

TRIAL OF O.J. SIMPSON

By Mark J. Phillips and Aryn Z. Phillips

**PART 1
THE CRIME**

Los Angeles Police Department mug shot of O.J. Simpson, June 17, 1994. Photo: Public domain

If you are old enough to be reading this, you likely experienced firsthand the trial of O.J. Simpson for the murder of his ex-wife, Nicole Brown Simpson, and her friend, Ronald Lyle Goldman. More than any other in the twentieth century, the trial of O.J. Simpson was the quintessential “trial of the century.” It was covered to saturation by both the electronic and print press, and avidly followed by consumers of spectacle, both in America and abroad. No trial before or since has captured the minds and passions of so many Americans or sparked so much media attention.

That is partially because O.J. Simpson was the most famous American celebrity to be charged with murder in three generations. Celebrity victims, certainly, and even notorious criminals, but not since the trial of Roscoe “Fatty” Arbuckle for the murder of actress Virginia Rappe in 1921, had an American of Simpson’s popularity and stature been charged with murder. Also contributing to the coverage was the fear and fascination Americans have with race relations, as the trial was that of an African American for the murder of his Caucasian ex-wife and her Jewish friend, surrounded by the aura of potentially racist

white policemen allegedly driven to frame him for a murder he did not commit, with guilt determined by a predominantly female black jury. And overriding all was the fact that television reporting had come of age in the 1990s, matured from its grainy youth of the 1960s. More than one station carried every moment of the nine-month trial from gavel to gavel, and every other television network, newspaper and news magazine covered the story daily.

Simpson was born on July 9, 1947, in San Francisco, the son of working-class parents who separated when he was five. He grew up

in the housing projects of the Potrero Hill neighborhood, where as a teenager he ran with a fast crowd and was briefly incarcerated at the San Francisco Youth Guidance Center. After recovering from rickets, which caused him to wear braces on his legs as a youth, Simpson excelled in athletics in high school and at City College of San Francisco, and was eventually awarded an athletics scholarship to USC, where he played running back for the Trojans in 1967 and 1968. He set rushing records and won numerous awards, including college football's most prestigious honor, the Heisman Trophy.

In 1969, he was drafted by the Buffalo Bills in the first round. He struggled early with the poorly performing Bills, but eventually had breakout years from 1972 to 1976, winning the NFL rushing title four times. He played in six Pro Bowls and is the only player in NFL history to rush for over 2,000 yards in a 14-game season. He was elected to the Football Hall of Fame in 1985, his first year of eligibility.

As his professional football career wound down, Simpson smoothly moved to a career in acting in the late 1970s, starring in several major films, including *The Towering Inferno* in 1974, *Capricorn One* in 1978, and *The Naked Gun* trilogy between 1988 and 1994. He appeared as a commentator for Monday Night Football, and his fame and popularity led to numerous endorsements, including that of spokesman for the Hertz rental car company, in whose commercials he sprinted through airports like a running back, dodging obstacles and leaping over suitcases. He was more than a popular football player; he was a personality. At 6'1", 210 pounds, and classically handsome, he was "OJ," and he was instantly recognized wherever he went. He thrived on the attention, stopping to sign autographs for anyone who asked.

Simpson met the blond and beautiful Nicole Brown in 1977 at a Beverly Hills nightclub where she worked as a waitress. She was then eighteen years old and just three weeks out of high school. Born on May 19, 1959, in West Germany, Nicole moved as a toddler with her German mother and correspondent father, Juditha and Lou Brown, to Southern California, where she was raised with three sisters.

It was immediately evident that her relationship with Simpson would be stormy. Coming home from her first date with him, Nicole's roommate expressed shock to see her jeans ripped open, the result of Simpson's impatience to make love. "No, wait," she explained. "I like him."¹

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At the time, Simpson was still married to his first wife, Marguerite, and he was the father of two children, Arnelle and Jason. Marguerite was pregnant with a third child, Aaren, born September 24, 1977. In August of 1979, Aaren drowned in the family's swimming pool. Their marriage already troubled, Simpson and Marguerite were divorced that same year.

After many years of dating, Simpson and Nicole were married in February of 1985. Their first child, Sydney, was born in October, and a second child, Justin, was born in August of 1988. But Simpson's marriage to Nicole was no easier than his first. Physical and mercurial, Simpson was unquestionably abusive to Nicole, and police were called at least nine times to break up domestic disputes. He beat her and threw her into walls. On February 25, 1992, after seven years of marriage, she filed for divorce.

