

1 The family knew about it. The neighbors knew about it.  
2 It may not have been in the newspaper. It was a long  
3 period of time from the time that this offense occurred  
4 until this so-called confession was made, many months.

5 There's an expression called corroboration.  
6 A man might come in and say, "I did so and  
7 so..." and say, "Let's hear about it. How did this  
8 happen?" He gives a story and right away you can see  
9 there are holes in it. In the first place he said he  
10 was out there in a stolen white Chevrolet and gave the  
11 license number. I don't have it right here, I have  
12 it over there. (Indicating) You've heard the number.  
13 Officer Degalan made investigation and no car with  
14 that plate was ever stolen. It goes to a different  
15 car. Was he out there in this car or was he not or is  
16 this a figment of his imagination? I don't know.

17 And, then he -- in the confession and  
18 in the statement he tells about things that I find  
19 very difficult to understand. That's just me talking,  
20 of course. The prosecutor would have you believe that  
21 at dawn -- it is barely dawn -- that a person out there  
22 committing this horrible crime is going to take note  
23 of all the things that are in that statement.

24 Would a person committing this kind of  
25 horrible crime take note of such things as there was

1 a light on a telephone pole? Wouldn't this be more  
2 likely to have been a person who had gone out there  
3 and really looked at it? This man, he talks about  
4 earrings at dawn. At this kind of affray, he is going  
5 to describe earrings? A man is going to notice that  
6 somebody's ears are pierced at dawn when you can barely  
7 see anything?

8 That a rape was committed in a car, we  
9 don't know if there was such a car or not. Probably  
10 not. And, that the contents -- Michelle Jackson was  
11 carrying the books -- he dragged her into the garage  
12 and went out and dragged her possessions in there,  
13 went out and got the books and brought them in. How  
14 did that happen?

15 This is at dawn, it is barely light,  
16 he is in the garage and he says he saw a green bottle.  
17 If you went to get socks out of a drawer, could you  
18 tell it was a blue bottle or green bottle or any other  
19 type of bottle? He describes picking up of the piece  
20 of paper. We've never seen the piece of paper although  
21 there is a piece of paper on a bottle.

22 We have a huge scientific lab at the  
23 Detroit Police Department and there was nothing said  
24 about blood types although he was examined for blood  
25 types and where is the proof of that?

1                   There are many things you'll think  
2                   about that I haven't considered. You're sitting there,  
3                   you've got nothing to do except hear all of this.  
4                   It seems to me like the prosecution is taking out of  
5                   this so-called confession and statement things  
6                   beneficial to the prosecution but they forget about  
7                   the rest.

8                   If this man did this act and remembers  
9                   about things like a green bottle, pierced ears, and  
10                  all those little details and tells you -- apparently  
11                  he is willing to do this -- sounded like he couldn't  
12                  hold himself back to me. And, says the body was left  
13                  here (indicating) and you'll see it on the diagram --  
14                  and actually the body was left here -- that's a very  
15                  important fact. I'll admit I'm bewildered.

16                  I ask that you consider this case and  
17                  you come out with a decision after reviewing everything  
18                  which I hope you'll do that is equitable to my client  
19                  and to the People. Thank you very much.

20                  MR. KENNY: Ladies and gentlemen, Mr.  
21                  Rubach again has argued to you the notion of the  
22                  presumption of innocence which is a principle you must  
23                  keep foremost in your minds throughout your delibe-  
24                  ration. The reason for the presumption of innocence  
25                  is to make the government prove their case. If we

1           prove our case to you beyond a reasonable doubt, that  
2           presumption of innocence is shattered.

3                         Mr. Rubach mentioned the fact that his  
4           client, Mr. Lloyd, was on medication. You heard Dr.  
5           Han indicate that he didn't think the ten milligram  
6           dosage was very much. But more specifically, use  
7           your own recollection and if you want to you can even  
8           hear the tape. It has been admitted into evidence.  
9           Recall what his voice sounded like. Did that sound  
10          like someone who was heavily medicated and making  
11          ponderous kinds of statement? Absolutely not. It  
12          sounded clear. His voice was very strong. He didn't  
13          have difficulty putting sentences together. He  
14          didn't have difficulty answering questions. This  
15          certainly didn't sound like someone heavily drugged  
16          by any stretch of the imagination.

17                        Mr. Rubach mentioned to you that Mr.  
18          Lloyd is a man who shows interest in all kinds of  
19          investigations, criminal investigations. He may very  
20          well have gone to that scene. Well, think about it  
21          though, ladies and gentlemen, think about what he said  
22          on the tape when he was asked whether he had been  
23          there before or after. In response to both of those  
24          questions, he said, "No." In fact, when he was asked  
25          about had he been there after the crime he said, "No."

