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The same jurors who found Jesse James Hollywood guilty of first-degree murder and kidnapping began deliberating on Tuesday as to whether they will recommend a sentence of life in prison without parole or death.

Mr. Hollywood was convicted July 8 of kidnapping and later ordering the murder of 15-year-old Nicholas Markowitz in August of 2000, and prosecutors on Tuesday argued before the jury of nine women and three men that the case called for the ultimate punishment.

Defense attorneys, meanwhile, pleaded for the lesser sentence of life in prison.

Toward the end of the day, Superior Court Judge Brian Hill once again handed the case to the jury, who asked to adjourn a little early for the day. They were due to return to deliberations this morning.

Mr. Hollywood and two of his associates kidnapped Nicholas from the streets of the San Fernando Valley on Aug. 6, 2000, and another of the defendant's associates -- Ryan Hoyt -- shot the victim dead in the foothills above Santa Barbara less than three days later. Prosecutors argued throughout the trial that Mr. Hollywood masterminded the tragic plot over a drug debt owed to him by the victim's older, half brother Ben Markowitz.

"What should the penalty be for this killer?" the Chief Trial Deputy Joshua Lynn of the Santa Barbara County District Attorney's Office asked jurors during his closing argument Tuesday.

Mr. Lynn quickly jogged through the chain of events, which involved Nicholas first being, in the words of Mr. Hollywood "ushered" into a van and Mr. Hollywood hiring a killer. After the slaying, Mr. Hollywood fled to Brazil and impregnated a woman at least partly so he would not be extradited, the prosecutor said. The most recent offense came when Mr. Hollywood lied under oath as he testified in his own defense, said Mr. Lynn.

Throughout the kidnapping, Mr. Lynn argued, Mr. Hollywood had several opportunities to do the right thing, such as taking Nicholas home or calling the police, but he instead had the boy killed to avoid a life sentence his attorney told him was a possible consequence of the kidnapping.

"Jesse Hollywood acts in Jesse Hollywood's own interest, period" Mr. Lynn said.

Since Mr. Hollywood ordered the murder in an attempt to dodge a potential life sentence, Mr. Lynn called capital punishment appropriate.

The prosecutor also wanted Mr. Hollywood to share "the mental hell" he had created for the Markowitz family. The close relationship Mr. Hollywood had with his own younger brother was revealed at trial, and especially during Monday's opening of the penalty phase of the case, and

Mr. Lynn argued that this bond made Mr. Hollywood aware of the devastation killing Nicholas would bring the Markowitz family.

At one point during Mr. Lynn's closing argument, Michelle Lasher, Mr. Hollywood's high school sweetheart, stormed out of the courtroom, noisily pushing the door open as she left.

The prosecution described the death penalty as being reserved for the worst murders, and this case represented just that.

Mr. Hollywood's lead defense attorney, James Blatt, came into his closing argument contending his client does not even come close to being the worst of the worst, as he is neither a terrorist, a serial killer nor a contract killer.

Mr. Hollywood, the attorney said, comes from a tight-knit family, and the kidnapping was not something the defendant had been thinking about. It was instead an angry, spontaneous situation that would not have happened if Ben Markowitz had never smashed the windows to Mr. Hollywood's home.

Growing up, Mr. Hollywood watched his father Jack involved in illicit activity, and this led to the defendant becoming a marijuana dealer himself, Mr. Blatt said. However, illicit activity leads to meeting dangerous people, and in this case, that meant Mr. Hollywood became involved with Ben Markowitz. The two men had a falling out, but Ben did not want to let the situation go, and it eventually exploded, Mr. Blatt said.

To convict Mr. Hollywood, jurors were required to find that Mr. Hollywood was guilty beyond a reasonable doubt, but co-defense counsel Alex Kessel brought up that jurors can demand an even greater degree of certainty to sentence the defendant to death.

"You should have tremendous lingering doubt in the this case," said Mr. Kessel.

The death penalty is meant for people who have been evil since "day one," Mr. Kessel said, and he argued his client did not fit into the category.

Mr. Hollywood possesses many redeeming qualities, said Mr. Kessel, who referenced testimony from Mr. Hollywood's family and friends.

"This is something that you're going to have to live with for the rest of your life," he said. Opening statements got underway May 15, but defense attorneys tried to put an early end to the trial on Tuesday, requesting mistrials on two occasions.

Judge Hill denied both requests.

The attorneys became concerned after Jack Hollywood was reportedly approached on Monday by a ponytailed man who identified himself as the husband of a female juror. The man claimed his wife was having trouble sleeping and was concerned about an incident that transpired in the jury room, Mr. Kessel told Judge Hill outside of the presence of jurors.

Judge Hill said the matter may not be grounds to interrupt the hearing, but he also said it could be misconduct.

The judge cleared the courtroom, only allowing the two families to stay in the courtroom, but the entire court building was eventually cleared while the matter was discussed.

When the hearing resumed all 12 jurors were present in the courtroom, but once they received the case and left the room, Mr. Kessel again brought up the alleged misconduct.

Three jurors had been questioned about the incident, and Judge Hill said one juror speculated another juror had prejudged Mr. Hollywood's guilt. The juror reportedly used a tasteless joke to speculate about the prejudice.

Taking the stand Tuesday outside of the presence of jurors was Santa Barbara County Sheriff's Department Deputy Matt Banks, who was one of two deputies assigned to the jury during deliberations. After the jury reported their verdict was ready July 8, the jury foreperson requested that he and some other jurors be allowed to look at the TEC-DC9 assault pistol used to kill Nicholas, Deputy Banks said while being examined by Mr. Kessel. During the two or so hours before the verdict was read, the bailiff unlocked the weapon so nine to 10 jurors could take a look.

Deputy Banks said he stayed in the presence of the jurors as the gun was passed around, and the foreperson asked why its grip was hollow. The deputy reportedly said he did not know, but other guns could have empty grips to reduce weight or for compartment space.

The jury foreperson additionally said he had possessed an out-of-state concealed weapons permit and asked whether this firearm was illegal. Prior testimony indicated the TEC-DC9 had been modified, and the deputy said it would be illegal now. However, Deputy Banks said he soon realized his interaction with jurors had been inappropriate and he removed himself from the situation.

He did not bring the matter up with the judge until Tuesday.

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