

Spotlight on Learning Twelve Angry Men



Pioneer Theatre Company's Student Matinee Program is made possible, in part, through the support of Salt Lake County's Zoo, Arts and Parks Program, The Simmons Family Foundation, The Meldrum Foundation Endowment Fund, and R. Harold Burton Foundation.

Spotlight On Learning is provided to students in Salt Lake County through a grant provided by the

**GEORGE Q. MORRIS
FOUNDATION**

Approximate running time: One hour and 50 minutes. This show has no intermission.

Student Talk-Back: There will be a Student Talk-Back directly after the performance.

Twelve Angry Men

Feb. 12 thru Feb. 27, 2010

Written by Reginald Rose.
Stage Version by Sherman Sergel.

SPOTLIGHT ON
LEARNING
FEBRUARY
2010

A Pioneer Theatre
Company Classroom
Companion

Directed by
Jack Going



Author Reginald Rose

In his original 1954 teleplay for *Twelve Angry Men*, Reginald Rose turned the focus from the courtroom to the jury's deliberations after the trial, and to an examination of what actually influences the various members of the jury in forming their opinions on the case.

The play was inspired by Rose's own experience as a member of the jury in a manslaughter case in New York City. He wrote that his reluctance to serve his jury duty

changed dramatically "the moment I walked into the courtroom... and found myself facing a strange man whose fate was suddenly more or less in my hands." The "absolute finality" of the decision he and the other jurors would have to make, with the irreversible nature of the death penalty, impressed him with a sense of the tremendous responsibility the jury faced, and he decided that as no one outside that room could know what went on in the jury's decision-making debates, "a play taking place entirely within a jury room might be an exciting and possibly moving experience for an audience."

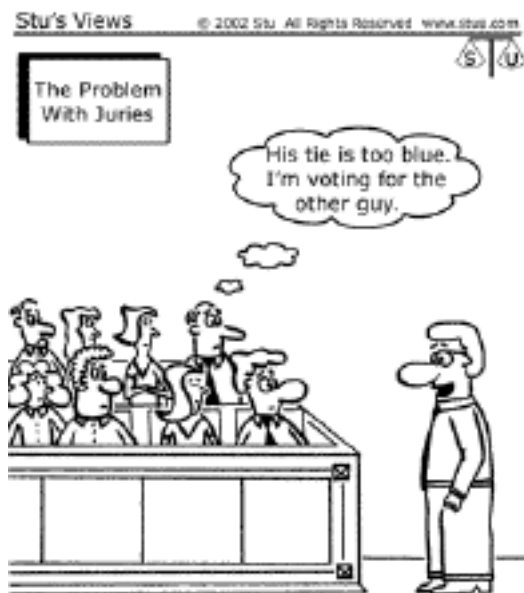
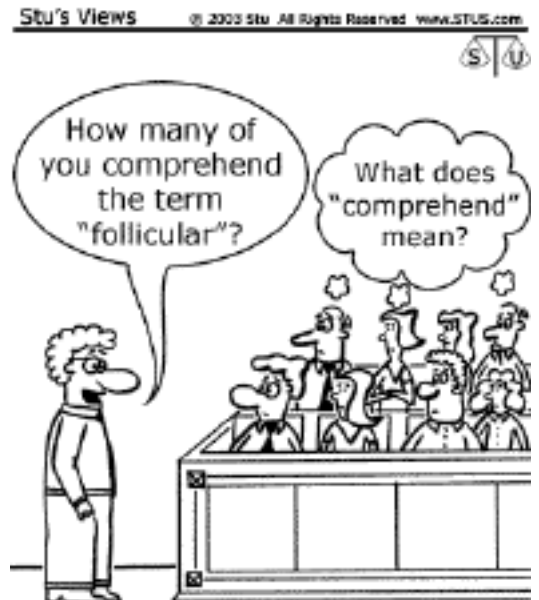
In the play, Rose imagines a situation in which the defendant, a young man with a record, has not had a lawyer who has necessarily made the best arguments on his behalf. In that scenario, one of the jurors feels bound to take on that role. But who are these jurors? And how could a defendant up against the death penalty not be well-represented?

