

The Perfect Storm

STATE OF FLORIDA V. GEORGE ZIMMERMAN

("The Trayvon Martin Case")

INTRODUCTION

The case of Florida v. Zimmerman is better known by the name of Trayvon Martin, the unarmed black teenager who was shot and killed by neighborhood watch volunteer George Zimmerman on February 25, 2012.

No other case I have been associated with has stirred so much rancor and had such an enduring effect on the social and political climate in America. As the initial motivation for the Black Lives Matter movement, this case has framed issues that still engage America. Although the jury has spoken, the case has not gone away.

Because I was a consultant for the defense, I have had access to information not generally known to the public. I will provide this background as well as technical analysis. I will provide a nuanced understanding of this case that differs from the popular understanding.

Beyond politics, beyond sociology, beyond technical issues, and beyond the media, this is the story of two individuals, each nurtured in his separate environment.

George Zimmerman, a wannabe hero, was nurtured by his father, a third generation Army veteran; his mother, who was zealously religious; his uncle, an Army veteran who had proudly attained the rank of Commander Sergeant Major, and thereafter thought it was his duty to serve his community.

Trayvon Martin, a self-described wannabe gangsta' cast adrift by his turbulent family background, was sometimes nurtured by his father, sometimes by his mother, by a variety of his father's wives and girlfriends, and by popular culture. He was proud of his fighting ability.

A wannabe hero met a wannabe gangsta'. The result was inevitable. Someone was going to die.

THE CALL

It was a dark and stormy Sunday evening when George Zimmerman, a volunteer neighborhood watch captain for The Retreat at Twin Lakes, called the Sanford, Florida Police Department at 7:09:34 PM. As he usually did on Sunday evenings, George was driving to the market to get groceries when he noticed "a real suspicious guy ... just walkin' around" near the Retreat at Twin Lakes clubhouse.

To listen to the call go to www.soundevidence.com and click on ZIMMERMAN AUDIO EXHIBITS, then on the button beneath Zimmerman Call to Sanford Police.

Here is a transcript of the call with time stamps at critical locations. Times are in minutes, seconds and thousandths of seconds. Durations are in parentheses.

The Zimmerman Call to the Sanford Police Department

Dispatcher: Sanford Police Department. This line is being recorded. This is Sean.

Zimmerman: Hey, we've had some break-ins in my neighborhood, and there's a real suspicious guy, uh, it's Retreat View Circle, um, the best address I can give you is One Eleven Retreat View Circle. This guy looks like he's up to no good, or he's on drugs or sumpin'. It's raining and he's just walkin' around, looking about.

Dispatcher: Okay, and this guy, is he white, black or Hispanic? 0:25.696 – 0:27.540 (1.843)

Zimmerman: He looks black. 0:28.673 – 0:30.066 (1.393)

DISPATCHER: Did you see what he was wearin'?

Zimmerman: Yeah, Mm, a dark hoodie, like a grey hoodie, and either jeans or sweatpants and white tennis shoes. He's here now, he was just staring.

Dispatcher: Okay, he's just walking around the area?

Zimmerman: Looking at all the houses. 0:45.640 – 0:46:035 (.394)

Dispatcher: Okay...

Zimmerman: Now he's just staring at me.

Dispatcher: Okay, and you said it's One One One One Retreat View? Or One Eleven?

Zimmerman: That's the, that's the clubhouse...

Dispatcher: That's the clubhouse; do you know what the...He's near the clubhouse right now?

Zimmerman: Yeah, now he's comin' towards me.

Dispatcher: Okay.

Zimmerman: He's got his hand in his waistband. And he's a black male.

Dispatcher: Okay. How old would you say he looks?

Zimmerman: He's got a button on his shirt. Late teens.

Dispatcher: Late teens? Okay.

Zimmerman: Mm Hmm Something's wrong with him. Yup, he's comin' to check me out. He's got sumpin' up in his hands. I don't know what his deal is.

Dispatcher: Okay, just let me know if he does anything, okay?

Zimmerman: (Please get) an officer over here.

Dispatcher: Yeah, we've got 'em on the way. Just let me know if this guy does anything else.

Zimmerman: Okay.

Possible words: Dear God: 1:36.211 – 1:37.212 (1.000)

Zimmerman: These assholes, they always get away. 1:37.226 – 1:39.268 (2.042)

Alleged words: But not on me. 1:40.269 – 1:44.163 (2.042)

Zimmerman: Yep. When you come to the clubhouse you come straight in and make a left. Actually, you'd, you would go past the clubhouse.

Dispatcher: So it's on the left hand side from the clubhouse?

Zimmerman: No, you go in straight through the entrance and then you make a left, uh, yeah, you go straight in, don't turn, and make a left. Shit, he's runnin'.

Dispatcher: He's running? Which way is he runnin'?

Zimmerman: Down towards the uh, other entrance to the neighborhood.

Dispatcher: Okay, which entrance is that that he's heading towards?

Zimmerman: The back entrance.

Background: Wind sounds 2:19.451 – 2:21.302 (1.850)

Alleged words: Fuckin' coon. 2:21.213 – 2:22.536 (01.222)

Zimmerman: He's lookin' 2:21.37 – 2:21.977 (.606) (unintelligible)

Sounds of walking 2:20.520 – 2:28.736 (8.216)

Dispatcher: Are you following him?

Zimmerman: Yeah.

Dispatcher: Okay, we don't need you to do that.

Zimmerman: Okay.

Dispatcher: Alright sir, what is your name?

Zimmerman: George...He ran.

Dispatcher: Alright George, what's your last name?

Zimmerman: Zimmerman.

Dispatcher: And George, what's the phone number you're calling from?

Zimmerman: 407-435-2400.

Dispatcher: Alright George, we do have them on the way. Do you want to meet with the officers when they get out there?

Zimmerman: Yeah.

Dispatcher: Alright, where you going to meet with them at?

Zimmerman: Um, if they come in through the, uh, gate, tell them to go straight past the club house, and uh, straight past the club house and make a left, and then they go past the mailboxes, that's my truck...<unintelligible>

Dispatcher: What address are you parked in front of?

Zimmerman: Uhm, I don't know, it's a cut through so I don't know the address.

Dispatcher: Okay do you live in the area?

Zimmerman: Yeah, yeah, I...<unintelligible>

Dispatcher: What's your apartment number?

Zimmerman: It's a home. It's One Nine Five Zero, oh crap, I don't want to give it all out. I don't know where this kid is.

Dispatcher: Okay, do you want to just meet with them right near the mailboxes then?

Zimmerman: Yeah, that's fine.

Dispatcher: Alright, George, I'll let them know to meet you around there, okay?

Zimmerman: Actually, could you have them, could you have them call me and I'll tell them where I'm at?

Dispatcher: Okay, yeah that's no problem.

Zimmerman: Should I give you my number or you got it?

Dispatcher: Yeah I got it; 407-435-2400.

Zimmerman: Yeah, you got it.

Dispatcher: Okay, no problem, I'll let them know to call you when they're in the area.

Zimmerman: Thanks.

Dispatcher: You're welcome.

The Principal Characters

George Zimmerman was the son of Robert Zimmerman, a third-generation Army veteran who retired after 22 years of service.

George's mother Gladys was Peruvian. On vacation in the US visiting her brother, who was one of Robert's Army buddies, she met and soon married Robert. At the time, she spoke very little English and Robert's Spanish was not much better. Though Gladys and Robert were quickly married in a civil ceremony in 1975, she refused to consummate the marriage until they were properly married in the Catholic Church. (As reported in Robert's book, *Florida v. Zimmerman: Uncovering the Malicious Prosecution of my Son, George.*) Kindle Edition, June 12, 2013.

After 5 years of marriage, they were "blessed by the birth of our first child," daughter Grace. Robert Jr. was born a year later, in 1982, and George was born in 1983.

Devoutly Catholic, Gladys became a leader at All Saints Catholic Church in Manassas, Virginia. She was a member of The Society of St Vincent de Paul, which is dedicated to sanctification by serving the poor. George often went along with her on home visits.

Until 8th Grade George and his siblings attended All Saints church school.

The All Saints mission statement: “We, the people of All Saints Catholic Church located in Manassas, Virginia, are an ever changing and evolving community, steeped in a rich history and diverse culture. We are dedicated, hard-working families and individuals from virtually every walk of life.”

On *Google Comments*, an All Saints student commented “WoW I LOVEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE THIS CRAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA AAAAAZYZZY SCHOOOLL!!!!!!!!!!!!!!!”

On the other hand, a parent observed “Ah yes, a haven of safety and comfort in the midst of the rough public school system of the surrounding area, where your children will receive [sic] a sound academic and religious education. But, before signing your children up to become one of the few but proud members of A.S.C.S., please consider some of the following points: - The actual building is old, outdated, and rather depressing. The "new" wing of the building is only available for the middle school [sic] and pre-school; the elementary portion of the school is taught in a depressing, one wing hall that, to put it bluntly, reeks of urine and more closely resembles a mental ward than an elementary school.”