Two years later, shortly after 10:00 p.m. on June 12, 1994, Nicole and Ron Goldman were murdered outside Nicole's condo on Bundy Drive in the affluent Brentwood neighborhood of Los Angeles, just a few blocks from Simpson's Rockingham Avenue estate. Hollywood could not have devised a crime scene with greater drama, a killing more savage. They were not coolly gunned down from a distance, as hundreds are every year in gang-torn parts of Los Angeles, but butchered; they were furiously slashed and stabbed multiple times. A veteran LAPD detective, one of the first officers to arrive at the scene, said "It was the bloodiest crime scene I have ever seen."² Nicole and Ron were found in pools of blood. Barefoot and wearing a loose shirt, Nicole lay curled up at the foot of the stairs outside her front door, stabbed seven times in her neck and head. She was apparently face down when the murderer put a foot in her back, pulled her head up by her hair, and nearly decapitated her with a fatal slash from left to right across her neck, which severed her carotid arteries and left jugular vein, and nicked her spine. Ron was stabbed thirty times all over his body. Both victims had defensive wounds to their hands, incurred trying to ward off the assault.

The evidence against Simpson was initially overwhelming. His long history of physical violence against Nicole included a conviction in 1989 for spousal abuse. Photographs surfaced of a bruised and battered Nicole from prior altercations with Simpson. Police responded to her 911 calls, and she warned them that she feared Simpson would kill her. At the crime scene, five drops of blood led away from the bodies, four of which were on the left side of bloody size 12 shoe prints, indicating that the

assailant was injured on the left side of his body. Simpson wore size 12 shoes, and the next day police observed him wearing a bandage over a deep cut to the middle finger of his left hand. Preliminary tests on all five blood drops at the crime scene matched Simpson, and Nicole's and Ron's blood was found in Simpson's car, and more of his blood was found on the driveway of his home.

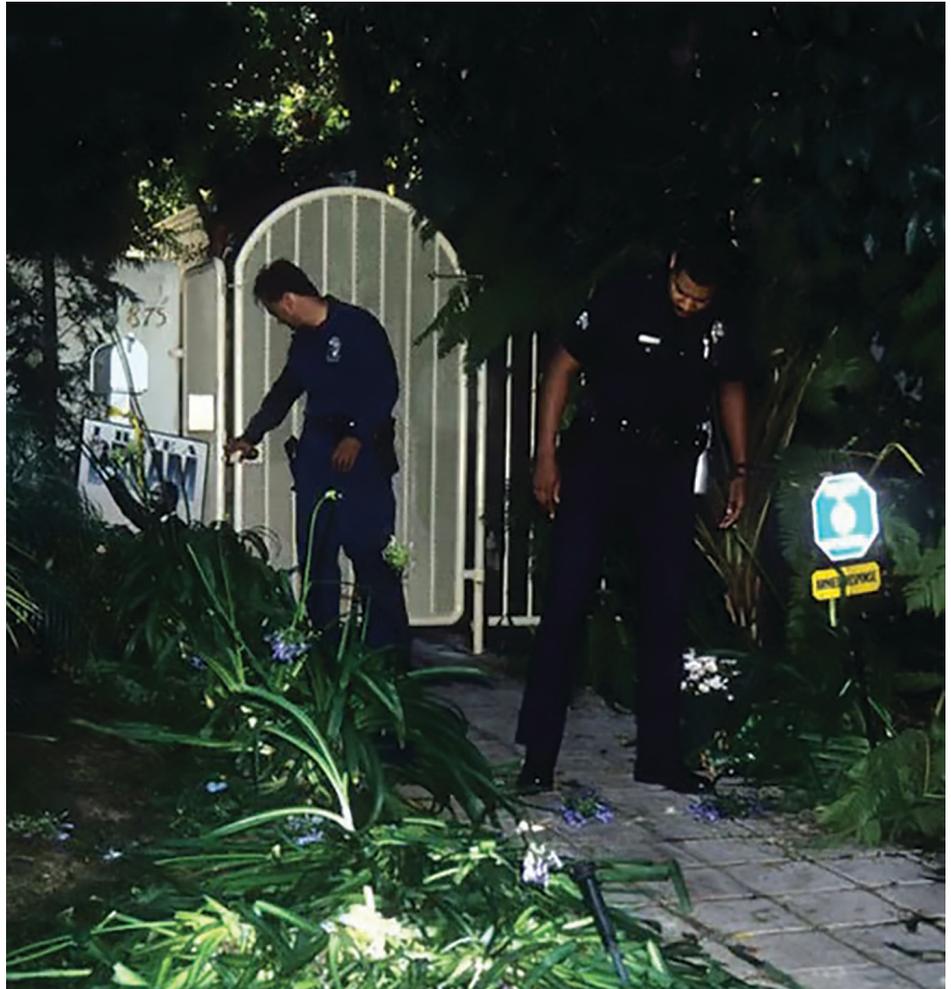
And while he could account for most of his time that day, he had no alibi for the hour in which the murders took place. Twenty-four-year-old limo driver Allan Park was waiting outside Simpson's gated Rockingham residence at 10:22 that night to take him to the airport for a planned flight to Chicago, but no one answered several rings at the gate. At 11:00 p.m. Park saw a figure matching Simpson arrive at the residence and enter the front door. Park rang again and this time Simpson answered, telling him that he had overslept and just gotten out of the shower. "I'll be down in a minute," Simpson told the driver.³

