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Theodore Boone: The Accused

Written by

John Grisham

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Theodore Boone

THE ACCUSED

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THE ACCUSED



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Chapter 1

The accused was a wealthy man by the name of Pete Duffy, and his alleged crime was murder. According to the police and the prosecutors, Mr. Duffy strangled his lovely wife in their attractive home on the sixth fairway of a golf course where he, the accused, was playing golf that day, alone. If convicted, he would spend the rest of his life in prison. If acquitted, he would walk out of the courtroom a free man. As things turned out, the jury did not find him guilty, or not guilty.

This was his second trial. Four months earlier, the first trial had ended suddenly when Judge Henry Gantry decided it would be unfair to continue. He declared a mistrial and sent everyone home, including Pete Duffy, who remained free on bond. In most murder cases, the accused

cannot afford to post a bond and stay out of jail while waiting on a trial. But because Mr. Duffy had money and good lawyers, he had been free as a bird since the police found his wife's body and the State accused him of killing her. He had been seen around town—dining in his favorite restaurants, watching basketball games at Stratten College, attending church (with greater frequency), and, of course, playing lots of golf. As he waited on his first trial, he seemed unconcerned with the prospect of a trial and the possibility of prison. Now, though, facing his second trial, and with a new eyewitness ready to be used by the prosecution, Pete Duffy was rumored to be very worried.

The new eyewitness was Bobby Escobar, a nineteen-year-old illegal immigrant who was working at the golf course on the day Mrs. Duffy was murdered. He saw Mr. Duffy enter his home at about the same time she died, then hurry away and resume his golf game. For a lot of reasons, Bobby did not come forward until the first trial was underway. Once Judge Gantry heard Bobby's story, he declared a mistrial. Now, with Bobby ready to testify, most of the folks in Strattenburg, who had been closely watching the Duffy case, were expecting a guilty verdict. It was almost impossible to find someone who believed Pete Duffy did not kill his wife.

And it was also difficult to find a person who did not

want to watch the trial. A murder trial in the Strattenburg Courthouse was a rare event—indeed, murder was rare in Stratten County—and a large crowd began gathering at 8:00 a.m., just after the front doors of the courthouse opened. The jury had been selected three days earlier. It was time for the courtroom drama to begin.

At 8:40, Mr. Mount got his eighth-grade class quiet and called the roll. All sixteen boys were present. Homeroom lasted for only ten minutes before the boys went off to first period Spanish with Madame Monique.

Mr. Mount was in a hurry. He said, "Okay, men, you know that today is the first day of the Pete Duffy trial, round two. We were allowed to watch the first day of the first trial, but, as you know, my request to watch the second trial was denied."

Several of the boys hissed and booed.

Mr. Mount raised his hands. "Enough. However, our esteemed principal, Mrs. Gladwell, has agreed to allow Theo to watch the opening of the trial and report back to us. Theo."

Theodore Boone jumped to his feet, and, like the lawyers he watched and admired, walked purposefully to the front of the room. He carried a yellow legal pad, just like a real lawyer. He stood by Mr. Mount's desk, paused for

a second, and looked at the class as if he were indeed a trial lawyer preparing to address the jury.

Since both of his parents were lawyers, and he had practically been raised in their law offices, and he hung out in courtrooms while the other eighth graders at Strattenburg Middle School were playing sports and taking guitar lessons and doing all the things that normal thirteen-year-olds tend to do, and since he loved the law and studied it and watched it and talked about little else, the rest of his class was quick to yield to Theo when discussing legal matters. When it came to the law, Theo had no competition, at least not in Mr. Mount's eighth-grade homeroom.

Theo began, "Well, we saw the first day of the first trial four months ago, so you know the lineups and the players. The lawyers are the same. The charges are the same. Mr. Duffy is still Mr. Duffy. There is a different jury this time around, and, of course, there is the issue of a new eyewitness who did not testify during the first trial."

"Guilty!" yelled Woody from the back of the room. Several others chimed in and added their agreement.

"All right," Theo said. "Show of hands. Who thinks Pete Duffy is guilty?"

Fourteen of sixteen hands shot upward with no hesitation whatsoever. Chase Whipple, a mad scientist who

took pride in never agreeing with the majority, sat with his arms folded across his chest.

Theo did not vote, but instead became irritated. "This is ridiculous! How can you vote guilty before the trial has started, before we know what the witnesses will say, before anything happens? We've talked about the presumption of innocence. In our system, a person charged with a crime is presumed to be innocent until proven guilty. Pete Duffy will walk into the courtroom this morning completely innocent, and will remain innocent until all the witnesses have testified and all the proof is before the jury. The presumption of innocence, remember?"