From ages 7 to 17 George was an altar boy at All Saints Catholic Church. By all accounts, he did it out of a sense of dedication. “A good heart,” he was called by members of the congregation.



George Zimmerman, Altar Boy at All Saints Catholic Church

Yet for all George's piety, he brought with it religious zeal and righteousness, and from his father and his uncle, a sense of military rigidity and imagined service to community that portended his future.

In 2005, at the age of 22, George got into a shoving match with an undercover alcohol control agent who was arresting an underage friend of George's in a bar. George was arrested for battery on an officer and resisting arrest, a third degree felony. He avoided prosecution by participating in a diversion program that included anger management classes.

Later that year, Veronica Suazo, his then fiancée, filed a motion for a restraining order against him for domestic violence. He countersued. Both motions were granted; they broke off the relationship.

Two years thereafter, he married Shellie Dean, and in 2007 they moved into The Retreat at Twin Lakes.

In 2008, George applied to join the Citizen's Law Enforcement Academy, a program sponsored by the Seminole County, Florida Sheriff's Office to familiarize citizens with police work. As part of the application, he was required to explain his prior arrest. His words illustrate his attitude(s) and his aspirations, as well as his literacy:

I was arrested in July of 2005 for assault on a law enforcement officer and resisting arrest with violence. Both charges were immediatly [sic] dropped to resisting arrest without violence and then dropped all together [sic]. I was in an altercation with an undercover officer that was taking part in an ATF sting for underage drinking in UCF. He never told me that he was an officer and assaulted me first. Shortly after that in september [sic] of 2005 the same unit was conducting a sting at UCF and an officer was killed by an OPD officer because he discharged his weapon and did not identify himself. My father is a retired Magistrate Judge for the supreme court of Virginia and my mother was a deputy clerk of court for over 20 years. I hold law enforcement officers in the highest regard as I hope one day to become one. I would never have touched a police officer. Prior to and since that incident I have not been arrested. Thank you and I hope to join you in January. George M. Zimmerman.

He was accepted into the program.

The allegation has been raised by the news media and the prosecution that George was motivated by prejudice against black people. To this, consider some background.

George's maternal grandmother Cristina, who lived with the Zimmermans, was babysitter for two young black girls, one of whom is now a physician; the other was at the time of the shooting a PhD candidate. The girls regularly ate with the family and went back and forth to school every day with George.

George went to his senior prom with a black girl.

When he was married to Shellie, they tutored young black students.

In 2004 George partnered with a black friend and opened an Allstate insurance satellite office — though the business eventually failed.

In his interview with the Sanford police, George revealed that he had received a diagnosis of attention deficiency hyperactivity disorder (ADHD) and takes 20 milligrams of Adderall twice a day. He cited this disorder as one reason he could not remember one of the three major streets in The Retreat at Twin Lakes when he called the police. He also had a prescription for Temazepam, (a sleeping aid).

According to the National Institutes of Mental Health,

Attention-deficit/hyperactivity disorder (ADHD) is a brain disorder marked by an ongoing pattern of inattention and/or hyperactivity-impulsivity that interferes with functioning or development.

Wikipedia provides the following information about Adderall:

Adderall is a combination drug containing salts of the two enantiomers of amphetamine, a central nervous system (CNS) stimulant of the phenethylamine class. Adderall is used in the treatment of attention deficit hyperactivity disorder (ADHD) and narcolepsy. It is also used as an athletic performance enhancer and cognitive enhancer, and recreationally as an aphrodisiac and euphoriant.

Adderall is generally well-tolerated and effective in treating the symptoms of ADHD and narcolepsy. At therapeutic doses, Adderall causes emotional and cognitive effects such as euphoria, change in desire for sex, increased wakefulness, and improved cognitive control. At these doses, it induces physical effects such as decreased reaction time, fatigue resistance, and increased muscle strength.

Given that ADHD entails impulsivity, might that have affected George's actions when he shot Trayvon?

If he was under the influence of Adderall, its effects on decreased reaction time would have enhanced his ability to very quickly reach for the Kel-Tec 9mm pistol hidden in his waistband - the gun with which he killed Trayvon Martin.

On April 11, 2012, George Zimmerman was charged by the State of Florida with second-degree murder in the shooting death of Trayvon Martin.

Trayvon Martin was the son of Tracy Martin and Sybrina Fulton.

Much of what we know about Trayvon Martin's background, as well the backgrounds of his parents, Tracy Martin and Sybrina Fulton, is found in their book *Rest in Power*.

In *Rest in Power*, Tracy tells us he was raised in East St. Louis, Illinois, where as he put it, "The sound of gunshots was as common as the sound of car horns on those streets."

In 1993, at the age of 27, Tracy moved to Miami, where he found work and "I'd finally found some stability."

The Christmas after Tracy arrived in Miami, his older brother Mike Williams introduced him to Sybrina Fulton at the annual Miami-Dade County Solid Waste Management Christmas party.

In Sybrina's eyes, Tracy was "very tall, thin, and really lean ... hilarious and gentle, but also bold and self-confident" (rather like the masculine embodiment of the qualities of fine wine). In 1994 Tracy and Sybrina were married in a "big Miami wedding, filled with friends and family."

Following the wedding, they moved into a small two-bedroom apartment along with Sybrina's four-year-old "bundle of joy," her son Jahvaris, whose father was David Scott.

Tracy's three-year-old son Demetrius, whom he had fathered with Cindy Lopez, did not join them. Nor did his two-year-old daughter Takira, whom he had fathered with Larisa Rozier.

On February 5, 1995 Trayvon was born to Tracy and Sybrina.

A year after Trayvon's birth, Tracy left Sybrina and moved in with Alicia Stanley and her two daughters from her previous marriage to Charles Anderson.

Tracy claimed that he was always a dedicated father to Trayvon. In *Rest in Power* he tells us that even after he left Sybrina's home "The kids used to call me 'Disneyland Dad' because when I was at home it was always a party, an event, a celebration. I didn't care much for sitting still; I had so much love for my kids. They were everything to me."

In 1999 Larisa Rozier filed for child support against Tracy for Takira. In 2000 Cindy Lopez filed for child support against Tracy for Demetrius.

In 2010 Tracy left Alicia, at which point Trayvon's custody was remanded to his birth mother Sybrina.

Regarding that period in Trayvon's life, Sybrina tells us "By the fall of 2011, school seemed to take a backseat to everything else that was happening in Trayvon's life."

In February 2012, Trayvon was suspended from school for being in an unauthorized area of the school and writing *WTF* on a locker. In his backpack school security guards found women's jewelry and a screwdriver, which they regarded as a possible burglary tool.

When Sybrina confronted him about the jewelry, he said it belonged to a friend, though he wouldn't reveal the friend's name.

Like many young people, Trayvon devotedly listened to music. Sybrina tells us that he "kept earbuds in his ears at all times, because he could use them to listen to music or talk on the phone."

We know Trayvon was influenced by the music he listened to because his Twitter handle was *No_Limit_Nigga*, a reference to *No Limit Records*, which featured rapper Corey Miller, aka *C-Murder*.

Here are lines from one of C-Murder's, greatest hits:

*We be No Limit niggas and we bout it
We come to a club and get the motherfucker rowdy [x2]*

True to his lyrics, Corey Miller is currently serving a life sentence for the murder of 16-year-old Steve Thomas at a Louisiana nightclub.

From his cellphone texts and selfies, we know the image Trayvon intended to convey.

Friend: *U a hoodlum*

Trayvon: *Naw I'm a gangsta*

In the following selfie he is wearing a gold grill on his bottom teeth, an adornment popular with gangsta rappers.



Trayvon's enthusiasm for fighting is revealed in his cellphone texts.

Trayvon: *I lost da 1st round :) but won da 2nd nd 3rd.*

Friend: *Ohhh So It Wass 3 Rounds? Damn well at least yu wonn lol but yuu needa stop fighting.*

Trayvon: *Nay im not done with fool.. he gone hav 2 see me again.*

Friend: *Nooo Stop, yuu waint gonn bee satisfied till yuh suspended again, huh?*

Trayvon: *Da police caught me outta skool,*

As we see from the following text from Trayvon's cell phone, Sybrina finally came to a decision about Trayvon.

Trayvon: *My mom just told me I gotta move wit my dad*

Friend: *So what does that mean?*

Trayvon: *She just kickd me out :(*

Sybrina's reasoning, as well her prescience, is revealed in the following text.

Friend: *I thought you was going out with ur friend*

Trayvon: *Naw my ol g say she don't want me home caus she think ima get in mo trouble*

Trayvon's's toxicology report showed marijuana in his system. Without the jury present, a medical examiner who performed the autopsy testified that the marijuana could have affected the teenager's behavior the night he encountered Mr. Zimmerman.