Shortly thereafter, Simpson's luggage was loaded into the limo and Park drove him to the airport for an 11:45 p.m. flight to Chicago.

Alerted by her barking dogs, neighbors discovered the bodies of Nicole and Ron just after midnight, and a small army of police converged on the crime scene, stringing bright yellow tape and conducting an examination of the condo and its grounds. Photos were taken, measurements made, and various items packaged and marked for evidence.⁴

The first investigators on the scene were Los Angeles Police Department detectives from the West LA division, Ron Phillips and Mark Fuhrman, who arrived together at 2:10 a.m. Patrol officer Robert Riske met them and reported his findings, then walked them along the perimeters of the scene and through the garage into the condo, where they could survey the bodies from the top of the three steps at the open door of Nicole's residence. Fuhrman later testified that he could see the bodies, bloody heel prints leading away from them, and a discarded knit cap and a leather glove. Shortly thereafter, Phillips and Fuhrman were advised that the case was being taken over by the elite Robbery/Homicide division and told to take no further action.

The Robbery/Homicide detective in charge was Philip "Dutch" Vannatter, a veteran of twenty-five years with the Los Angeles Police Department, and an experienced and well-respected homicide investigator. Silver-haired, fit and tough talking, Vannatter was known among his colleagues as a "super cop." His prior cases included the arrest in 1977 of film



Officers at the scene after the murders of Nicole Brown Simpson and Ron Goldman
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director Roman Polanski, husband of Manson victim Sharon Tate, on charges of unlawful sex with Samantha Geimer, the model of a fashion shoot and then just thirteen years old. Vannatter arrived at the Bundy condo at 4:00 a.m., followed by his partner, Tom Lange, a few minutes later. After inspecting the scene and collecting information, including Simpson's prior history of battery against Nicole, he drove to Simpson's nearby Rockingham residence, arriving at approximately 5:00 a.m. He was accompanied by detectives Lange and Phillips. Fuhrman, still on the scene two and half hours after being told that he was no longer on the case, volunteered to drive. Vannatter later testified that Simpson was not then a suspect, and that they only went to advise him of the death of his ex-wife.

Simpson's white Bronco was parked outside the gated drive, but the detectives were unable to reach anyone inside the house by intercom or telephone. After Fuhrman told the other detectives that he had seen blood on the door of the Bronco, but without a warrant, Vannatter instructed Fuhrman to scale the wall and open the gate.

Vannatter and his fellow detectives knocked on the front door without response, then walked around the north side of the house to a row of guest quarters. In the first, they roused house guest Brian Kaelin, who told them that Simpson was not home, but that his daughter, Arnelle, was staying in the adjoining guest residence. Fuhrman stayed with Kaelin while the other three detectives went to wake Arnelle. With her assistance, they gained admission to the main house and were able to contact Simpson in Chicago by phone.⁵

Brian "Kato" Kaelin was a thirty-five-year-old bit actor and radio show host from Wisconsin. In response to the detective's questioning, he told Fuhrman that the white Bronco belonged to Simpson, who left the

night before by limousine. After being asked if anything unusual had happened during the night, Kaelin described how, at about 10:45, he heard three loud bangs against the outside wall of his guest house, an area that formed a narrow space between the back of the row of guest houses and the perimeter wall of the property. A "cracking," he called it, and he thought it might have been an earthquake.⁶ Fuhrman went to investigate. A few minutes later, he returned to inform his fellow detectives that he discovered a right-hand leather glove, still wet and sticky with blood, in the small space. It matched the left-hand glove found at the Bundy Drive murder scene.

