

The Defendant's Defender; High-Profile Private Lawyer Excels at Getting Acquittals for the Accused

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Prince George's County police Cpl. Raymond S. Redden took the witness stand and said he was certain that defendant Derrell L. Gilchrist carjacked him and tried to shoot him in bright daylight last summer.

The prosecution had Gilchrist's fingerprint on Redden's car. The prosecution had Redden's eyeball identification. It looked like a slam-dunk conviction.

But Gilchrist had defense attorney Douglas J. Wood.

As Redden glared at his alleged assailant during the trial early this year, the lanky Wood stood up and matter-of-factly recited the description of the attacker that Redden gave fellow officers moments after the assault: a medium-built, dark-complexioned man, 150 to 205 pounds.

Wood had Gilchrist -- all 5 feet 6 inches, 230 pounds of him -- stand up next to him.

Pointing at the rotund Gilchrist, Wood asked, "He might be medium- built?"

Yes, Redden replied.

"What about me?" the 6-foot-1, 175-pound Wood asked. Redden answered that he too had a medium build.

Two days later, the Circuit Court jury in Upper Marlboro acquitted Gilchrist after deliberating for just 90 minutes. Redden stormed from the courtroom. Other officers shook their head in disbelief and disgust. Wood briefly exchanged words with Gilchrist, snapped shut his briefcase and strode out of the courtroom.

Once again, Wood and his straightforward, take-no-prisoners approach had bested Prince George's police and prosecutors in a high- profile case.

In 1999 and 2000, in what courthouse observers say was an unprecedented streak, Wood won five outright acquittals in first- degree murder cases in Prince George's Circuit Court. That ended in 2001, when a client charged with murder was convicted.

"There's been a bunch of attorneys who won two in a row, but five is a hell of a long streak," said Circuit Court Judge Vincent J. Femia, who has worked in the courthouse for 40 years as a judge and prosecutor. "Any way you cut it, that's impressive."

Gilchrist's acquittal in January did not go unnoticed by federal officials. In late June, the Maryland U.S. Attorney's office announced Gilchrist had been indicted on a federal charge for the same carjacking that he was acquitted of in Circuit Court. A federal grand jury also indicted Gilchrist on five bank robberies.

One thing federal prosecutors will have going for them: They won't have to contend with Wood, who is not representing Gilchrist on the federal charges. The trial is set for Jan. 7.

Wood's approach in Prince George's Circuit Court has been to aggressively challenge police testimony, conceding nothing to the prosecution, often eliciting damaging admissions from officers and detectives testifying under oath.

"If I was accused of murder in this county, I'd hire Doug Wood," said Upper Marlboro defense lawyer Thomas C. Mooney.

Even some police detectives, whom Wood often cross-examines with a level of aggression not often seen around the Upper Marlboro courthouse, concede a grudging respect for the defense attorney.

"No question, he's very effective in court. He's good at what he does; you have to hand it to him," said county homicide Detective Charles "Chuck" Richardson.

Richardson knows firsthand.

In 1999, Wood defended Harry E. Easter, who was charged with fatally shooting James Hardy in Capitol Heights.

During several hours of interrogation by detectives, Easter maintained his innocence. Richardson and another detective then accompanied Easter to appear before a court commissioner, where Easter was told he was being charged with first-degree murder.

At Easter's trial, Richardson testified that as the commissioner informed Easter he was being charged with first-degree murder, Easter blurted out, "I did it" and that he was sorry. No one else heard the alleged statement, according to court testimony.

During cross-examination, Wood grilled Richardson, asking him why he didn't have Easter write a statement. Richardson testified that Easter had asked for an attorney by then, so he could not ask him to give a statement.

In his closing argument, Wood accused Richardson of concocting the alleged statement because police were so eager to obtain a confession and had a weak case without one.

The jury acquitted Easter.

"It upset me that he would call me a liar," Richardson said. "I felt like had the jury completely believed me, they would have probably convicted him."

Deputy State's Attorney Robert L. Dean, considered one of the top prosecutors in the state, praised Wood's courtroom abilities.

"He's one of the finer attorneys I've ever appeared with. He's extremely well prepared," Dean said. "He's conducted some textbook cross-examinations."

In January, 2000, a Circuit Court jury acquitted Keith Arnaz Boone of murdering a Capitol Heights woman as she was hanging curtains in her living room in June 1999. Wood represented Boone, and Dean prosecuted the case, which was one of Wood's five consecutive murder acquittals.

Some officers and detectives -- including Richardson -- believe Wood at times crosses the line and puts forth a defense he knows is not true to gain acquittals for murderers and drug dealers.

A few days after the Easter verdict, Richardson confronted Wood in a courthouse hallway and accused him of knowing that his client had made the incriminating statement. Wood did not respond and walked away, according to both men.

With his hawklike nose, dark-rimmed glasses and salt-and-pepper hair, Wood, a graduate of Holy Cross and Catholic University's law school, cuts a striking figure as he walks the hallways of Circuit Court in Upper Marlboro or federal court in Greenbelt, where he also practices.