Having been kicked out of his mother's house, Trayvon was staying with his father, who visited his new girlfriend Brandy Green at her townhouse in the Retreat at Twin Lakes "approximately twice a month." On the occasion of this visit, Trayvon traveled ahead of his father, which is why he found himself in the purview of George Zimmerman on the evening of Sunday, February 25, 2012.

For a sympathetic treatment of issues regarding fatherhood in the inner city see *Doing the Best I Can* by Kathryn Edin and Timothy J. Nelson, University of California Press, 2013, ISBN 13-:978-0520274068. For a contrasting perspective, see *The Vanishing Family: Crisis in Black America*, CBS Special Report featuring Bill Moyers, 1986.

The Place



The Retreat at Twin Lakes is a gated townhouse community in Sanford, Florida, about half an hour's drive from Orlando.

For buyers prior to the real estate crash of 2009, The Retreat at Twin Lakes was the first step on the way to the American Dream. Two-story townhouses with covered porches, back patios and green spaces in a gated community offered a sense of security and upward mobility.



A two-story townhouse on Retreat View Circle offered for sale by Easy Street Realty of Orlando, Florida.

But after the real estate crash that began in 2008 and bottomed out in 2012 — when George Zimmerman encountered Trayvon Martin — The Retreat had become a community of foreclosures, with transient renters and unoccupied apartments. A residence that had originally cost \$250,000 was by then selling for \$80,000. The Retreat was plagued by vandalism and burglaries, some of which were committed by young men — some of whom got away.

Residents who had originally been optimistic and proud to live in The Retreat had become apprehensive and protective. Therefore they organized a neighborhood watch group.

The Retreat e-newsletter of February, 2012 stated: *"The Stanford PD has announced an increased patrol within our neighborhood ... during peak crime hours. If you've been a victim of a crime in the community, after calling police, please contact our captain, George Zimmerman."*

Following encounters at The Retreat with a pit bull named Big Boi, George and Shellie were advised by a Seminole County Florida Animal Services Officer to buy a gun because pepper spray would act too slowly to protect them in case the dog lunged at them. They took firearms training and George made the fateful purchase of a Kel-Tec 9 mm. handgun. The Kel-Tec website boasts *"One of the lightest and flattest 9mm pistols ever made, the PF-9™ is also one of the most concealable."*

The Media

Editing

Near the beginning of George's call to the Sanford Police Department, there is the following dialogue:

Zimmerman: Hey, we've had some break-ins in my neighborhood, and there's a real suspicious guy, uh, it's Retreat View Circle, um, the best address I can give you is One Eleven Retreat View Circle. This guy looks like he's up to no good, or he's on drugs or sumpin.' It's raining and he's just walking around, looking about.

Dispatcher: *Okay, and this guy, is he white, black or Hispanic?* 0:25.696 to 0:27.540 (=1.843 seconds duration)

Zimmerman: He looks black.

The dispatcher's question, shown here in italics, was edited out of the recording by NBC Television News, creating the impression that Zimmerman said he believed Martin was "up to no good" *because* "he looks black," thus implying that Zimmerman was guilty of racially profiling Trayvon Martin. In addition, if it could be shown that George acted because Trayvon was black, those words could be used to convict him of a hate crime.

NBC proceeded to broadcast the doctored version to the US and to the world.

In reality, Zimmerman only mentioned Martin's race when he was prompted by the dispatcher.

Editing the call enhanced the incendiary nature of the narrative and boosted television ratings.¹ As with other aspects of this case, the effects on racial relations in the United States endure.

The New York Times, on June 21, 2012, similarly deleted the dispatcher's crucial question.

NBC claimed that they edited the video in order to save time on the video. As noted in parentheses, the time saved was less than two seconds — 1.843 seconds, to be precise — though the effect on the interpretation of the recording was huge.

¹ As for enhancing ratings, it clearly worked. On April 4, 2012 Pew Research reported that the Trayvon Martin controversy was the nation's top news story for a second week in a row.

This edit is eerily reminiscent of the edit that occurred at the beginning of the notorious Rodney King video, in which King's lunge at a police officer was deleted, thus giving the impression that the police were beating King without motivation. In both cases, editing heightened the sensational value of the broadcast.

Technical Note: In this instance, there was no question about whether the editing had taken place, given that the original unedited version was still available. Nonetheless, in cases where the original version of a recording is not available, the question of whether or not a recording has been edited can be more difficult to determine. With simple edits, such as happened here, editing can be difficult to detect, though unnatural changes in the flow of voice, changes in background noise and other kinds of 'glitches' can provide evidence. As edits get more complex, more evidence is left behind and the editing becomes increasingly feasible for an expert to prove. Detecting editing in those kinds of cases is a significant part of my work.

The Alleged Racial Slur

Besides editing the recording, NBC and others wrongly attributed an ethnic slur to Zimmerman.

NBC reported that at 2:21.369 into the recording, George called Trayvon a "*Fuckin coon*," a racial slur that would further sensationalize the call and imply that he was racially biased. In the police interview, George stated that he said "Fuckin' punks."

The prosecution ultimately decide that George said "Fuckin' punks, which even though it was incendiary, at least was not racist. Nonetheless, the racist slur had been broadcast to the world and the damage had been done in public perception.

Having carefully listened to the disputed words, I doubt that either interpretation is correct. I think he said "It's fucking cold," though I am not certain of that. I have made a presentation in which the disputed words are repeated three times so you can listen to it carefully and make up your own mind. To listen to it, go to soundevidence.com and click on [ZIMMERMAN AUDIO EXHIBITS](#), then on the button beneath [Possible words It's fucking cold](#)". But given that George agreed that he said "Fuckin' punks," I am not inclined to argue the point.

George had planned to sue NBC for damages for editing the recording as well as reporting a misinterpretation that even the prosecution did not believe. However, proving that NBC defamed him would be difficult because they never directly said he was guilty of racial profiling. All they did was edit the recording of what he said and misrepresent one of his utterances on the recording.

NBC News President Steve Capus claimed that the editing was merely an 'error' rather than an attempt to portray Zimmerman unfairly. And he vowed to deploy all the resources of NBC to fight the suit.

By this time, George Zimmerman was perceived in the mind of the public as motivated by racial prejudice.

Exploiting the Narrative

Martin family attorneys Benjamin Crump and Natalie Jackson realized the potential of the narrative of racial bias to attract national and international attention. To that end they hired public relations specialist Ryan Julison.

Julison began by sending the news media a photograph of Trayvon when he was younger and looked like a fledgling angel.

The media loved it and they ran with it. That picture became the ubiquitous image of Trayvon Martin.

Julison then arranged for an interview on CBS Good Morning America. Anchor Charlie Rose bought into the racial interpretation, although he adroitly avoided directly accusing Zimmerman of racial profiling. He introduced the story with: "The parents of a teenager who was shot and killed near Orlando last month will hold a news conference today. They are outraged that no one has been arrested in a case that has serious racial overtones."

In Sanford, on-scene reporter Mark Strassmann evoked an image of an inspiring youth, sure to evoke sympathy. "Seventeen-year-old Trayvon Martin, Tray to his family, lived in Miami. He loved horses and dreamed of becoming a pilot. This high school junior was visiting relatives last month when he was shot and killed inside this gated subdivision of town homes."

Tracy Martin further evoked compassion. "He meant the world to me. He meant the world to his mother. And it's just sad that he's been taken away from us. He was just up here, just to relax. He wasn't up here to return home in a body bag, and that's the part that really tears me up. My kid went to the morgue and this guy went home and went to sleep in his bed. There's no justice in that."

Reporter Strassmann concluded by laying the basis for exciting follow-up stories. "Sanford police hope to finish up their case and get it to local prosecutors by this weekend. They are not releasing the half dozen 911 calls until that investigation is

complete. And, Charlie, we're told on one of those calls you can hear the sound of the gunshot."

Julison arranged for Tracy and Sybrina to appear on national radio and television shows. On the Today show, Sybrina protested "I just felt like the Sanford police department decided on the scene to be judge and jury."

In addition to major network programs, Tracy and Sybrina appeared on the Tavis Smiley Show and the Politics Nation show with Reverend Al Sharpton on MSNBC, both of which championed their story.

The television program Democracy Now! aired a broadcast on March 22, 2012 titled *Walking While Black: The Killing of Trayvon Martin*. The contention of the show was summed up by a local resident who was quoted as saying "If you kill a dog in this town, you'd be in jail the next day. Trayvon Martin was killed four weeks ago, and his killer is still walking the streets."

Propelled by the news media, tides of public opinion rose about George's racially motivated guilt.

Television personality and founder of the National Action Network, Al Sharpton, was well aware of the tides of opinion brewing. With local clergy, he organized a rally at which an estimated crowd of 8,000 people gathered at Fort Mellon Park in Sanford, Florida.

