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Was Blake verdict 'celebrity justice'?

LOS ANGELES (AP) — When a civil jury found actor Robert Blake liable for his wife's murder after he had been acquitted of criminal charges, O.J. Simpson saw parallels to his own trials of the 1990s.

Some legal experts called it another case of "celebrity justice" — a high-profile figure targeted in civil court because of money or fame.

"This was absolutely a celebrity verdict," said Loyola Law School professor Laurie Levenson. "This was O.J. all over again. The jury is saying, 'You got away with murder in the criminal case. Now we'll make you pay big time.'"

On Friday, a jury ordered Blake to pay \$30 million to Bonny Lee Bakley's four children, saying the former *Baretta* star "intentionally caused the death" of his wife, who was gunned down in 2001 in the actor's car outside a restaurant where the couple had just dined.

Jurors didn't indicate what specific evidence caused them to find Blake responsible. Some acknowledged they were swayed by Blake's combative attitude while testifying: "We believe that Mr. Blake was probably his worst enemy on the stand," foreman Bob Horn later said. But Horn said the jurors were convinced the evidence met the standard for their decision.

M. Gerald Schwartzbach, Blake's lawyer, said he believes Bakley's children wouldn't have sued the 72-year-old actor if he hadn't been a celebrity.

"The idea that celebrities get a break is a fiction," Schwartzbach said.

Blake disclosed early that he was broke and owed more money to the Internal Revenue Service than he has in assets, Schwartzbach said. Bakley's daughter said she didn't care if she ever got paid, but her lawyer, Eric Dubin, who virtually gave up his law practice for three years to pursue the case, is expected to pursue Blake for the money.

Simpson, who was acquitted in criminal court of killing his wife and her friend, was also sued in civil court over the deaths and assessed \$33.5 million in damages. He has paid almost none of the money.

"I couldn't have paid \$1 or \$1 million," Simpson said. "They had taken everything I had."

The former football star questions the two-trial system, saying it is double jeopardy — being tried twice for the same crime. Speaking by phone from his Florida home, he said he expects the people involved will now write books, just as lawyers in his cases did, to make the money they cannot collect from Blake.

Kathy Kellermann of the Los Angeles office of Trial Behavior Consulting has researched public reactions to a system that allows someone to face both a civil and criminal trial. It is favored by members of the public who feel that the criminal justice system "is broken" and cannot handle wealthy or famous defendants when asked to find guilt beyond a reasonable doubt, she said.

In civil trials, juries only have to find that it is more likely than not that a person is responsible for the crime.

Kellermann said her research of reactions to the O.J. Simpson verdict showed the public overwhelmingly believed that the prosecution had not proved its case beyond a reasonable doubt.

"But a large percentage of the public also thought he was guilty," and supported revisiting the case in civil court, Kellermann said.

She also said those who believe strongly in the rights of due process feel the civil trial is a form of double jeopardy and is unfair. But others believe too many people are going free, and that the civil lawsuit corrects a wrong, she said.

The wealthy defendant who is acquitted is the most obvious target for a civil lawsuit, said attorney Steve Cron, who has represented high-profile defendants in the past.

"It's the fact that someone is perceived as having the potential and the wherewithal to pay that makes the difference," he said.

Asked if the law is discriminatory against the rich, Cron said, "It could apply to poor people but they don't have the assets to go after. Does it strike me as unfair? No."