

THE CRIME ITSELF

Leslie Jill Patterson | adopted from the textbook *What If?* (edited by Anne Bernay and Pamela Painter)

I. Mixed Motives

Have you ever asked yourself: Why did I do that? And you couldn't honestly answer the questions? You don't know why you acted in such a way or why you did such a thing. You just did it. Frequently, you claim not to know what you were thinking, and then immediately describe at great lengths what you were thinking. You might be able to come up with several possible reasons for your behavior—yet still not know precisely which one is the truth. Allow your client the same latitude you allow yourself.

Come up with four reasons why your client did what he/she did. Follow each of those motives in the week leading up to the crime and through the crime itself.

Imagine what motives the prosecutors will assign your client and follow those motives in the week leading up to the crime and through the crime itself. This will tell you the narrative questions your story needs to answer.

II. Five Different Versions, None a Lie

Think of the range of people involved in the crime—your client, a co-defendant, the victim, eyewitnesses, family members and friends of the client and the victim, police officers, jurors. Each of these people will, for various reasons, add or subtract different details, exaggerate or play down, tolerate or condemn, depending on their perspective.

Let five key people describe the crime—imagine what they think happened or saw happen. Which details do each of these people know? Which details would they leave out or include, etc.?