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Jesse James Hollywood's Murder Trial Opens

Former fugitive could face the death penalty. The slaying of a West Hills boy inspired movie "Alpha Dog"

By Steve Chawkins, Reporting From Santa Barbara

Nine years after the slaying of a 15-year-old West Hills boy, Jesse James Hollywood faced a jury on Friday that will determine whether he's guilty in the crime that inspired the 2007 film "Alpha Dog." Prosecutors allege that Hollywood masterminded the kidnapping and murder of Nicholas Markowitz to avenge a \$1,200 drug debt owed by his half brother.

If convicted, he could face the death penalty. In his opening statement, Santa Barbara County Deputy Dist. Atty. Joshua Lynn described Hollywood, now 29, as "a ruthless coward." But Hollywood's attorney portrayed him as meticulous and intelligent, a young man who had sold "small quantities" of marijuana but had nothing to do with ordering Nicholas' death.

"He's no angel," said James Blatt, "but he's not a powerful Manson-esque individual that somehow controls his crew and gets them to do his bidding." Hollywood, a high school baseball player turned San Fernando Valley drug dealer, was not present on the August night when Nicholas was marched up to a Santa Barbara climbing spot called Lizard's Mouth, beaten on the head with a shovel, shot nine times and buried in a shallow grave. But the prosecutor said he was a cold-blooded manipulator, directing the boy's execution in the style of an NFL coach "barking orders on the sidelines."

Four others have been convicted in the crime. In 2005, Hollywood was arrested in Brazil after five years as a fugitive. Ryan Hoyt, an old friend of Hollywood dating to their Little League days, has been convicted as the shooter and is on San Quentin's death row. A youth who was in frequent trouble with his parents for smoking marijuana and popping Valium, Nicholas was snatched from the streets near his home by Hollywood and a couple of friends on Aug. 6, 2000.

Prosecutors claim Hollywood was angered mostly by the debt owed him by the boy's older brother Ben, a self-styled tough guy who wore swastika tattoos despite his Jewish background. Hollywood's efforts to collect were fruitless, and the final straw was finding

that Ben Markowitz had smashed his front windows, Lynn said. Driven to Santa Barbara, where the city's annual Fiesta was taking place, Nicholas was held captive over the next three days, Lynn said. Sometimes he was bound with duct tape. At other times, he was allowed to smoke marijuana and drink with Hollywood's friends, both at one of their homes and in a motel room.

The prosecution contends that Hollywood panicked when, conferring with his family's lawyer in the Los Angeles area, he learned that kidnapping can carry a life sentence. Lynn said Hollywood gave Hoyt an automatic weapon, provided him with a car and told him to drive to Santa Barbara and "take care of business." Blatt disputed the prosecution's account. Nicholas had "many, many" opportunities to leave Santa Barbara without anyone stopping him, he said. And although Hollywood participated in the kidnapping from the San Fernando Valley, the drug debt was a minor irritant compared to Ben Markowitz's phoning him with repeated death threats and poisoning his dog, Brooklyn.

Hollywood consulted the family attorney only to determine the right thing to do, Blatt said. And he was "enraged" when Hoyt told him about the killing at a party, screaming: "How could you do that? Are you out of your mind?" Blatt said the gun used to kill Nicholas may once have belonged to his client but it had been in the possession of Hoyt -- described by some witnesses as a "loose cannon," according to the lawyer -- for three to six months. Before Hollywood was apprehended, film producer Nick Cassavetes was intrigued by the story as a chilling plunge into the dark side of the suburbs. He obtained confidential case files from Santa Barbara prosecutor Ron Zonen, who later said he thought a burst of movie publicity would help ferret out the then-fugitive Hollywood.

Zonen's cooperation with the moviemaker led to years of litigation from Blatt, who tried unsuccessfully to block the release of "Alpha Dog" and to have the state Supreme Court boot Zonen and the Santa Barbara district attorney's office off the case. The film, starring Emile Hirsch, Justin Timberlake and Bruce Willis, might emerge as an issue in Hollywood's trial. In court on Friday, Blatt suggested that the testimony of several witnesses, including at least one convicted in the killing, may be influenced because they were introduced to cast members researching their parts. "What impact do these stars and directors have on these young, impressionable witnesses?" he asked.

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