

THE ACCUSED

KATHRYN MURPHY MONO to jury

Ladies and gentlemen, Mr. Paulson has told you that the testimony of Sarah Tobias is nothing. Sarah Tobias was raped, but that is nothing. She was cut and bruised and terrorized but that is nothing.

All of it happened in front of a howling crowd and that is nothing. Well, it may be nothing to Mr. Paulson but it is not nothing to Sarah Tobias and I don't believe it is nothing to you. Next Mr. Paulson tried to convince you that Kenneth Joyce was the only person in that room who knew that Sarah Tobias was being raped. The only one...

Now you watched Kenneth Joyce. How did he strike you? Did he seem especially sensitive, especially observant? Did he seem so remarkable that you immediately said to yourselves, 'Of Course! This man would notice things other people wouldn't!' Do you believe that Kenneth Joyce saw something those three men didn't see?

In all the time that Sarah Tobias was being held down on that pinball machine the others didn't know? Kenneth Joyce confessed to you that he watched a rape and did nothing! He told you that everyone in that bar behaved badly...he was right.

But no matter how immoral it may be it is not the crime of criminal solicitation to walk away from a rape, it is not the crime of criminal solicitation to silently watch a rape ...but it is the crime of criminal solicitation to induce or entreat or encourage or persuade another person to commit a rape - 'Hold her down! Stick it to her! Make her moan...' These three men did worse than nothing. They cheered and they clapped and they rooted the others on, made sure that Sarah Tobias was raped and raped and raped... Now tell me... Is that nothing?