

COURT TV

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DG=Darren Gelber

WOMAN: Let me bring in a guest joining us here in our New York studios, Darren Gelber, Criminal Defense Attorney, frequent Court TV commentator. Welcome to the program.

DG: Hi Lisa, thanks for having me.

WOMAN: What do you think about the death penalty in the Scott Peterson case, you know, I'm struck by Fred Costania saying that during the guilt phase the facts were so overwhelming that during the sentencing phase it really wasn't difficult for this jury to reach a verdict of death.

DG: Well, I hope that this penalty phase helps the jury understand a more complete picture of who Scott Peterson is. Of course, during the guilt phase of this case, the only thing they know about him is that he's a lying, cheating husband and they also believe that he killed his wife and unborn child.

WOMAN: But do you think the fact that the jury in the Peterson case took about a week to reach their decision, that it will be harder for them in the sentencing phase.

DG: I hope it's harder for them. I hope that this becomes one of the most important things that they've ever done in their life. I hope that they sit back and they think and they reflect and they consider everything that they learned during the penalty phase and that they come to a decision that they in their own individual consciousness can live with for the rest of their lives.

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While he should certainly show respect and leave the sarcasm back at his office, but I might take a stab at walking Lacy's mother through some photographs or some old instances of Scott's conduct in the past to try to get some testimony hopefully that you just can't deny because it's a matter of fact about the good things that Scott did for his family over the course of his marriage and his lifetime. I'm sure there must be at least a few of this that Mrs. Rocheck can acknowledge in court because it's the truth and part of Mark's job here is to try to humanize Scott and what better way to do it then at least getting the victim's mother who's going to be full of emotion and anger and justifiably so to at least acknowledge the good things that Scott has done throughout the time of the marriage.

WOMAN: Hum, I don't know, good luck--