Atlanta radio personality Derrick Boazman said he was touched when a grandmother called his show, saying she had a 17-year-old grandson and "needed to get to Florida" to answer Trayvon's cry for help heard on 911 tapes. He organized busloads of supporters to travel to the rally. Other participants came from as far away as Hawaii and Europe.

To the cheering throng at the rally Sharpton orated "Twenty-six days ago, this young man Trayvon Martin went to the store for his brother. He came back and lost his life. Trayvon represents a reckless disregard for our lives!"

Fort Mellon Park. On Trip Advisor, Jim G. says **Great urban park on Lake Monroe.** The park itself occupies a couple large blocks and features a variety of facilities for sports and playground activities. What makes it extra nice is the view across the lake adults will get while watching their kids. The park is well maintained, and a focal point for special events.

Kha 1831 says **I love this place** .I always go there for many different occasions.. the park is always clean and organized.. plenty of parking space.

Potterandwoodsmith says This park is beautiful and fun and easy to walk. You can watch people fishing and many people stop to say hi and ask how your day is going. Very friendly people. Great place to exercise and enjoy the florida sun.

"Enough is enough!" chanted Sharpton. "Zimmerman should have been arrested that night!"

Sharpton then introduced Sybrina Fulton. "I stand before you today not knowing how I'm walking right now because my heart hurts for my son," she said. "Trayvon is my son. Trayvon is your son. Thanks so much for your support."

Sharpton then roused the crowd to raise money.

Waving a check in the air, he proclaimed "I'm going to start off with \$2,500. Who's next?"

Sharpton announced that television personality Judge Greg Mathis had donated \$10,000. Trash cans were passed around to collect additional offerings from the crowd.

Following the success of the rally in Sanford, others were held in Houston, Detroit, Iowa City, Philadelphia, San Francisco, and Washington, D.C. At the Washington, D.C. rally, Maria Roach, mother of a 7-year-old boy, delivered to the Justice Department a petition with over half a million digital signatures that demanded action. Roach said "We want a conviction, we want an arrest, and we want it now," (reversing the usual sequence of requirements and omitting some steps typically required in the pursuit of criminal justice).

Jay Z and Beyoncé participated in a rally held in New York.

Law professor Jasmine Reid of Florida A&M University understood the value of using the media. She gave her students an assignment. "I am going to teach you how to write press releases and hold press conferences. I am going to teach you how to use the media to forward a social justice issue and be a voice for the voiceless. Trayvon Martin doesn't have a voice and now our job is to speak for him."

The Martins realized the value of Trayvon's images. They took out design patents on Trayvon's pictures and have filed trademark applications for the phrases "I Am Trayvon" and "Justice for Trayvon," which they have licensed for hoodies, T-shirts and swag.

Death Threats

By this time, Zimmerman had gone into hiding because of barrages of death threats he was receiving.

The New Black Panther party proclaimed a \$10,000 bounty for the "capture" of George Zimmerman. When a reporter asked if he was inciting violence, New Black Panther party leader Muhammad replied, "An eye for an eye, a tooth for a tooth."

Celebrities piled on.

Motion picture director Spike Lee retweeted an address he thought was Zimmerman's home address. Instead it was the address of an elderly couple, Elaine and David McClain, who had to flee their home for safety and stay in a hotel because of the numerous death threats they received.

"I Deeply Apologize To The McClain Family For Retweeting Their Address," Lee tweeted regarding his error. "It Was A Mistake. Please Leave The McClain's [sic] In Peace. Justice In Court." Spike Lee settled with the McClains for an undisclosed amount of money.

Following Spike Lee's perilous error, actress Roseanne Barr tweeted Zimmerman's parents' home address. After taking her tweet down she wrote: *"If Zimmerman isn't arrested I'll re-tweet his address again. maybe go 2 his house myself."*

Tracy and Sybrina adopted a petition, originally started by a law student, under the title **"Prosecute the Killer of Our Son, 17-year-old Trayvon Martin."** Mia Farrow, Spike Lee, John Legend, Cher and many other entertainers and sports figures signed it and urged their fans to sign it.

Crucial alleged words: 'But not on me'

Assistant state attorney John Guy opened the prosecution case by shouting to the jury

"Fuckin' punks!"

"These assholes, they always get away."

In addition to these utterances, the prosecution had wanted to introduce testimony that after George said "These assholes, they always get away," (which is clear and not in dispute) George followed with the words **"but not on me."** However, the sounds or words following "they always get away" are anything but clear, and are open to dispute.

The words, "but not on me" at that point would have been damning because they would have implied that *even before George encountered Trayvon* he had prior intent that Trayvon would not get away. Given that George was armed, that prior intent might have entailed killing Trayvon. Those words would have been nails in George's coffin.

The prosecution offered to introduce the testimony of a supposed expert who said he heard the words "but not on me." He claimed he could hear what others could not.

That is not the way science works. Even given that interpretations may differ, scientific evidence must be publically examinable.

In this case, the testimony of the alleged expert who claimed he could hear what others could not was appropriately not allowed.

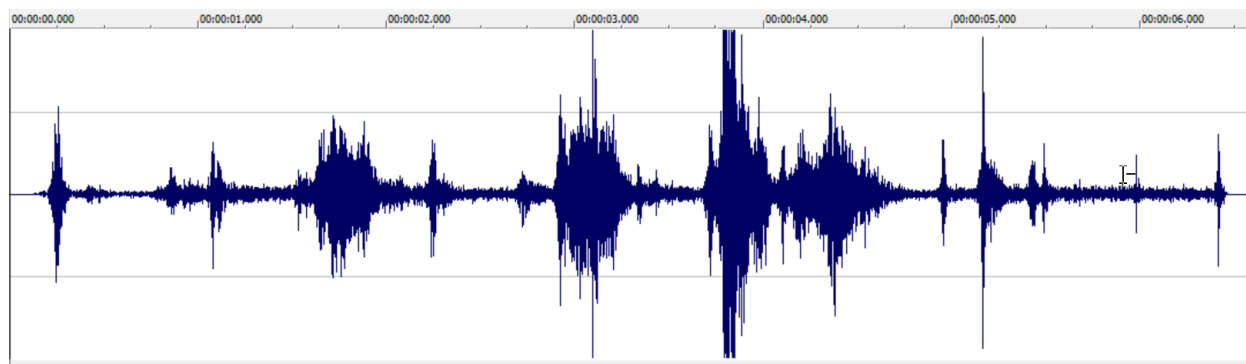
When I am faced with a disputed sound in a trial, I may begin by explaining to the jury what to listen for. I may remove extraneous sounds like the siren of a passing ambulance. I might separate the questioned sounds from surrounding sounds so the jury can focus on them. I might also prepare an exhibit in which the questioned sounds are repeated several times so the jury can listen to them carefully. I may also prepare a graph with appropriate explanations to help explain my interpretation.

But ultimately the sound must be played to the jury.

For example, in the case of Rodney King v. City of Los Angeles (reported in a separate essay) I testified as to what I heard. Then I played the crucial word to the jury repeated several times so they could hear it more clearly.

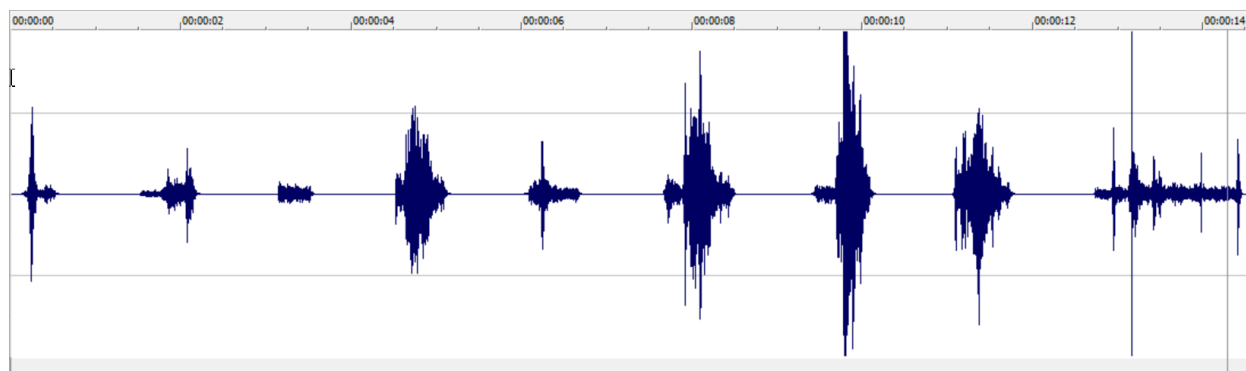
To listen to the crucial sounds following “They always get away” go to soundevidence.com and click on [ZIMMERMAN AUDIO EXHIBITS](#), then on the button beneath [Sounds following “They always get away”](#).

Following is a time series graph that shows the electrical variations that correspond to the sound waves. It displays the events that follow “They always get away.”



