

Closing Argument in Guilt or Innocence

12 THE COURT: Let the record reflect
13 that all parties in the trial are present and the jury is
14 seated. Mr. Glover.

15 MR. CURTIS GLOVER: May it please the
16 Court?

17 THE COURT: Yes, sir.

18 **MR. CURTIS GLOVER:** Ladies and
19 gentlemen of the jury, my thanks along with the other
20 counsel in this case, for your very courteous attention,
21 lo, these many weeks.
22 As Mr. Shook said to you, we really
23 have imposed upon you, but you occupy a position in our
24 society, which is probably the most important, in that
25 you are a barrier between what could possibly be in a
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1 democracy, tyranny. And you make that decision, and you
2 keep that tyranny away.

3 And, as we go through this case, and
4 we talk about the responsibilities of the government or
5 of the State when they bring charges like this, you will
6 see the importance of your position.

7 You know, Judge Tolle gives you a
8 charge here, it's your guide as to the law that will
9 guide you in this case. He tells you, and I think the
10 most important thing that he tells you, is that in any
11 criminal case, charges are brought by the State. They
12 have the burden of proof, that burden never shifts.

13 And you know there is no burden on the
14 defense to do anything. They are to prove her guilt
15 beyond a reasonable doubt and if there is a reasonable
16 doubt as to any element in this case, the Judge is
17 telling you, you resolve that in behalf of the defendant
18 and say by your verdict not guilty.

19 Now, you know, you can go through this
20 evidence and you can say, well, you know there was
21 confusion about this. Or where was that witness? There
22 was confusion about this particular evidence that raised
23 a reasonable doubt in my mind.

24 Judge Tolle is telling you, you
25 resolve that reasonable doubt in behalf of Darlie Routier
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1 and say by your verdict not guilty. I don't care whether
2 there was one or there are a thousand, the Judge is

3 telling you you resolve those in her behalf.
4 Let's go on and look at the evidence,
5 and I am just going to speak with you just very briefly.
6 Let's get to Mr. Cron. He was the
7 bearded man who was a retired deputy Sheriff in Dallas.
8 He came out to the scene of this devastation very quickly
9 that morning. He was put in charge, if you please, he
10 tried to avoid that position, but he was put in charge.
11 He waltzed through that house, folks, and in 20 minutes
12 without knowing anything -- not knowing the result of any
13 DNA, not knowing the result of any fingerprints, not
14 knowing the result of anything, he waltzes through there
15 and says, "There was no intruder."
16 The die was cast. She became the
17 focus of everything. They wouldn't listen to anything
18 else from anybody. There was no -- nothing about black
19 cars, they were secretly laying their ground work to go
20 after her, and they did.
21 Now, what kind of flawed investigation
22 is this, where the conclusion comes up front? He
23 concluded it, folks. He said, "There is no intruder."
24 So, that's either Darin or her. And we know by the
25 evidence in this case, that only 2 millimeters she was
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1 away from death, and if she had died, according to Mr.
2 Bently (sic), and according to Cron, do you know who
3 would be on trial here? Mr. Bently (sic) says the
4 intruder knew those children, the intruder, Darlie.
5 But I can't point the finger at
6 anybody, but the person that killed those children knew
7 them.
8 Darin is just 2 millimeters away from
9 being tried himself for this death. If she had died
10 there on that couch, who would be out here being tried?
11 Darin, according to the FBI. So how plausible is Mr.
12 Bently's (sic) conclusion about all of this.
13 Mr. Bently (sic) comes down to Dallas
14 to lend sophistication, if you please, to what Mr. Cron
15 has decided after 20 minutes.
16 Mr. Cron waltzes through there and he
17 says: "Oh, yes, there is a torn window there, that is
18 phony."
19 But then experts come out there and
20 they say, "The cut came from the outside, Mr. Cron."
21 "Well, that's all right. We will
22 overlook that."
23 And then, as time goes by, they find
24 fingerprints down here, and do you remember when Mr.

25 Frosch, who is sitting out here on the front row, who
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1 never mounted that witness stand, came in here and gave a
2 demonstration of going through the window? Went right
3 through it very quickly. He is a big man. And he put
4 his hand, folks, exactly where those prints were found.
5 Exactly where those prints were found.
6 Now, of all the fingerprints that they
7 attempted to find in that place, that was the most
8 significant. They found very few, but that was the most
9 significant. They matched nobody.
10 Now, what does that tell you? Well,
11 they want to dismiss that, and try to infer to you, that
12 perhaps those were children's fingerprints. But isn't it
13 interesting that Mr. Frosch put his hand right down there
14 where they were, as he went through there, without any
15 trouble, I submit to you, right through that window, and
16 you saw it.
17 They want to dismiss the sock up the
18 alley. They want you to infer, that through all of this
19 melee out there, that Darlie Routier runs up the alley,
20 and plants a sock with the blood of both of the children
21 on it. How preposterous.
22 If you are going to create a scene,
23 and they have to have an answer for everything. Any time
24 the scene gets confusing, they say, "That's staging."
25 You will recall Mr. Waddell, the first
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1 officer on the scene. He testifies, you know, in lock
2 step with the position that the State has got to take to
3 back up Mr. Cron, his conclusion that she did it. She
4 wasn't upset.
5 You heard her husband talk about it,
6 he said it was chaos. It was absolutely maddening, what
7 was going on there. She was from one child to the next,
8 running around the room. The paramedics are pouring in
9 there, they don't even know how many people came in
10 there.
11 The scene, and they keep talking about
12 and using the word contaminated, the scene becomes
13 contaminated. The scene gets disrupted from the way it
14 was at the time the crime occurred. And police officers
15 do that to it. They want to come in and say that because
16 the vacuum sweeper was over her foot, that she staged all
17 of that, her print. Or the glass down there on the
18 floor.

