



Written by [Alex Newman](#) on June 24, 2013

Amid Controversy, Zimmerman Murder Trial Begins

Following the controversial selection of an  all-female jury, opening statements begin Monday, June 24, in the high-profile murder trial of former neighborhood watch volunteer George Zimmerman (shown), who fatally shot Trayvon Martin in what he argues was self-defense. National media have been following the case closely, but major controversies surrounding the entire prosecution have largely taken a back seat in press coverage to manufactured hysteria over gun laws and race — then-17-year-old Martin was black and Zimmerman is Hispanic.

Questions about whether the defendant can even get a fair trial at this point still abound. Widespread criticism of the prosecution by heavy-weight legal experts, for example, has cast a cloud of doubt over prosecutors' bid to get Zimmerman convicted. A months-long media circus surrounding the case featuring [deeply deceptive](#) reporting added to the unease, not to mention the race-baiting by professional agitators like Al Sharpton and Jesse Jackson. Of course, President Obama's comments — "If I had a son, he'd look like Trayvon" — did not help, with analysts saying such inappropriate remarks could bias jurors.

Finally, controversial decisions by the judge as to what Zimmerman's defense team will be allowed to introduce as evidence have also raised concerns that the defendant may not be allowed to properly defend himself. Among other measures that have drawn public scrutiny, Circuit Judge Debra Nelson [ruled](#), at prosecutors' request, that Martin's prior history of drug use, fighting, and school suspensions not be allowed. On the other side, the court sided with the defense in refusing to allow evidence from a novel technology that can supposedly tell who was screaming during a phone call.

If convicted, Zimmerman could face up to life in prison for second-degree murder, defined as the unlawful killing of a person without pre-meditation. In Florida, however, state law allows a potential victim to use deadly force if he or she has reasonable cause to fear loss of life or serious bodily harm, including in public areas. Zimmerman is pleading not guilty to the charges, but it was not immediately clear whether or not he would testify at the trial.

Defense attorneys plan to argue that Zimmerman, who was patrolling his gated complex on February 26, 2012 following multiple break-ins in the community, killed Martin in a straightforward case of self-defense. Indeed, prosecutors did not even charge Zimmerman with a crime for a month and a half after the shooting. Not until alleged racism was injected into the case through nationwide protests stirred up by race profiteers and wildly dishonest media reports did a special prosecutor for the state of Florida bring charges.

"We're trying so hard in this case not to make it what everybody outside the courthouse wants it to be," defense attorney Mark O'Mara was quoted as saying in media reports. "What I do think we have, and I'm very happy with this, is six jurors who have told us that they'll be fair and impartial.... This case will



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fall on the fact that the state will not be able to convince the jury beyond a reasonable doubt with their evidence that a crime was committed by my client.”

Among other evidence to support the self-defense assertion, Zimmerman’s lawyers almost certainly plan to show jurors [pictures of the serious injuries](#) he sustained during an altercation with Martin that night. One of the most important photographs, taken minutes after the killing, reveals bloody wounds to the back of Zimmerman’s head consistent with his story that Martin was pummeling him on the ground. Police and medical reports confirmed that Zimmerman’s nose was bleeding and severely injured as well.

When the photographs emerged publicly, legal analysts said they offered compelling evidence to support Zimmerman’s assertions. Some experts even blasted the prosecution for concealing the information and bringing charges in the first place. Harvard Law School Professor Alan Dershowitz, for example, who had already criticized the prosecution before the pictures came out, even accused prosecutors of perpetrating a “grave ethical violation” for not including the crucial evidence in the original affidavit.

“An affidavit that willfully misstates undisputed evidence known to the prosecution is not only unethical but borders on perjury because an affiant swears to tell not only the truth, but the whole truth, and suppressing an important part of the whole truth is a lie,” Prof. Dershowitz explained at the time. “I’m not taking sides, but I’m insisting that both sides play by the rules, and so far the prosecution is not playing by the rules.”

Prosecutors, meanwhile, plan to argue that Zimmerman, 29, profiled Martin and then murdered him after being told by authorities that he did not need to follow Martin. Citing Zimmerman’s call to the police in which he indicated that a “suspicious” person who “looks like he’s up to no good or he’s on drugs or something” was walking through the gated community, the prosecution hopes to paint a picture of Zimmerman as a vigilante type trying to take the law into his own hands.

To succeed, however, the state will have to convince jurors beyond a reasonable doubt that the killing was actually a murder rather than self-defense. At this point, legal experts appear divided about whether or not the state has a decent case against Zimmerman.

Attorney Benjamin Crump, who is representing Martin’s family, was quoted in media reports claiming that the facts would be enough to convict Zimmerman in the case. “The evidence is overwhelming that George Zimmerman murdered Trayvon Martin,” the lawyer claimed over the weekend, one of a series of statements over the past year expressing confidence in the prosecution’s ability to secure a conviction. “Unfortunately, Trayvon Martin isn’t here to tell us his version.”

The trial — and indeed, the entire case — have polarized the nation, polls show, with some Americans believing that Zimmerman committed murder and others confident that he killed Martin in justifiable self-defense. The six-member jury, selected from a pool of some 500, was narrowed down by prosecutors and defense attorneys by reportedly seeking out individuals who had not formed an opinion on the case yet.

However, the fact that all six of the jurors are women has raised some concerns among experts. The *New York Times* [cited](#) legal authorities with varying opinions, with one side saying that the all-female jury would be harmful to Zimmerman’s case. “Women as a group might be less receptive to Zimmerman’s behavior than men,” Professor Jules Epstein at Widener University School of Law was quoted as saying. Another expert, a defense attorney from Orlando, said women might be more



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sympathetic to losing a child.

Separately, concerns are also being raised about the racial make-up of the jury. Five out of the six jurors are white, which — despite the fact that it is statistically proper given the demographics of Seminole County — race-mongers claim could create the appearance of bias. There are no blacks on the jury. If Zimmerman were to be found not guilty, analysts are already speculating that race profiteers could seize on that to claim that the jurors were motivated by the fact that Martin was black. Already, white and black racist groups have threatened a “[race war](#)” over the case.

Both sides have expressed confidence in their positions. However, no matter what happens, the drama surrounding the case is likely to go on far longer than the trial. A not guilty verdict, for instance, could spark unrest among those who believe Zimmerman committed murder, with some analysts already mentioning the Rodney King trial and its aftermath as an example of what could happen. A guilty verdict, meanwhile, would almost certainly be appealed. The trial is expected to last between two and four weeks, according to legal experts.

Photo of George Zimmerman: AP Images

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