In order to let you hear the sounds more clearly, I have also prepared an exhibit in which I have inserted one second silences between the individual events.

Here is a graph that shows the events with silences inserted between them. The individual events are labeled.



bump clicks hum “wow” plink “God” “yeah” “gourmet” clicks

To listen to it go to soundevidence.com and click on [ZIMMERMAN AUDIO EXHIBITS](#), then on the button beneath [Sounds following “They always get away.” with silences inserted between events.](#)

I am not completely certain about each individual event. In particular, it is ludicrous to suppose that anyone said “gourmet,” though it sounds like that.

But what I am certain of is that after the words “They always get away” George did *not* say “but not on me”.

Screams: The Lauer 911 Call

At 7:16 PM Jenna Lauer, a resident of The Retreat, heard screaming in back of her townhouse so she called 911. The call records screams as well as the gunshot that killed Trayvon Martin.

To listen to the call go to, go to soundevidence.com and click on [ZIMMERMAN AUDIO EXHIBITS](#), then on the button beneath [Lauer 911 Call.](#)

Here is a transcript of the call up to the point of the gunshot.

Operator: 911. You need police, fire or medical?

Background: <Scream>

Lauer: Uhh, uhm, maybe both, I'm not sure. There's just someone screaming outside.

Operator: 'Kay, what's the address? <unintelligible>

Lauer: Tw... Twelve Eleven Twin Tree Lane.

Operator: Twin Tree Lane?

Male: <unintelligible>

<screams>

Operator: <unintelligible>

Lauer: Yes.

Operator: Okay, and is it a male or a female?

<screams>

Lauer: It sounds like a male.

<screams>

Operator: You don't know why?

<scream>

Lauer: I don't know why. I think they're yelling help but I don't know.

<scream> Help

Lauer: Oh, some from a fight full <unintelligible>

Operator: Okay, does he look hurt?

<scream> waaa

Lauer: I can't see and I don't wanna' go out there. I don't know what's going on. So...

Male: <unintelligible>

Operator: That's fine.

<scream>/oauuh/

Operator: Yelling help?

Lauer: Yes.

Operator: Alright, what is your...

<Gunshot>

Here is George's written statement about what happened immediately prior to and during the phone call. Capitalization and punctuation are as in the original.

As I headed back to my vehicle the suspect emerged from the darkness and said "You got a problem" I said "No" The suspect said "you do now". As I looked And tried to find my phone to dial 911 the suspect punched Me in the face. I fell backwards onto my back. The suspect got on top of me. I yelled "Help" several times. The suspect told me "shut the fuck up" and as I tried to sit up right, the suspect grabbed my head and slammed it into the concrete sidewalk several times. I continued to yell "Help" each time I attempted to sit up, the suspect slammed my head into the side walk, My head felt like it was going to explode. I tried to slide out from under the suspect and continue to yell "Help". As I slid the suspect [sic] covered my mouth and nose and stopped my breathing. At this point I felt the suspect reach for my now exposed firearm and say "your [sic] gonna die tonight Mother Fucker". I unholstered my firearm. In fear for my Life as he had assured me he was going to kill Me and fired one shot into his torso. The suspect sat back allowing me to sit up and said "You got me". At this point I slid out from underneath him and got on top of the suspect holding his arms away from his body.

In his initial interview with the Sanford police, George told them "I was yelling for help but no one would help me." At that time, he did not know that a 911 call had recorded the altercation.

According to jurors who subsequently discussed the case, he issue of who was screaming on the Lauer 911 call was decisive in the outcome of the trial.

Identification by Listening

The question arose as to whether any scientific test could determine who was screaming and whether an expert could reliably testify on the matter. FBI agent Nakasone testified that there was no such test.

A major problem with such a test is that there are no databases that I am aware of that include people screaming in fear -- let alone for their lives -- paired with those same individuals when they were not screaming in a similar way. Nor are there any relevant experiments, which would be essentially impossible to conduct. You would have put subjects in genuine fear; ideally, fear for their lives.

Data from such a database or experiment would be necessary to objectively validate any scientific test to determine who was screaming. Funding agencies and universities would not countenance such an experiment. (Though on second thought, I wonder if military or intelligence agencies might sponsor such research.)

Therefore, the only realistic approach was to assess the reliability of the witnesses. This opinion was confirmed by FBI agent Nakamoto, who testified as to that opinion.

In previous research, I have provided a logical foundation regarding the difference between identifying voices familiar to the listener as opposed to voices of speakers previously unfamiliar to the listener. (Papcun et al, 1979). A more recent scientific publication in the Journal of the Acoustical Society of America recounts the interpretation I provided and shows that others have used and extended my research (Drozdova et al, 2018).

In this case, the voices were familiar to all those witnesses who purportedly identified them. Therefore, it comes down to questions of the circumstances of the test, how well the witness knows the voice of the person screaming, the psychological condition and possible bias as well as the general reliability of the witness.

For each witness I present a summary of testimony followed by relevant excerpts from actual testimony.

Sybrina Fulton, Trayvon's mother

In the office of Sanford Mayor Jeff Triplett, Sybrina, along with Jaharvis Fulton, Tracy Martin, attorneys Crump and Jackson, and Mayor Triplett, listened to the recording of the Lauer 911 call. No police investigator was present. It was here that she first heard the recording of the screams.

It is not proper to conduct a forensic identification in a group. Due to the possibility of distraction or cross-contamination, whether verbal or by other means, identification

should be conducted one individual at a time. Ideally, the process should be recorded or be witnessed by an independent observer.

Sybrina testified that she immediately, on first hearing, recognized that the screams were her son Trayvon.

She did not engage with Omara's efforts to question her about her prior state of mind or expectations about hearing Trayvon's voice.

Sybrina Fulton's Testimony

Energetic, insistent, sincere, prosecuting attorney De la Rionda questioned Sybrina Fulton.

De la Rionda: Prior to your son's death, had you heard, er, him crying or yelling prior to his death? Have you heard him while he was growing up, while you were raising him, have you ever heard him crying or yelling?

Mrs. Fulton: Yes.

De la Rionda: Okay, I want to play a recording for you, Ma'am.

De la Rionda: Ma'am, that screaming or yelling, do you recognize that?

De la Rionda played the Lauer 911 recording up to "Did you say gunshot?" followed by the word "Yes"

Mrs. Fulton: Yes.

De la Rionda: And who do you recognize that to be, Ma'am?

Mrs. Fulton: Trayvon Benjamin Martin.

Unfailingly calm, though eventually showing a sense of bemusement, defense attorney Omara then questioned Mrs. Fulton.

Omara: Will you tell us the first time that you listened to that tape. When you listened to it, where were you?

Mrs. Fulton: It was here in Sanford, uhm, I believe it was the mayor's office.

Omara: And who was in the room when that tape was played?

Mrs. Fulton: Trayvon's dad, Tracy Martin, Jahvaris Fulton, Stephanie Sands, Darius Sands, Benjamin Crump, Atty. Natalie Jackson, and I believe Mayor Triplett was there, and that there may have been one other person, not absolutely sure, but I think Bonaparte was there.

Omara: When you say Bonaparte, that's Sanford City Manager Bonaparte?

Mrs. Fulton: Yes.

Omara: Was the tape, the first time you heard that tape, was it played one time for everybody who was in the room?

Mrs. Fulton: Yes.

Omara: Uhm, did any one of those witnesses listen to the tape individually, or was it all at one time?

Mrs. Fulton: I don't know if they listened individually but that was my first time hearing it.

...

Omara: I imagine that it was probably one of the worst things that you went through to listen to the tape, correct?

Mrs. Fulton: Absolutely.

Omara: And that if it was your son in fact screaming, as you've testified, that would suggest that it was Mr. Zimmerman's fault that led to his death, correct?

Mrs. Fulton: Correct.

Omara: And if it was not your son screaming, if it was it was in fact George Zimmerman, then you would have to accept the probability that it was Trayvon Martin who caused his own death, correct?

Mrs. Fulton: I don't understand the question.

Omara: Okay, if you were to listen to that tape and not hear your son's voice, that would mean that it would have been George Zimmerman's voice, correct?

Mrs. Fulton: And not hear my son screaming? Is that what you're asking?

Omara: Yes Ma'am.

Mrs. Fulton: I heard my son screaming.

Omara: I understand. The alternative? The only alternative would you agree, would be that if it was not your son screaming that it would be George Zimmerman.

Prosecution: Objection, Speculation.

Judge: Sustained

Omara: You certainly had to hope that it was your son screaming even before you heard it, correct?

Mrs. Fulton: I didn't hope for anything.

Omara: Hmmm.

Mrs. Fulton: I just simply listened to the tape.

Omara: Mm Hmm, and in your mind, as his mother, there was no doubt whatsoever that it was him screaming, correct?

Mrs. Fulton: Absolutely.

