

Santa Barbara News-Press, December 18, 2005

VETERAN PROSECUTOR, SEASONED DEFENDER WILL GO HEAD-TO-HEAD

By Scott Hadly

In a tailored dark-blue suit with a light silk handkerchief peeking from his pocket, Jesse James Hollywood's attorney James Blatt held his hands together at his waist as he stood before the judge and politely began his attack.

"The problem here, and I don't relish making this motion," Mr. Blatt said at a pretrial hearing during the summer. "But I believe a significant mistake in judgment has been made."

It was the first swipe in what became a months-long strategy by the defense to get not only Senior Deputy District Attorney Ron Zonen thrown off the case, but also to bar the entire Santa Barbara County District Attorney's Office from handling Mr. Hollywood's prosecution.

Mr. Blatt's comments also set the tone between the two attorneys for the next five months, with the defense lawyer unloading on Mr. Zonen and the 56-year-old veteran prosecutor silently taking it.

With each motion Mr. Blatt upped the ante, alleging that Mr. Zonen had crossed a line into "prosecutorial misconduct" for both cooperating and sharing his whole case file with the makers of a new film – "Alpha Dog" – about the case.

In early November Mr. Blatt's co-counsel, defense attorney Alex Kessel, went so far as to call Mr. Zonen a liar.

The months of hammering didn't net the defense what they wanted, but it did go a long way to tick off Mr. Zonen.

When he left a hearing in August, Mr. Zonen brushed past a reporter. "You don't want to talk to me right now," he said through clenched teeth.

The trial might not begin until next summer, long after "Alpha Dog" is set to open.

Fresh from a humbling defeat in the Michael Jackson child molestation trial, where allegations of prosecutorial misconduct were a cornerstone of the defense, Mr. Zonen has lost his patience for the attacks.

Craig Smith, a former colleague, suggested that the veteran prosecutor take Mr. Blatt's

strategy as a compliment.

“Blatt doesn’t want Ron on the case because he’s one of the best prosecutors in the state,” said Mr. Smith.

After graduating from Los Angeles High School in 1967, Mr. Zonen attended UCSB and then went to law school at Whittier. He worked as a prosecutor in Riverside for a few years before returning to Santa Barbara.

Over the years, he has handled several murder cases, including winning a rape and murder conviction in 1990 in a cold case dating back from 1979. It was one of the first cases in the state to use DNA evidence.

Mr. Zonen successfully prosecuted each of Hollywood’s co-defendants, sending one, Ryan Hoyt, to death row.

Over the years, he has become particularly adept at prosecuting sex-crime cases.

“He’s got a great sensitivity about him,” Mr. Smith said. “His antennae are up to other people’s feelings, particularly victims. When you talk to Ron, he’s completely focused on you. He makes you feel like you have his undivided attention and he brings that focus to the jury.”

Michael Jackson’s lead attorney Thomas Mesereau Jr. knows Mr. Blatt and went head-to-head against Mr. Zonen in the Jackson case.

“He’s an outstanding trial lawyer,” Mr. Mesereau said of Mr. Zonen. “He’s very well prepared, knows his way around the courtroom. He approaches his cases with responsibility, passion and conviction. As prosecutors go he’s one of the best I’ve seen.”

But Mr. Mesereau said that in the Jackson case, Mr. Zonen seemed unwilling to see the case objectively. He also wonders why the prosecution seemed so flat-footed when their witnesses’ credibility was challenged.

“As smart a man as Zonen is, he had to have known that when these witnesses were crossed they were going to be problematic,” Mr. Mesereau said.

Though Mr. Mesereau has never worked with Mr. Blatt, he’s known him for many years.

“He’s very aggressive, very smart and certainly not someone to underestimate,” Mr. Mesereau said.

Mr. Blatt, also 56, has spent three decades as a criminal defense attorney. He was recently named Trial Lawyer of the Year by the Criminal Courts Bar Association in Los Angeles.

His speech is inflected with a Punxsutawney, Pa., accent and his courtroom delivery sounds like an announcer on an old newsreel. Looking like a cross between James Cagney and crooner Steve Lawrence, he fits his own billing as “old school.”

After service in the Army, Mr. Blatt attended UCLA and enrolled at Loyola Law School. He has successfully defended dozens of murder defendants. He has said that the Hollywood case is going to be very “hard fought” and he believes it may make new law.

He plans to file a writ asking an appellate court to hear arguments about why Mr. Zonen should be thrown off the case.

“I can’t think of another example of this kind of cooperation between a prosecutor and the makers of a major motion picture on a pending capital murder case,” Mr. Blatt said recently. “If there’s one, I’m not aware of it ever happening before.”