Mr. Mount stood in a corner and watched Theo at his best. He had seen this before, many times. The kid was a natural on his feet, the star of the Eighth-Grade Debate Team, of which Mr. Mount was the faculty adviser.

Theo pressed on, still pretending to be indignant at his classmates' rush to judgment. "And proof beyond a reasonable doubt, remember? What's the matter with you guys?"

"Guilty!" Woody yelled again, and got some laughs.

Theo knew it was a lost cause. He said, "Okay, okay, can I go now?"

"Sure," Mr. Mount replied. The bell rang loudly and

all sixteen boys headed for the door. Theo darted into the hallway and raced to the front office where Miss Gloria, the school's secretary, was on the phone. She liked Theo because his mother had handled her first divorce, and because Theo had once given her some unofficial advice when her brother was caught driving drunk. She handed Theo a yellow release form, signed by Mrs. Gladwell, and he was off. The clock above her desk gave the time as exactly 8:47.

Outside, at the bike rack by the flagpole, Theo unlocked his chain, wrapped it around the handlebars, and sped away. If he obeyed the rules of the road and stayed on the streets, he would arrive in front of the courthouse in fifteen minutes. But, if he took the usual shortcuts, and raced through an alley or two, and cut across a backyard here and another one there, and ran at least two STOP signs, Theo could make it in about ten minutes. On this day, he did not have time to spare. He knew the courtroom was already packed. He would be lucky to get a seat.

He flew through an alley, got airborne twice, then darted through the backyard of a man he knew, an unpleasant man, a man who wore a uniform and tried to act as though he were a real officer of the law when in fact he was little more than a part-time security guard. His name was Buck Boland, (or Buck Baloney, as some people whispered behind his back), and Theo saw him occasionally hanging around

the courthouse. As Theo flew across Mr. Boland's backyard, he heard a loud, angry voice. "Get outta here, kid!" Theo turned to his left just in time to see Mr. Boland throw a rock in his direction. The rock landed very close by, and Theo pedaled even harder.

That was close, he thought. Perhaps he should find another route.

Nine minutes after leaving the school, Theo wheeled to a stop in front of the Stratten County Courthouse, quickly chained his bike to the rack, and sprinted inside, up the grand staircase and to the massive front doors of Judge Gantry's courtroom. There was a crowd at the door—spectators in a line trying to get in, and TV cameras with their bright lights, and several grim-faced deputies trying to keep order. Theo's least favorite deputy in all of Strattenburg was an old grouchy man named Gossett, and, as luck would have it, Gossett saw Theo trying to ease his way through the crowd.

"Where do you think you're going, Theo?" Gossett growled.

It should be obvious where I'm going, Theo thought quickly to himself. Where else would I be going at this moment, at the beginning of the biggest murder trial in the history of our county? But being a wise guy would not help matters.

Theo whipped out his release from school and said,

sweetly, "I have permission from my principal to watch the trial, sir." Gossett snatched the release and glared at it as if he might have to shoot Theo if his paperwork didn't measure up. Theo thought about saying, "If you need some help, I'll read it for you," but, again, bit his tongue.

Gossett said, "This is from school. This is not a pass to get inside. Do you have permission from Judge Gantry?"

"Yes, sir," Theo said.

"Let me see it."

"It's not in writing. Judge Gantry gave me verbal permission to watch the trial."

Gossett frowned even harder, shook his head with great authority, and said, "Sorry, Theo. The courtroom is packed. There are no more seats. We're turning people away."

Theo took his release and tried to appear as if he might burst into tears. He backtracked, turned around, and headed down the long hallway. When Gossett could no longer see him, he ducked through a narrow door and bounced down a utility staircase, one used only by the janitors and service technicians. On the first floor, he eased along a dark, cramped corridor that ran under the main courtroom above, then stepped nonchalantly into a break room where the courthouse employees gathered for coffee, doughnuts, and gossip.

"Well, hello, Theo," said lovely Jenny, by far Theo's favorite clerk in the entire courthouse.

"Hello, Jenny," he said with a smile as he kept walking across the small room. He disappeared into a utility closet, came out the other side onto a landing which led to another hidden staircase. In decades past, this had been used to haul convicts from the jail to the main courtroom to face the wrath of the judges, but now it was seldom used. The old courthouse was a maze of cramped passageways and narrow staircases, and Theo knew every one of them.

He entered the courtroom from a side door next to the jury box. The place was buzzing with the nervous chatter of spectators about to see something dramatic. Uniformed guards milled about, chatting with one another and looking important. There was a crowd at the main door as people were still trying to get in. On the left side of the courtroom, in the third row behind the defense table, Theo saw a familiar face.

It was his uncle, Ike, and he was saving a seat for his favorite (and only) nephew. Theo wiggled and darted down the row and wedged himself into a tight spot next to Ike.