The sun now shining light on the property, Vannatter and the detectives observed drops of blood in the driveway that led from the parked Bronco to the front door of the main residence, as well as more drops inside the residence. Vannatter declared the Rockingham residence an extension of the crime scene and left to get a search warrant.⁷

Contacted in Chicago early that Monday morning after the murders, Simpson immediately returned to Los Angeles. Accompanied by his attorney, Howard Weitzman, Simpson was interviewed by detectives at Parker Center, the downtown headquarters of the Los Angeles Police Department. The detectives read Simpson his Miranda rights and briefly handcuffed him, but he was not arrested. In the thirty-minute taped interview, Simpson did not confess to the murders, but he was vague about his whereabouts the evening before, and he could not recall how he cut his hand. "I have no idea, man," he told the detectives.⁸ He allowed his blood to be taken for sampling and his injured left hand to be photographed.

Late on Thursday, June 16, initial tests on the blood drops found at the murder scene proved a match to Simpson, and the next day the LAPD notified lawyer Robert Shapiro,

who had taken over the representation of Simpson, that they were ready to charge and arrest his client. Shapiro negotiated a delay until 11:00 a.m. for Simpson to voluntarily turn himself in. That morning, Simpson was at the home of friend and lawyer Robert Kardashian, where he had been staying since his return from Chicago. With him was Al Cowlings, who knew Simpson since their high school days in San Francisco and played football with him for USC and the Buffalo Bills. The two friends left the Kardashian residence in the late morning in Cowlings' matching white Ford Bronco, but when Simpson did not appear at Parker Center, police announced an all-points bulletin that lasted the day.

Six hours later, Simpson and Cowlings were located by tracking their cell phone use to a freeway some eighty miles south in Orange County, near the cemetery where Nicole had been buried just the day before. What followed was the now famous two-hour slow speed chase at thirty-five miles per hour along Los Angeles freeways back to Simpson's home in Brentwood, a media event viewed by millions of people both in the United States and abroad. Television coverage of the event shows spectators pulling over on the freeway and leaving the safety of their vehicles to watch and wave as the procession went by, while thousands of others were lining overpasses to witness the spectacle of Cowling's Bronco trailed by a string of squad cars. Some held up crudely lettered signs in support of the football legend. More than a dozen helicopters followed overhead.

There is some question as to whether this behavior was suicide or flight. In Cowling's car with Simpson was approximately \$9,000 in cash, a gun, his passport, and all the makings of a disguise, including a fake goatee, moustache, glue and remover. Receipts found with the items show them to have been purchased in Burbank, California, on May 27, 1994, some two weeks before the murders of Ron and Nicole.⁹ But Cowlings told pursuing police that Simpson was threatening suicide, and photos taken at the time show Simpson in the car with the gun to his head. In telephone calls from the fleeing Bronco, Simpson said that he had been trying to get to Nicole's grave to kill himself, and that he already said goodbye to his children.

That morning, he left with Kardashian a letter begun earlier but finished that day, with farewell sentiments to his family and friends, and all the hallmarks of a suicide note:



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I can't go on. No matter what the outcome, people will look and point. I can't take that. I can't subject my children to that. This way, they can move on and go on with their lives. . . . Don't feel sorry for me, I've had a great life, great friends. Please think of the real O.J. and not this lost person. Thanks for making my life special. I hope I helped yours. Peace and love, O.J.

Back at the Rockingham estate, Simpson was allowed to call his mother, drink a glass of orange juice, and was then taken into custody. ★



Mark J. Phillips is a shareholder at the law offices of Lewitt Hackman in Encino, California. Aryn Z. Phillips is an Assistant Professor at the University of Illinois. They are the co-authors of *Trials of the Century* (Prometheus, 2016), from which this article is excerpted.

ENDNOTES

¹*People Magazine*, February 20, 1995.

²Vincent Bugliosi, *Outrage* (New York: Norton & Company, 1996), p. 18.

³Clifford Linedecker, *OJ A to Z* (New York: St. Martin's Griffin, 1995), p. 19.

⁴Linedecker, *OJ A to Z*, p. 63.

⁵Vannatter, Grand Jury Testimony, June 23, 1994.

⁶Fuhrman, Preliminary Hearing Testimony, July 5–6, 1994.

⁷Vannatter, Grand Jury Testimony, June 23, 1994.

⁸Simpson police interview, June 13, 1994.

⁹Bugliosi, *Outrage*, p. 98.