Omara: Did you have any thought in mind how you would react if it, if you believed or didn't hear your son's voice?

Mrs. Fulton: I really didn't know what the tape was all about.

Omara: And everybody else in the room, when they listened to the tape, who was the first one to react?

Mrs. Fulton: I was.

Omara: And everybody else then reacted similarly to you, correct?

Mrs. Fulton: Well, they also heard the tape themselves.

Omara: Correct, and every one of them then told you that they agreed with your opinion that it was Trayvon Martin's voice, correct?

Mrs. Fulton: They didn't tell me anything.

Omara: When you mentioned a moment ago that you didn't know what the, nobody told you that you would soon be listening to screams from that event that led to your son's death?

Mrs Fulton: No.

Omara: Mayor Triplett never said anything like that to you?

Mrs Fulton: No.

Omara: Nor did any of your other family members?

Mrs Fulton: They hadn't heard the tape at that time.

Omara: But my question is whether or not anyone told you to prepare yourself for the event, for the trauma of having to listen to somebody scream moments before your son was shot?

Mrs Fulton: No.

Omara: Nobody mentioned that to you?

Mrs Fulton: No.

Omara: Tracy Martin never told you that?

Mrs. Fulton: No.

Omara: You just needed to listen to it one time, correct?

Mrs Fulton: That's it.

De la Rionda questioned Mrs. Fulton again.

De la Rionda: You were asked about hope. Did you hope your son wouldn't be dead, Trayvon Martin? You were asked by defense counsel about hope. Are you still hoping that he would still be alive?

Mrs. Fulton: I hope he was still alive.

De la Rionda: I don't know how else to ask you, but I'll ask you, did you enjoy listening to that recording?

Mrs. Fulton: Absolutely not.

Omara questioned Mrs. Fulton again.

Omara: You certainly would hope that your son Trayvon Martin did nothing that could lead to his own death, correct?

Mrs. Fulton: What was the question again?

Omara: You certainly hoped, as a mom, you certainly hoped that your son Trayvon Martin would not have done anything that would have led to his own death, correct?

Mrs. Fulton: What I hope for is that this wouldn't have never happened and he would still be here. That's what I, that's my hope.

Omara: Absolutely. And now dealing with the reality that he's no longer here, it is certainly your hope as a mom, hold out hope as long as you can, that Trayvon Martin was in no way responsible for his own death, correct?

Mrs. Fulton: I don't believe he was.

Omara: And that's the hope that you continue, correct?

Mrs. Fulton: I don't understand what you're trying to ask me.

Tracy Martin, Trayvon's father

Sanford detective Chris Serino testified that two days after the shooting he played the recording for Tracy Martin and asked if the screaming was the voice of Trayvon. Serino testified that "He looked away and under his breath he said "no".

Officer Doris Singleton, who was in the room when the recording was played, confirmed Serino's report. "He was telling Chris it was not his son's voice," Singleton testified.

In *Rest in Power*, Tracy claims "I shook my head like 'Man, I don't know.'"

Tracy Martin's Testimony

Omara: We said you listened to some tapes, uh, one of which was the tape, um, that, we're identifying as the Lauer 911 call, correct?

Mr. Martin: Yes.

Omara: And he did play that for you?

Mr. Martin: Uh, yes.

Omara: And were you listening to it as he played it for you?

Mr. Martin: Yes.

Omara: I understand that it was difficult to listen to. It included the shot that ended your son's life, correct?

Mr. Martin: Yes.

Omara: Uhm, at the end of that tape, do you recall Officer Serino asking you whether or not you can identify your son's voice?

Mr. Martin: Uh, not, not those exact words but some to that nature, yes.

Omara: Okay, do you recall the words as best you can recall that he used?

Mr. Martin: As best as I recall, uhm, after he played the tape, he, uh, basically said that "Do you recognize the voice?"

Omara: And what was your response?

Mr. Martin: Uh, my response was that, that I didn't tell him, uh, tell him that I didn't know. I didn't tell him no, that wasn't Trayvon. I kinda' I think, chairs in, uh, wheels on it. I kinda' pushed away from the, away from the table and I just kinda' shook my head and I say I can't tell.

Omara: So your words were "I can't tell."

Mr. Martin: Something to that effect but I never said, uh, no that that wasn't my son's voice.

Jahvaris Fulton, Trayvon's half-brother

At the end of his testimony Jahvaris explains discrepancies in his testimony.

Jahvaris Fulton's Testimony

Crisp, energetic, prosecuting attorney John Guy played the Lauer 911 recording, then questioned Mr. Fulton.

Guy: And do you recognize any voices on that tape?

Mr. Fulton: Yes.

Guy: Whose voice do you recognize?

Mr. Fulton: My brother.

Guy: Trayvon?

Mr. Fulton: Yes.

Guy: What part of the recording do you recognize as your brother's voice?

Mr. Fulton: The yelling and the screaming.

Omara then questioned Jahvaris Fulton.

Omara: You actually were not as certain that it was your brother's voice when you first heard it. Is that correct?

Mr. Fulton: Correct

Omara: Matter of fact, you have talked to a reporter about, uhm, whose voice it may have been, correct?

Mr. Fulton: Yes

Omara: And you told that reporter, Tio Benitez, on March 31st of 2012, uhm, that you weren't sure, correct?

Mr. Fulton: Yes

Omara: You said that “Honestly, I really haven’t looked into it. I’ve heard it, I would think it was my brother but I’m not completely positive,” correct?

Mr. Fulton: Mm Hmm

Omara: You have to answer out loud.

Mr. Fulton: Yes.

Omara: So, having listened to the tape, the first time you listened to it was in the mayor’s office in Sanford, correct?

Mr. Fulton: Yes

Omara: And your mom was there, correct?

Mr. Fulton: Yes.

Omara: And, uhm, other family members and at least two attorneys, correct?

Mr. Fulton: Yes.

Omara: ‘kay. And during that time you listened to it along with everybody else, correct?

Mr. Fulton: Yes.

Omara: And from having listened to it, it was your thought that it might be Trayvon, correct?

Mr. Fulton: Uh, it, when we heard it in the mayor’s office, uh, I like, I wasn’t, I guess I didn’t want to believe that it was him. So that’s why during that interview I said I wasn’t sure. It, I guess it was listening to it was clouded by shock and denial and sadness. I didn’t really want to believe that it was him.

Rachel Jeantel, Trayvon’s friend

Rachel Jeantel’s testimony was long, contentious, and sometimes difficult to understand. I confine my excerpts to issues of voice identification.

Rachel Jeantel’s testimony

De La Rionda: Ms. Jeantel, since that time, have you heard the recording -- telephone recording, where there were cries for help and then a shot? Have you heard that on TV and stuff?

Ms. Jeantel: Yes.

De la Rionda: Okay. The cries for help, are you able to say whose voice that is or voices that is?

Ms. Jeantel: Trayvon. Sounded like Trayvon.

De la Rionda: Let me have a moment, your honor. I don't have any further questions. Thank you.

Judge: Thank you. Cross?

Defense attorney Don West then undertook to question Ms. Jeantel. He was sometimes frustrated in the course of this lengthy examination.

Rachel Jeantel was provided a transcript of her prior deposition. It was unclear that she could read the transcript.

West: Do you admit then, that you were then asked who was crying for help, and your answer was “It could be Trayvon”?

Ms. Jeantel: Yes. I told you it sound like Trayvon. Cause he got a kinda like baby voice.

West: So the question is “Well, who was screaming for help? It’s not Trayvon is it?” And your answer was “It could be Trayvon.” And the question was “Was that Trayvon screaming for help or wasn’t it?” Your answer: “It could be, like I said, I don’t know but it could be. The dude sounds kinda like Trayvon. Trayvon do got that soft baby voice. And that baby voice some time. So it could be. I don’t know, you know. It is not.”

George Zimmerman

George told the police that the screams did not even sound like him. That can be explained by the fact that we do not hear ourselves as others do.

External sounds such as the voices of others first travel past the external ear (technically called the *pinna*) and then through the ear canal, and onto the eardrum, then via three tiny bones that transmit the vibrations to the inner ear. Those tiny bones amplify the movements of the air and match the acoustic characteristics of air to the acoustic characteristics of the fluid in the inner ear. This path emphasizes some frequencies over others.

By contrast, the sound of your own voice vibrates the fluid and nerves in the inner ear mainly through the bones in your skull and vibrations in your nasal cavities. That emphasizes different frequencies and causes your voice to sound different to you than it does to others.

The upshot is that I take George’s statement about the screams as indicating his candor because it could be taken to mean that the screams were not his, yet he honestly told his perception of them.

Gladys Zimmerman, George's mother

Mrs. Zimmerman looked Hispanic and spoke with a Spanish accent.

Gladys Zimmerman's Testimony

Omara played the Lauer 911 tape for Gladys Zimmerman, up to the gunshot.