In an interview, Wood made no apologies for his aggressive tactics. He pointed out that county police often keep suspects for questioning for more than 24 hours at a time, an approach many defense lawyers believe is illegal.

Wood said he has learned not to take for granted that police have arrested the right suspect. In 1995, Wood defended Jeffrey C. Gilbert, whom county police accused of murdering one of their own when the officer was gunned down while in a squad car, moonlighting as a security guard for a liquor store. Charges against Gilbert, who was badly beaten when he was arrested, were dropped after evidence surfaced implicating another man.

Wood and his partners in the Riverdale firm Roberts & Wood also have a stack of civil jury verdicts and civil settlements for plaintiffs who filed lawsuits alleging police brutality.

Through civil suits, the firm has been instrumental in exposing numerous incidents of county police misconduct, particularly by canine-handling officers. That exposure has helped provide some of the impetus for the nearly two dozen ongoing criminal investigations being conducted by the FBI and the Justice Department into alleged brutality by county police officers.

"I think the system works best when it's adversarial," said Wood, who developed his street-fighting approach to lawyering as an assistant public defender in the rough-and-tumble world of D.C. Superior Court in the 1980s.

"When I was younger, I tended to trust that police got the right guy and used the right process in finding him. The more you see and hear, the more you learn you just can't trust what they say. You have to look at every case with skepticism; that's the only way to do it. Look at all the guys on death row who are exonerated after 20 years."

"It's not to say they don't ever get the right guys, but every defendant deserves to have his day in court," Wood said. "Once you start thinking you won't go hard because your client is guilty, the system doesn't work."

Although other lawyers often stop to schmooze with fellow defense attorneys, prosecutors and police officers, Wood usually keeps a brisk pace as he strides to and from court. Unlike many defense lawyers, Wood eschews the numerous dinners and social gatherings thrown by and for lawyers who practice in the county, preferring a cordial, if distant, relationship with prosecutors and judges. Police are a different matter.

"I don't have a cordial relationship with the police, and I like that," Wood said. "That way, there's no compromise. If you go down to the FOP lodge and have a beer, you're not going to go as hard at them as you could."

Watching Wood grill police officers on the witness stand, it's sometimes difficult to tell who's on trial.

Last July, under cross-examination by Wood, two county homicide detectives admitted in a Circuit Court pretrial hearing that they ignored repeated requests by a murder suspect to speak to a lawyer and tried to obtain a confession from him without advising him of his Miranda rights, which encompass the right to counsel and the right to remain silent. Prosecutors later allowed the defendant, who had been charged with first-degree murder, to plead guilty to the lesser charge of manslaughter in the strangling death of his wife.

In September 2000, under questioning by Wood in a motions hearing in a drug case, an undercover narcotics officer involved in a controversial fatal shooting admitted he had been found guilty by the police department of filing a false police report.

The admission by Cpl. Carlton B. Jones led to the dismissal of felony cocaine possession charges against Wood's client. The disclosure also prompted Prince George's State's Attorney Jack B. Johnson to drop nearly two dozen other felony drug cases in which Carlton Jones was the key investigator, and to announce he could no longer use Jones as a prosecution witness.

Three weeks before the hearing, Jones had followed Prince C. Jones Jr. from Hyattsville, through the District and into Fairfax County. In Fairfax County, Carlton Jones fatally shot Prince Jones after Prince Jones backed his Jeep into the officer's sport-utility vehicle, police said.

In July 1993, a D.C. homicide detective invoked his Fifth Amendment right against self-incrimination while being cross-examined by Wood in a double-murder case.

The detective, Daniel Villars, halted his testimony after Wood accused him of lying about how he had put together a photo lineup to show to a witness in a double-murder trial. After Villars took the Fifth, the judge dismissed the murder charges against both suspects at the request of federal prosecutors.

Wood has some moves outside of court too.

In spring 1995, homicide detectives brought Gilbert, still under suspicion for the murder of the moonlighting officer, to police headquarters for questioning. Wood learned Gilbert had been taken there and raced to the headquarters building in Landover.

Wood indicated detectives could talk to Gilbert but said he needed to speak to his client first. Wood went into the room where Gilbert was being kept and screamed at him not to say anything to detectives. Wood left, and Gilbert didn't talk. Two of his partners in July negotiated a civil settlement of more than \$1 million for Gilbert.

In an interview in his spacious Riverdale office, Wood, 51, said the formula for his success is simple -- take nothing for granted.

"We work these cases. We have a couple of good private investigators who go out and interview people and track things down, so I don't have to rely on the police to tell me things," Wood said.

Wood said his hardball approach wouldn't be so successful if county police relied more on gathering forensic evidence and witness statements than on trying to obtain confessions.

"They get a sense of who they think is guilty and try very hard to get a confession from that person," Wood said. "If investigated properly, they wouldn't even care about getting a statement from my clients. They wouldn't need one."

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