1           Because that is a cardinal sin to use his words, a  
2           cardinal sin to revisit the scene of the crime. Was  
3           he there? Mr. Rubach would have you think and mull  
4           over the notion of whether or not maybe he went there  
5           at some other time.

6                     Keep in mind the testimony. This is a  
7           man who lived on the east side of the City of Detroit;  
8           this was a crime that happened on the west side. It  
9           is not something -- it is not a location that was right  
10          around the corner from where he lived, it is the other  
11          side of the city. And, if he had come there maybe  
12          sometime after this offense, how would he have known  
13          about the underwear that was left on the tree, as  
14          "his calling card"?

15                    The evidence technicians were out there,  
16          they processed the scene, they collected evidence.  
17          How would he know about the underwear on the tree if  
18          he visited the scene after the incident had taken  
19          place?

20                    Mr. Rubach told you about, "Well, family  
21          members and neighbors of the deceased must have known  
22          about the specifics." Keep in mind, first of all,  
23          ladies and gentlemen, what Mr. Pierce told you when  
24          he testified. When he was asked specifically by Mr.  
25          Rubach, "Well, did you talk about it? You talked about

1 what you had seen, you talked about the facts of  
2 this case, didn't you?"

3 He said, "No, it just wasn't something  
4 that we wanted to talk about. We consoled one another."

5 You can understand why the family  
6 wouldn't talk in great detail about it because it was  
7 such a horrifying set of facts to deal with, that they  
8 wouldn't want to dwell on all the bad details and  
9 specifics. They would have no interest in wanting to  
10 spread all these horrible details around the neighbor-  
11 hood or the city.

12 As the investigator indicated, the  
13 press didn't know about this. More specifically, keep  
14 in mind that when the family members happened to come  
15 upon the scene and found the body of Michelle Jackson  
16 they were there before the bottle was moved. Remember,  
17 if you will, after the family found Michelle Jackson  
18 in the garage, what did they do? They called for  
19 assistance.

20 The police came and the police then  
21 secured the scene, did not let anyone else in there.  
22 Family members who testified indicated they did not  
23 go back in. The area was secured, no one else was  
24 allowed in and it wasn't until sometime later when  
25 Officer Degalan and the evidence technician, Officer

1 Babcock, went inside that garage and ended up moving  
2 the body that the bottle fell out. That was the first  
3 time they knew about it, and as Officer Degalan  
4 indicated that was not a publicized matter. They  
5 didn't disclose that information to the public, they  
6 didn't disclose that information to the media. Aside  
7 from the homicide investigators and Evidence Technician  
8 Babcock the only other person who would have known about  
9 that was the killer, Mr. Lloyd.

10 Ask yourself with regards to the area  
11 of corroboration and there's plenty of it in terms of  
12 the detail that he gave. Where did he come up with  
13 this? Don't forget in the letter that he sent when  
14 he talks with the police initially he is the one who  
15 brings up the business about the bottle. Where did  
16 Eddie Lloyd come up with this information? Did he  
17 just make it up, take a lucky stab in the dark? If  
18 he is just interested in solving cases and helping  
19 the police solve these kinds of investigations, why  
20 this one? Unfortunately, in the city and in this  
21 area, we have all too many homicides. Why is he con-  
22 cerned about this one?

23 I submit to you the reason he is con-  
24 cerned about this one is because he did it. It was  
25 emphasized to you, ladies and gentlemen, that --

1           how would Mr. Lloyd remember all these details? How  
2           would he remember things like earrings? Keep in mind  
3           he was with the victim by his own account up to twenty-  
4           five minutes. Is he in a position to be able to see  
5           these earrings? He was close enough to choke her. He  
6           was close enough to strangle her to death; that's how  
7           close he was.

8                         Finally, Mr. Rubach offers to you a  
9           statement or explanation that Mr. Lloyd refers to and  
10          that is something to the effect of Mr. Lloyd wanted  
11          to confess to this particular murder because he  
12          figured that way by his confessing that that would  
13          bring out the real killer.

14                        Well, what we do know is that this was  
15          certainly done -- an act that was done by someone who  
16          has no regard for the concerns or even the life of  
17          any other human being, because this is an individual  
18          who sexually brutalized a sixteen year old child and  
19          then killed her. And, yet Mr. Lloyd wants you to  
20          believe that this person who has just utter contempt  
21          and disregard for another human being is going to be  
22          the same kind of person who if they see that the wrong  
23          person has confessed to the brutal offense will come  
24          trotting down to the police station and confess him-  
25          self. That certainly, ladies and gentlemen, is