Omara: Were you able to hear that voice in the background?

Mrs. Zimmerman: Yes.

Omara: You heard, of course, a woman's voice in the foreground, correct?

Mrs. Zimmerman: Yes.

Omara: Do you know whose voice was that screaming in the background?

Mrs. Zimmerman: Yes sir.

Omara: Whose voice was that?

Mrs. Zimmerman: My son George.

Omara: And are you certain of that?

Mrs. Zimmerman: Because he's my son.

Prosecutor De la Rionda then questioned Mrs. Zimmerman.

De la Rionda: Good afternoon, Ma'am.

Mrs. Zimmerman: Good afternoon, Mr. De la Rionda.

De la Rionda: Uh, Miss Zimmerman, you have heard him yelling out, in, in, for help, for crying, but for, have you heard him just laughing and screaming?

Mrs. Zimmerman: All the above. All of.

De la Rionda: Isn't it true you've never heard him yelling for, or crying for help, yelling for help?

Mrs. Zimmerman: Not for help, no, not in the distinction.

De la Rionda: Thank you, very much.

Omara questioned Mrs. Zimmerman again.

Omara: You've never heard him screaming for his life before, have you?

Mrs. Zimmerman: Correct.

Omara: But regarding ... I'll, I'll rephrase it. Have you ever heard him screaming for his life before this call?

Mrs. Zimmerman: N..., I'm not sure if that's George's voice?

Omara: Mm Hmm.

Mrs. Zimmerman: The scream is, I haven't heard him like that before but the anguish that, that scream that he is the way that he is screaming, it describes to me anguish, fear. I would say terror.

Omara: And is that the anguish, fear, and terror, without question, of your son's voice?

Mrs. Zimmerman: Yes sir.

Robert Zimmerman Senior, George's father

Mr. Zimmerman testified that the screams in the Lauer 911 recording were those of his son. The conditions under which he made the identification illustrate a proper method of testing for identification.

Robert Zimmerman's testimony

Omara: I'm going to limit my questions to you to an event where you had an opportunity to hear a, uh, what we have been calling a 911 tape, right? Miss Lauer's 911 call. Uhm, do you know what I mean I ask you about that?

Mr. Zimmerman: Yes, I do.

Omara: It is a, a is a tape that included in it some screams and a gunshot. Have you heard that tape?

Mr. Zimmerman: Yes, I have.

Omara: We have it available. Uhm, the jury has heard it dozens of times. Now I'll, I'll replay it if you need it to hear it again but do you have a memory of it such that you remember listening to it and forming an opinion as to who you heard?

Mr. Zimmerman: Yes sir, I do.

Omara: If you would just tell me the setting and the circumstances around the first time that you heard it.

Mr. Zimmerman: I believe the first time I heard it, it was on the third floor of this building. Uh, it was in the State Attorney's office. I was there. I was put under oath. They asked me some questions. As I was getting ready to leave, uh, they asked me whether if I would mind listening to this tape. I said "Certainly." So they took me in a fairly small room where there was a computer. They provided me headphones, and they reminded me I was still under oath and would I listen to it. Yes, I listened to it. And, uh, then they asked me did I recognize the voice.

Omara: And what did you tell them?

Mr. Zimmerman: I told them "Absolutely, it's my son George."

Omara: Is that an opinion that you still have through today?

Mr. Zimmerman: Certainly.

Jorge Meza, George's uncle

George Zimmerman's uncle, Jorge Meza, a deputy with the Orange County Sheriff's Office, testified that he heard the 911 screams while watching television. "It was George screaming for his life," he testified.

He testified with obvious pride that he became a sheriff's deputy because "I retired of the Army with the rank of Commander Sergeant Major and I thought it was that my duty to serve my community." We need to look no further to see a role model for George Zimmerman. Mr. Meza looked Hispanic and spoke with a heavy Spanish accent.

Jorge Meza's testimony

Omara: State your name, please.

Mr. Meza: My name is Jorge Meza.

Omara: And your occupation.

Mr. Meza: I'm currently a deputy sheriff with Orange County Sheriff's Office, assigned to the courthouse division.

Omara: And how long have you been in that position?

Mr. Meza: I've been in that position since September, 2007.

Omara: Consistent from that time through today?

Mr. Meza: Yes sir.

Omara: And before 2007, what type of work did you do?

Mr. Meza: I was previously assigned to the courthouse division between May of 2003, August of 2003. Before that I was the in the Army. I served our nation for 26 years. I retired of the Army with the rank of Commander Sergeant Major and I thought it was that my duty to serve my community.

...

Omara: And now then, how long have you known George Zimmerman?

Mr. Meza: I have known George Zimmerman since October the 5th, 1983, the day he was born.

Omara: Okay, were you in the, you were still back in the Army then, correct?

Mr. Meza: Yes sir. I was stationed, at that time I was the stationed in Puerto Rico and with a temporary duty assignment in Atlanta, Georgia when the news arrived that my sister was actually having labor pains and I was in transit and when I was checking into the terminal at Atlanta, Georgia is when I got the news that my nephew had been born.

...

Omara: You are here today because I wanted to ask you if you'd ever had an opportunity to listen to a 911 call that had certain voices in the foreground and then a screaming voice in the background.

Mr. Meza: Yes sir, I did.

Omara: What I'd like you to do, if you would, is to tell the jury the first time and the circumstances that you have heard that call.

Mr. Meza: The exact date I don't remember. It was sometime in March of 2012. I am sitting my computer at home involved to be exact I cannot recall but I was in [sic] the computer and that of the, the TV in my house is located right behind, if I could, I show you (turning in his chair). This is my desk and right behind me is my television. When I'm actually working the computer, my wife is watching news. All what I just heard was the screams, a scream that it came immediately, not only I just heard the scream, I felt the scream like my nephew screaming for he [sic] life, for his life. It was a moment that I actually live with me every moment that I heard the portion of that because it was just not the feeling of oh, I heard Georgie. It was George screaming for his life.

Omara: Did he, did he...

Mr. Meza: And I turn to my wife and I say "What are you watching?" And she says "I'm watching the news." I said "But what, what is the news about?" She says they are playing the recor [sic] of the 911 call pertaining to the person screaming. I said "That is George." And I stood up and look at the TV. And I just didn't even see anything else but it was just the recording playing at that time.

Omara: This wasn't a situation where somebody played it for you to ask you to identify the voice?

Mr. Meza: No sir, it was not.

Omara: Was this coincidental that it happened to come on TV?

Mr. Meza: No sir it was not incoincidental [sic]. Like I said I was just working on the computer, doing exactly I cannot tell you what I was doing, but I was on the computer came on and hit me. It hit me in a way that, that I st..., I heard that, but more than heard that. I felt it inside of my heart. I said "That is George."

Omara: Did you even know that the TV was addressing your nephew's case?

Mr. Meza: No, I did not.

Omara: Did your wife tell you anything about the fact that it was on TV?

Mr. Meza: Matter of fact, she did not.

Omara: Then, and I think you mentioned it, what was the very first thing that brought your attention to the TV?

Mr. Meza: His voice, his voice. The reason why I recognize his voice is very simple. I have had George play with my sons, my own sons. It is unique way you recognize your family members when they laugh or when they cry. And this was the moment I recognize as ehscreaming for help. It was George ehscreaming for help.

Mr. Meza: Before, before I saw what I saw, I heard the scream.

Prosecuting attorney De la Rionda then questioned Mr. Meza.

Mr. Meza: And that's what I got up and I say "It's George. What are you watching?"

De la Rionda: Right, and then when you saw the TV screen it had the name George Zimmerman on there, correct?

Mr. Meza: That is correct.

De la Rionda: Okay, and I believe you stated you had heard him before playing with your son, correct? Him being George Zimmerman. I apologize.

Mr. Meza: I understand. Yes sir.

De la Rionda: Okay, but you never heard George Zimmerman crying out for help before, have you?

Mr. Meza: Not the way I did that day.

De la Rionda: Thank you very much, sir.

Omara questioned Mr. Meza again.

Omara: As a deputy, do you take your oath to tell the truth seriously?

Mr. Meza: I took my oath 31 May 2000. I am the class of a new alien. And after the day I stand for my oath to the law of the State of Florida.

Omara: So you would not color your ..,m nephew, would you?

Mr. Meza: My ethics of the professionalism with a 26 years I stayed in the Army attaining the rank of Command Sergeant Major, and I would not compromise self [sic] to do that even for my son, my daughter or my nephew.

Omara: So much that you decided to that call to just keep away from the facts of the case, correct?

De la Rionda: I object, your honor. Leading.

Omara: I'll acknowledge it was leading. Just been testified, but I'll rephrase it.

Judge: Thank you.

Omara: Why was it that you, of, decided not to find out more about the facts of what your nephew was saying again though?

