

Hollywood on the Stand, Day Two

Jesse James Denies Ordering Murder, Says He Feels “Terrible”

By Chris Meagher

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On Tuesday, defense attorney James Blatt finished the direct examination of his client, Jesse James Hollywood, by asking how he feels about the brutal murder of 15-year-old Nicholas Markowitz in August 2000. “I feel terrible about everything that’s happened,” said Hollywood, who took the stand the day before to most everyone’s surprise. “I feel terrible for the Markowitz family. I feel terrible for all the families involved. I feel terrible people would think that I would do something like that.”

As Blatt sat down, prosecutor Joshua Lynn rose to the podium, looked at Hollywood, and asked clearly and loudly, “How do you feel now?” The shift in tone indicated that Lynn’s cross examination would be a much more aggressive line of questioning for the man accused of kidnapping and ordering the murder of Markowitz. Hollywood replied that he was both a little bit nervous and scared, while Lynn, who’s been preparing for this possibility for years, settled in for his questioning, which continued Wednesday.

Rarely do defendants take the stand in their own trial, and it’s even rarer in a capital murder case. But because Lynn risked not calling either the convicted shooter Ryan Hoyt (now on death row) nor convicted kidnapper Jesse Ruge (now serving a life sentence), the prosecutor left the door open for Hollywood’s testimony to be the only first-person account that the jury hears. Though the prosecution is alleging Hollywood ordered Markowitz shot, the jury has yet to hear from a single witness on where exactly Hoyt got those instructions, or if there were any instructions at all.

Graham Pressley, convicted as a minor of first degree murder for his role but since released, did testify that Ruge told him Hollywood offered \$2,000 to kill Markowitz, but no one has spoken specifically of an order to Hoyt. Part of Hoyt’s defense at his own trial was selective amnesia, that he didn’t remember many events surrounding the murder. Had Hoyt been called in this trial, either side could have used his prior testimony to discredit him.

The jury also won’t hear from Hoyt about a conversation he had with Hollywood during a party at their friend Casey Sheehan’s home, where Hoyt reportedly confessed to Hollywood. Hollywood testified this week that Hoyt said he had “fucked up” and that “me and Ruge did something bad,” meaning that they’d killed Markowitz. “What did you think Ben was gonna do when he finds out you kidnapped his brother?” Hoyt allegedly asked Hollywood, who said he responded, “You’ve got to be kidding me. What the fuck were you thinking?”

Sheehan testified earlier in the trial about that interaction, saying he heard Hoyt tell Hollywood about the screw-up and that Hollywood asked Hoyt why he didn’t handle the situation as instructed. Sheehan said Hollywood told him the night of the murder the Markowitz situation “had been taken care of,” though Hollywood on the stand said he didn’t utter the words.

With a gag order in place, Lynn can't comment on his trial strategy. But the prosecutor is under a lot of pressure to secure a conviction after replacing Ron Zonen, who won sentences against the other four charged in the murder before being taken off this case due to his involvement in consulting on Alpha Dog, the movie version of this crime. As such, Lynn has seemed on edge all trial and is quick to raise his voice to argue objections and other points with occasional barbs at witnesses along the way. How he handles Hollywood will likely determine the case's outcome.

Hollywood, meanwhile, appeared composed and collected on the stand, wearing a sharp black suit both Monday and Tuesday and speaking clearly into the microphone, answering many questions with, "Yes, sir," or "No, sir." Some repetitive answers came across as practiced, but overall Hollywood has displayed a calm demeanor.

While other witnesses testified to seeing guns at Hollywood's home when they'd visit, Hollywood said he hadn't been in possession of the Tec-9 automatic weapon used to kill Markowitz for months prior to the murder. An acquaintance gave him the gun because of a drug debt, and he took the weapon to a shooting range one day with Hoyt and Ben Markowitz, Nick's older half-brother and a former Hollywood drug dealer. While there, he learned that alterations he made to the gun were illegal, so he said that he left the gun in an old duffle bag in Hoyt's grandparents' garage.

Hollywood also recounted his days as a drug dealer in the San Fernando Valley, when he would bring in up to \$10,000 a month selling marijuana. While prosecutors allege it was a drug debt of \$1,200 that Ben Markowitz owed that led to the boy's kidnapping, Hollywood said Ben Markowitz owed him more than double that amount.

Hollywood also discussed the night he supposedly stiffed Ben's girlfriend on a restaurant bill due to the debt, which Ben testified was the latest episode of the escalating violence between the two. But Hollywood claimed he saw an engagement ring on the woman's finger and told her that Ben had "been ducking me. She seemed very embarrassed," he said, and she told him he didn't have to pay for the bill. He told her it could be taken off Markowitz's debt, but he didn't mean it maliciously. Because it was taken that way, however, "it's what set Ben off," said Hollywood, who testified that he then lived in fear of Ben Markowitz and denied ever sitting outside Ben's home. Only when Ben broke the windows of Hollywood's house did his emotions turn to anger.

Later that same morning, as Hollywood, Ruge, and William Skidmore set out for Santa Barbara to celebrate Fiesta, they saw Nick Markowitz walking in their West Hills neighborhood. They stopped their van, Hollywood pinned the teen to a tree, and Skidmore punched him in the stomach and threw him in the van. "It was totally irrational at the time," Hollywood said. The three didn't use violence in the van, and when they arrived in Santa Barbara, Hollywood said he walked into a room at a friend's home to see Skidmore had taped Markowitz's hands. He immediately told Skidmore to untape them. Later, prior to taking a trip back to the Los Angeles area, he asked Markowitz — who he said was free to do whatever he pleased at the home — if the boy wanted to go back with him. "No, I'm cool," Hollywood quoted the teen, who at that time was smoking marijuana and playing video games with the crew.

Hollywood said Ruge asked him on August 8 if he would return to Santa Barbara to pick Markowitz and Ruge up to bring them back to the San Fernando Valley. Hollywood said he

couldn't because he didn't have a car, and was going to dinner for his girlfriend's birthday, but asked Hoyt to, who agreed. It wasn't until the party days later that he learned of the murder, Hollywood said.

After the party, Hollywood told the courtroom, which was packed for the first time since opening statements, that he took off, driving out to Colorado and back over a series of days. From there, he lived in a trailer in the Mojave Desert for two weeks, where he ate microwaveable food and watched television, on which he saw stories about his case. News reports called him a child killer, he said, and people were saying that if he wasn't shot first, he would get the death penalty. "I had no hope," Hollywood said. "No hope." He eventually flew from LAX to Washington and took a boat to Canada, where he lived for six months before flying to Brazil, where he lived until he was captured in 2005.