

# PRESUMED INNOCENT



SCOTT TUROW

Chicago defense attorney Turow, formerly a U.S. prosecutor, capitalizes on his intimate knowledge of the courtroom in an impressive first novel that matches *Anatomy of a Murder* in its intensity and verisimilitude. With the calculating genius of a good lawyer (and writer), Turow, author of the nonfiction *One L*, draws the reader into a grittily realistic portrait of big city political corruption that climaxes with a dramatic murder trial in which every dark twist of legal statute and human nature is convincingly revealed. The novel's present tense puts the reader firmly in the mind of narrator Rusty Sabich, a married prosecuting attorney whose affair with a colleague comes back to haunt him after she is brutally raped and murdered. Sabich's professional and personal lives begin to mingle painfully when he becomes the accused. His is a gripping and provocative dilemma: "Sitting in court, I actually forget who is on trial at certain moments ... And once we get back to the office, I can be a lawyer again, attacking the books, making notes and memos." Turow's ability to forge the reader's identification with the protagonist, his insightful characterizations of Sabich's legal colleagues and the overwhelming sense he conveys of being present in the courtroom are his most brilliant and satisfying contributions to what may become a literary crime classic.

# **PRESUMED INNOCENT**

# SCOTT TUROW

The first book in the Kindle County series

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*For my mother*

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# Opening Statement

*This is how I always start:*

*“I am the prosecutor.*

*“I represent the state. I am here to present to you the evidence of a crime. Together you will weigh this evidence. You will deliberate upon it. You will decide if it proves the defendant’s guilt.*

*“This man—” And here I point.*

*You must always point, Rusty, I was told by John White. That was the day I started in the office. The sheriff took my fingerprints, the chief judge swore me in, and John White brought me up to watch the first jury trial I’d ever seen. Ned Halsey was making the opening statement for the state, and as he gestured across the courtroom, John, in his generous, avuncular way, with the humid scent of alcohol on his breath at ten in the morning, whispered my initial lesson. He was the chief deputy P.A. then, a hale Irishman with white hair wild as cornsilk. It was almost a dozen years ago, long before I had formed even the most secret ambition to hold John’s job myself. If you don’t have the courage to point, John White whispered, you can’t expect them to have the courage to convict.*

*And so I point. I extend my hand across the courtroom. I hold one finger straight. I seek the defendant’s eye. I say:*

*“This man has been accused.”*

*He turns away. Or blinks. Or shows nothing at all.*

*In the beginning, I was often preoccupied, imagining how it would feel to sit there, held at the focus of scrutiny, ardently denounced before all who cared to listen, knowing that the most ordinary privileges of a decent life — common trust, personal respect, and even liberty — were now like some cloak you had checked at the door and might never retrieve. I could feel the fear, the hot frustration, the haunted separateness.*

*Now, like ore deposits, the harder stuff of duty and obligation has settled in the veins where those softer feelings moved. I have a job to do. It is not that I have grown uncaring. Believe me. But this business of accusing, judging, punishing has gone on always; it is one of the great wheels turning beneath everything we do. I play my part. I am a functionary of our only universally recognized system of telling wrong from right, a bureaucrat of good and evil. This must be prohibited; not that. One would expect that after all these years of making charges, trying cases, watching defendants come and go, it might have all become a jumble. Somehow, it has not.*

*I turn back to face the jury.*

*“Today you — all of you — have taken on one of the most solemn obligations of citizenship. Your job is to find the facts. The truth. It is not an easy task, I know. Memories may fail; recollections may be shaded. The evidence might point in differing directions. You may be forced to decide about things that no one seems to know, or to be willing to say. If you were at home, at work, anywhere in your daily life, you might be ready to throw up your hands, you might not want to make the effort. Here you must.*

*“You must. Let me remind you. There was a real crime. No one will dispute that. There was a real victim. Real pain. You do not have to tell us why it happened. People’s motives, after all, may be forever locked inside them. But you must, at least, try to determine what actually occurred. If you cannot, we will not know if this man deserves to be freed — or punished. We will have no idea who to blame. If we cannot find the truth, what is our hope of justice?”*

**SPRING**

# 1

“I should feel sorrier,” Raymond Horgan says.

I wonder at first if he is talking about the eulogy he is going to deliver. He has just looked over his notes again and is returning two index cards to the breast pocket of his blue serge suit. But when I catch his expression I recognize that his remark was personal. From the rear seat of the county’s Buick, he stares through the auto window toward the traffic thickening as we approach the South End. His look has taken on a meditative cast. As I watch him, it strikes me that this pose would have been effective as *The Picture* for this year’s campaign: Raymond’s thick features fixed in an aspect of solemnity, courage, and a trace of sorrow. He shows something of the stoic air of this sometimes sad metropolis, like the soiled bricks and tarpaper roofs of this part of town.

It is a commonplace among those working around Raymond to say he does not look well. Twenty months ago he split with Ann, his wife of thirty years. He has picked up weight and a perpetual grimness of expression which suggests he has finally reached that time of life when he now believes that many painful things will not improve. A year ago the wagering was that Raymond did not have the stamina or interest to run again, and he waited until four months before the primary to finally announce. Some say it was addiction to power and public life that made him proceed. I believe the chief impulse was Raymond’s outright hatred of his primary opponent, Nico Della Guardia, who was until last year another deputy prosecuting attorney in our office. Whatever the motivation, it has proved a difficult campaign. While the money lasted, there were agencies involved and media consultants. Three young men of dubious sexuality dictated as to matters such as *The Picture*, and saw to it that this image of Raymond was applied to the backside of one in every four buses in the city. In the picture he has a coaxed smile, meant to show a toughened whimsy. I think the photograph makes him look like a kind of sap. It is one more sign that Raymond has