Voir dire (English pronunciation: /'vwɔr 'diər/) is a phrase in law which is derived from Anglo-Norman. In origin, it refers to an oath to tell the truth (Latin *verum dicere*), in other words to give a true verdict.

ON JURY SELECTION:

In the United States today, it is common to describe the ideal jury as a 'body truly representative of the community.' To practice this ideal, all jurisdictions rely on a computerized version of the oldest and most direct of democratic selection methods: the random drawing of names by lot.

The basic principle behind the lottery is that the pool of persons from which actual juries are drawn must approximate a fair, representative cross section of the local population. Because of the luck of the draw, as well as unseen patterns of excuses and challenges, the particular jury a person gets may not itself form a cross section of the community. But so long as jurors are summoned randomly from an initially representative list, the democratic nature of jury membership is said to be preserved.



The cross-section jury is so familiar to us today that we forget how modern is its triumph. As recently as 1960, federal courts still impaneled blue-ribbon juries. The theory was that justice required above average levels of intelligence, morality, and integrity. In place of random selection, therefore, jury commissioners typically solicited the names of 'men of recognized intelligence and probity' from notables or 'key men' of the community. A 1967 survey of federal courts showed that 60 percent still relied primarily on this so-called key man system for names of jurors. The immediate task of the cross sectional reform (1975) was to strip away such discrimination, making all persons equally eligible for jury duty who met minimum and objective standards of citizenship, age, residency, and literacy.

From: *We, the Jury, the Jury System and the Ideal Democracy*, by Jeffrey Abramson.

STUDY QUESTIONS

"I've sat on juries, and it always amazes me the way these lawyers can talk, and talk and talk, even when the case is as obvious as this one. I mean, did you ever hear so much talk about nothing?"
-- Juror 3 seems like he was convinced of the outcome of the trial before he even heard any testimony. Do you think he even listened to the lawyers' arguments? What is making his decision for him if not the actual trial? Do you think this often happens in our legal system?

"It's these people! I'm tellin' you they let the kids run wild up there. Well maybe it serves 'em right."
-- Though we never hear the race or ethnicity of the young man on trial, clearly several of the jurors are prejudiced against him in some way. How might this affect the outcome of the trial? Do you think this is something that only happened in the '50s, or does it still go on today? Does it extend beyond juries?

"In discussing such a thing as the murder potential we should remember that many of us are capable of committing murder. But few of us do. We impose controls upon ourselves to prevent it."
-- What do you think of Juror 11's statement? Do you think this is true, that many of us are capable of horrible crimes? What are these controls we place upon ourselves, and where do we get them?

ON CAPITAL CASES

"I have yet to see a death case among the dozens coming to the Supreme Court on eve-of-execution stay applications in which the defendant was well represented at trial? People who are well represented at trial do not get the death penalty."

—Supreme Court Justice Ruth Bader Ginsburg,
April 9, 2001



Capital cases are among the most emotionally and financially draining cases imaginable. Lawyers must be extremely knowledgeable and diligent to navigate the complex maze of federal and state procedures governing capital cases. These cases demand hundreds of hours of preparation and extensive resources. Since most defendants cannot afford a lawyer, they must rely on the state to provide them with representation. And few states provide adequate funds to compensate lawyers for their work or to investigate cases properly. As a result, capital defendants are frequently represented by inexperienced, often over-worked, and in many cases incompetent, lawyers.

In June 2003, the U.S. Supreme Court overturned the death sentence of Kevin Wiggins and ordered a new sentencing hearing because his lawyers' assistance fell well below the standard of competent legal representation. Wiggins, a black man from Maryland, had been convicted and sentenced to death for the 1998 murder of Florence Lacs; he was arrested because he was in possession of Lacs' car and credit cards. Wiggins' counsel failed to conduct a thorough investigation into Wiggins' history of severe emotional, physical, and sexual abuse as a young child. Despite the fact that such an analysis is routine in capital cases, his counsel introduced no mitigating evidence and failed to even prepare a social history or hire an expert to do so. This omission is critical because juries often reject death and impose a life sentence when such evidence is presented. Harsh reports about the abysmal quality of state-appointed legal representation for people accused of murder are common. A recent report on indigent defense by the Texas Defender Service found that judges often appointed defense attorneys not based on their competence or experience, but based on their reputation for rapidly moving cases through the system. The study concluded that death row prisoners "face a one-in-three chance of being executed without having the case properly investigated by a competent attorney or without having any claims of innocence or unfairness heard."

