

By Tracy M. Grayson



On Tuesday, August 9, 2011, Warren Jeffs was sentenced to life in prison for molesting two girls, one 12-years-old and the other 15-years-old. Jeffs, 55, is the head of the Fundamentalist Church of Jesus Christ of Latter-Day Saints, which is an off-shoot of the more well-known Mormon Church founded by Joseph Smith during the nineteenth century and established as an here-to-stay entity in Utah by Brigham Young. Jeffs' sect broke with the Mormon Church many years ago over the issue of polygamy, which Jeffs preaches is essential to gaining admission to heaven.

During the course of the trial in San Angelo, Texas, it appears that the prosecution had some very damning evidence against Jeffs, including DNA evidence which shows that he fathered a child with the 15-year-old girl, audio recordings of Jeffs whispering to the 12-year-old during sex, and testimony from his own niece, who testified that Jeffs had sex with her when she was just seven years old.

During the course of the court proceedings, Jeffs, who was on the FBI's Most Wanted list, hired and fired seven different defense lawyers, many of them high-profile attorneys. Jeffs, who is not a lawyer and presumably had no courtroom experience, ultimately chose to represent himself. Faced with such damaging physical and testimonial evidence, one must ask why in the world would Jeffs choose to represent himself. The outcome that he was found guilty and sentenced to life in prison was completely predictable.

Jeffs' experience raises two important points. First, you should never represent yourself. The old adage, "the man who represents himself in court has a fool for a client," still holds true. You should never represent yourself in court, especially if you have no legal training and no trial

experience. If you had a broken leg or a hernia, would you try to operate on yourself even though you had never gone to medical school? Of course not.

The second point is that you need to hire an attorney whom you trust and with whom you feel completely comfortable representing you. Make sure your attorney has sufficient experience. Winning experience is even more to the point. The attorney should take the time to consider your side of the story, to thoroughly research and investigate it, and should be available to answer you and your family's questions.

You do not want to represent yourself and find yourself in Jeffs' shoes. During his closing argument, Jeffs apparently did not know what to do or say, so he chose to sit in silence for most of the thirty minutes he was allotted to speak. You may be thinking, "well, I wouldn't just sit there in silence; I would have plenty to say in my own defense." You may in fact have plenty to say, but in all likelihood, given that you have no experience, whatever you say is probably not going to get you a not-guilty verdict. Thus, one has to wonder if, under such circumstances, the better course of action would be to just remain silent, as Jeffs did. Another old adage states, "better to keep silent and be thought a fool than to open one's mouth and remove all doubt." Better yet, play it safe and hire an experienced attorney with a winning track record who knows exactly what to say.

Tracy M. Grayson is a criminal defense and civil rights attorney in Los Angeles who has successfully tried dozens of serious and violent felony and "life in prison" cases, including murders, attempted murders, gang cases, etc. He can be contacted at tgrayson@tracygraysonlaw.com, or view his website at www.tracygraysonlaw.com