19 The first man on the scene, Mr.
20 Waddell says, "That vacuum sweeper was not in the way."
21 That is something, folks, you would
22 have seen. A vacuum sweeper standing in an area of
23 importance in that house, would have gotten your
24 attention. Think about your vacuum sweeper being turned
25 over in your kitchen. If you were a police officer
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1 walking in there, you would have noticed it.
2 Mr. Waddell says, "I didn't see a
3 vacuum sweeper." And if you want any of this evidence
4 read back to you, as to the importance of that statement,
5 ask the reporter to read that back to you. She can do
6 that.
7 Mr. Walling mounts the witness stand:
8 "I didn't see any vacuum sweeper."
9 Darlie gets on the witness stand and
10 says, "I was using it as a prop. I was standing there
11 trying to hold myself up."
12 I want to talk with you just about one
13 more subject, and then I'm going to sit down.
14 You are going to have a question in
15 your mind as to what you think went on out there that
16 night when this happened. And I'm going to submit to
17 you, that it's a reasonable deduction from the evidence
18 that you heard, that that TV was on in there, and you-all
19 know from experience, the kind of light that a TV
20 creates. It's a dimming, and it's a bouncing type of
21 light. A person standing outside of that house could
22 have seen that. They could have seen the silhouette of a
23 woman lying on that couch, little knowing that there are
24 two small children laying on the floor, and I can't put
25 myself, and neither can you, into the mind of a crazed
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1 maniac, because that is what it would take to do this.
2 But that person stealthily went into
3 that house, with the intention of going after her, gets
4 in there and sees the reflections on the floor of those
5 two small children, and they want you to believe that
6 that would have been a noisy affair.
7 How many movies have you ever seen
8 where one adult dispatches another, without even
9 virtually a sound. It can be done, folks. And you are
10 talking about two delicate little boys laying there on
11 the floor.
12 Do you think an adult male or males,

13 for that matter, could not have come up very stealthily,
14 and leaned over each one of those kids and pinned them to
15 the floor, and children are hard to wake up, and hold
16 them down with their hand over there mouths, or whatever
17 is necessary to keep them from making noises, and plunged
18 that knife into them, and that child would never have
19 moved.
20 It's like killing an animal and
21 holding it down, and it could have been done without a
22 bit of noise, and then move on next to the other child
23 before you go for what you are ultimately in there for.
24 The other adult. And stoops down over Damon, most close
25 to her, and does the same thing. And do you think an
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1 adult male or males couldn't have held a little child
2 down? It can be done, folks.
3 Use your common sense as he has asked
4 you to do. Then he moves on to her, and cuts her throat.
5 I don't know what his intentions were, but her panties
6 were gone. She said that.
7 We can't account for the mind of a
8 person like this. Damon wakes up. Damon is not dead,
9 and he comes over. And you say, "Why doesn't she hear
10 all of this?"
11 Well, he is stealthily killing those
12 two kids, and I don't know what he did to her, but I
13 submit to you the account that she gave of what she felt
14 in her mind as she came up off of that couch was one of a
15 person who was in a complete fog. She said, "I don't
16 know, I just followed him out."
17 The inside of her mouth was cut when
18 she got to the hospital. Maybe he stuck something in her
19 mouth. Maybe she momentarily lost consciousness as a
20 result of being smothered. I submit to you that is
21 probably what happened.
22 Maybe he did beat on her, she doesn't
23 know. She said, "I didn't even know that I had been
24 beaten on until these bruises showed up."
25 THE COURT: You have used 10 minutes,
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1 Mr. Glover.
2 MR. CURTIS GLOVER: Thank you, Judge.
3 I'm going to sit down now, folks. But
4 just as they say, and I adopt that, use your common
5 sense. This woman did not kill those two little
6 children. There is no evidence here whatsoever to

7 indicate that she would ever have had that kind of a
8 mentality, quite the contrary.

9 And I will ask you sincerely from my
10 heart, to find her not guilty.

11 Thank you.

12 THE COURT: Thank you, Mr. Glover.