It's just as clear and simple as that. As a matter of fact, that is actually the truth.

DAVID'S DEFENSE. It was a quiet and peaceful Sunday night before David Keaton, then eighteen years old, was speedily whisked away to Quincy Jail. He was not told the reason for his arrest, nor was his family informed.

PROSECUTION. They're gonna tell you that all of Keaton's answers were suggested by the officers, that he was framed. Not by one officer, now; not by two officers, but by three or more State and County law enforcement officers.

END DEFENSE. He was questioned without benefit of counsel, despite his request to his interrogators to call his mother and obtain legal assistance. At eleven p.m., Keaton was taken to the jail in Tallahassee, where questioning resumed and continued until the next morning.

PROSECUTION. Now, Keaton could have said in his statement anything he wanted to. There was nobody making those defendants say anything, and this jury knows anyway that of course that would be impossible, impractical. You just can't *make* somebody say something; nobody can!

DEFENSE. There is a law in this state that any person arrested shall be taken without delay and have the charges read in open court. The defendant was arrested on a Sunday. Well, this courthouse is open on Monday, and it's open on Tuesday, Wednesday, Thursday too. The defendant was not taken before a judge until Friday, although he had been arrested the Sunday before.

Now, I have nothing but respect for the Deputy Sheriffs, but I recognize, too, that it was a member of their staff that was killed. Wouldn't it be understandable for them to be more — *emotionally involved* in the investigation? (*Lights down on David, Prosecution and Defense; up on Sunny.*)

SUNNY. They tell you exactly how they're gonna do it. They're gonna send 2,200 volts of electricity through your body until you're dead. And then they ask you if you have anything to say to that, and really it's kind of dumbfounding. So after the judge read