Mr. Meza: As a law enforcement officer you are at sworn to actually tell the truth. I didn't know when this moment was going to arrive that I was going to be sitting here and I wanted to be able to look at every one of the jurors and tell them the truth.

Omara: Thank you.

George's Friends

George's friends testified that it was his voice screaming on the tape.

Geri Russo, who was a former co-worker, testified it was George screaming.

John Donnelly, a friend, testified "There is absolutely no doubt in my mind that it is George Zimmerman."

Leanne Benjamin, Mr. Donnelly's wife, also testified that it was George screaming on the recording.

Mark Osterman said he and his wife Sondra were best friends with George and Shellie Zimmerman. He testified that the voice screaming on the tape was George.

Sondra Osterman testified "Yes, definitely. It's Georgie."

On the **Anderson Cooper 360** television program, Juror B-37, not otherwise identified, said the jurors believed it was the voice of George Zimmerman screaming.

Two additional pieces of evidence were influential regarding who was the victim. There were stains on the knees of Mr. Martin's pants, and Zimmerman's back was wet and had grass on it.

The Verdict

On July 13, 2013, the jury unanimously acquitted George Zimmerman of the charge of second degree murder.

Judge Debra Nelson told the jury that they did not need to explain their decision to the press or to anyone.

The jurors were reluctant at first to appear publicly because they, along with George Zimmerman and the defense attorneys, were receiving death threats. Nonetheless, three of the jurors decided to appear on the *Oxygen* network program ***The Jury Speaks*** to explain their decision process in reaching the verdict.

Juror Madelin Rivera explained “People don’t understand you have to follow the law. They give directions to the jury, and you follow that. Trayvon was on top of George Zimmerman,” she said. “Did George Zimmerman feel like he was threatened, fighting for his life? That’s how we all made the decision.”

In a previous interview with Robin Roberts on ABC Morning News, she said “I stand by the decision because of the law. If I stand by the decision because of my heart, he would have been guilty.”

Juror Christine Barry recalls that jurors tried to stick with the facts. “You’ve got to move past the part that somebody should pay for something,” she said. “You can’t do that. It doesn’t work that way.”

Amy Trunolone, the jury foreperson, said “Our hearts were with that family, but there’s nothing we could really do in reference to the case or the law.” Further she said “All I go back to is the law. That is what we have. We’re a democracy, and what we’ve got is the law. We’re to apply it blind to any other thing. At that moment, *at that moment*, did that person think their life was in jeopardy? That’s the way you have to answer the question.”

COMMENTS AND CONCLUSIONS

“The murder of Trayvon Martin was the product of two worlds colliding,” said prosecuting attorney John Guy in his opening statement. In this case, those worlds were represented by two individuals.

George Zimmerman had been diagnosed with attention deficit hyperactivity disorder (ADHD), a condition that entailed impulsivity. He had a prescription for Adderall, a drug closely related to methamphetamine. Should he have had a gun? Arguably not, though according to the law he had every right to do so.

Did George need to carry a weapon, let alone the most concealable weapon commercially available, to protect himself from the pit bull Big Boi at The Retreat at Twin Lakes? And even if he did, should George have been carrying the concealed weapon on his way to the grocery store?

George wanted to think he was serving his community — like his father who had been in the Army and like his uncle who had “retired of the Army with the rank of Commander Sergeant Major” and was thereafter a deputy sheriff who stood at the sides of courtrooms during trials. Add George’s mother’s fervent religiosity and George could have thought no other way.

Motivated not by racial prejudice, but by an aspiration to community service, George was, as attested by church members, “a good heart,” unfortunately alloyed with dubious judgment.

Unaccomplished, hardly a warrior, George got himself into a dire situation.

Long before he met George Zimmerman, Trayvon Martin was a victim.

Three months before he encountered George, Trayvon wrote in his email that his mother *just kickd me out :(* because, she said, presciently, that *she don't want me home caus she think ima get in mo trouble.*

In ***Rest in Power***, Trayvon’s father told us that he was called “Disneyland Dad” because when he was at home it was “always a party.” That was hardly a role model that conferred stability.

Trayvon had been cut adrift into the realm of gangsta rap culture that celebrates violence, and even murder. True, not every young person that listens to rap music becomes violent, but not all of them are so unmoored as was Trayvon.

His enthusiasm for fighting; his several suspensions from school, from which he was failing; the fact that he possessed woman’s jewelry “from a friend,” he said, (whose identity he would not disclose to his mother) were never presented at the trial because they did not directly address what happened that night.

Nonetheless, they are pertinent to the wider issues raised by this case, as well as the fundamental question of how to address those issues and what to do about them. discourse and civil progress?

“In death Trayvon Martin became a martyr.” said Sybrina Fulton in ***Rest in Power***. Of course, she would want to believe that, as most mothers would. In public perception it

may be true. But would any mother want her son to follow in Trayvon Martin's footsteps?

Trayvon got himself into a situation in which, as the jury decided, he put George in fear for his life or great bodily harm.

From Tracy and Sybrina to Benjamin Crump and Al Sharpton, claims about racism swirled about the case like a tornado. President Obama said "Once the jury's spoken, that's how our system works," but he also said "If I had a son, he'd look like Trayvon Martin," reiterating the racial interpretation. True, Obama's son might look like Trayvon Martin, but he would not likely be raised like Trayvon nor act like him.

This case demonstrates savvy use of the media, though the media were enthusiastically complicit in adopting the racial narrative, both before and after the jury had spoken.

In her book *Suspicion Nation: The inside story of the Trayvon Martin Injustice and Why We Continue to Repeat It*, NBC legal analyst Lisa Bloom claimed she could have secured a conviction. Even though it seems like Monday morning quarterbacking, she might be right. She also assumes that George was motivated by racial prejudice. The facts are that George was raised with black children, had a black business partner, tutored young black children, went to the prom with a black girl. Racist he was not.

Suspicious he was, because, as he reported,

"Hey, we've had some break-ins in my neighborhood, and there's a real suspicious guy, uh, it's Retreat View Circle, um, the best address I can give you is One Eleven Retreat View Circle. This guy looks like he's up to no good, or he's on drugs or sumpin'. It's raining and he's just walkin' around, looking about."

Dispatcher: Okay, he's just walking around the area?

"Looking at all the houses... He's here now, he was just staring... Now he's just staring at me."

When George was queried by the dispatcher, he reported that the guy "looks black." Similarly, when queried by the dispatcher, George reported the suspect's age.

Dispatcher: Okay. How old would you say he looks?

Zimmerman: He's got a button on his shirt. Late teens.

By analogy with claims of racism, George could equally be accused of being "ageist," except for the fact that there was no constituency organized to accuse him.

Publicity such as used in this case has been used traditionally for the defense, although it was used here to benefit the prosecution. Are tactics like these equally appropriate for

prosecution as for the defense? In court, the defense is given greater leeway than the prosecution. Should this preferential leeway extend to publicity?

Black spokesmen, organizations and celebrities came to the support of Trayvon Martin. No Hispanic organizations, leaders or celebrities did likewise for George Zimmerman. Whatever the reasons, this divergence highlights differences between black and Hispanic communities in the U.S.

Hollywood and news media, especially those that featured the views of Tracy and Sybrina, are typically described as “liberal.” In that case, what has become of the classic liberal principle of concern for the rights of the accused? We can hardly expect humility on the part of wealthy celebrities; nonetheless, it seems reasonable to ask respect for the law and the rights of a defendant as basic liberal principles.

George’s former wife Shellie was interviewed by ABC Television ***Good Morning America***. “I stood by my husband through everything,” she said, “and I kind of feel like he left me with a bunch of pieces of broken glass that I’m supposed to now assemble and make a life. In my opinion, he feels more invincible since his acquittal.”

Acquittal in the face of torrents of death threats and tides of negative publicity has done nothing to improve George’s judgment, nor to diminish his aspirations. If before the trial he aspired to be a hero, he may now aspire to be a super-hero, whose judgment is no better than it was previously. George has gotten into subsequent skirmishes with the law.

This case flaunts savvy use of the media, though the media were enthusiastically complicit in adopting the racial narrative both before and after the jury had spoken. George was prosecuted more vigorously by the media than by the Assistant District Attorney. Yet, he was found not guilty with only the help of the facts and talented attorneys.

The media found a story with a villain, a victim, and a motive. Show business publication ***Variety*** underscored the value of story under the headline “**Zimmerman Trial Revs Up Ratings for Cable News Networks.**” Given the fiercely competitive realm of the media, they could hardly have done otherwise.

Following the trial, there was a heated bidding war for the television and motion picture rights to ***Rest in Power*** and ***Suspicion Nation***. According to ***Variety***, they were won by Rapper Jay Z in collaboration with the Weinstein Company. Jay Z plans to develop a six part television docuseries about the Trayvon Martin case. The Weinstein Company planned to produce a feature film, though their forthcoming bankruptcy may endanger the project.

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also bold and self-confident: **rip** 8

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