A review of attorney conduct in Tennessee capital cases revealed that in one-fourth of capital cases, attorneys offered no mitigating evidence during trial. In Philadelphia, 60 percent of all capital cases went without proper investigation or experienced attorneys. Professor James Liebman of Columbia University examined every capital sentence from 1973 to 1995 and found that 68 percent of the cases had been reversed. Inadequate representation was one of the primary reasons for the high reversal rate.

In addition to inadequate funding, most states do not have meaningful competency standards. In 2003, the American Bar Association (ABA) published its revised Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases that include: requiring the attorneys to have abilities, expertise, and skills in representing clients in capital cases; providing two attorneys, an investigator, and a mitigation specialist in every case; and providing full-funding to the defense. According to the ABA, no state has yet established standards that meet its minimum requirements. And writing for the majority in Wiggins, Justice Sandra Day O'Connor mentioned that Wiggins' defense counsel fell short of the standards for capital defense set by the ABA.

There is little question that in capital cases, a competent attorney can mean the difference between life and death. Executing people because of who their attorney was, instead of what their crime was, only adds to the arbitrary and discriminatory nature of the death penalty.

-- American Civil Liberties Union; October 8, 2003

Director and Cast for Twelve Angry Men

JACK GOING (Director) is pleased to be back in Salt Lake City. Other PTC credits include *The Light in the Piazza*, *The Heiress*, *Steel Magnolias*, *Evita*, *The Playboy of the Western World*, *One Flew Over the Cuckoo's Nest*, *Present Laughter*, *Picasso at the Lapin Agile*, *Rough Crossing*, *Dancing at Lughnasa*, *Born Yesterday*, *The Crucifer of Blood*, *Hay Fever*, and *Fiddler on the Roof*. He is proud of the talented cast he has assembled for this classic.

BOB ARI* (Juror Three) Broadway credits include *Frost/Nixon* (u/s Richard Nixon), *The Constant Wife*, *Bells Are Ringing*, and *Laughter on the 23rd Floor*. Numbered among his film credits in his long career are *Two Lovers*, *Wanted*, *Kissing Jessica Stein*, *Music of the Heart*, *Cradle Will Rock*. On television, he has been seen on *Law & Order: SVU*, *Ed*, *Law & Order*, *Cheers*, *Cagney and Lacey*, *Soap*, *L.A. Law*, *Diff'rent Strokes*, *The Jeffersons*, and *All My Children*.

TOBIN ATKINSON* (Juror Five) appeared at PTC in *Richard III* and *As You Like It* and directed SLAC's *Dark Play* last year. He is co-founder and was artistic director of Plan-B Theatre from 1991-2000, and is co-founder and current artistic director of Meat & Potato Theatre. He holds an MFA in Directing from the University of Utah and an MBA from American Military University.

STEVE BETHERS (Juror Six) is excited to make his PTC debut. Recently, he was seen as Limping Man in *Fuddy Meers* and as Patrick O'Reilly in *The Musical Comedy Murders of 1940*, directed by Frank Gerrish, at the SLCC Black Box. His film credits include *Cops and Robbers*, *Air*, and *The Date*.

ALAN CAMPBELL* (Juror Eight) appeared on Broadway in *Sunset Boulevard* for which he received a Tony nomination, and *Contact*. On television, he appeared in *Jake and the Fatman* (five seasons) and he co-starred with John Ritter on *Three's a Crowd*. He also appeared in *Another World*, *All My Children*, *Contact*, *Live From Lincoln Center on PBS*, and *Redflag*, a CBS Movie of the Week; *Law & Order*, *Law & Order: SVU*, *Homicide: Life on the Streets*, *The Facts of Life*, *Throb* and *Matlock*. His feature films include *Weekend Warriors*, *Bump in the Night*, *Tom, Dick and Harry* and *Simple Wish*.

TERENCE GOODMAN* (Juror Twelve) is returns to Pioneer Theatre after past roles including Billy Flynn in *Chicago* and Jake Whippany in *Paint Your Wagon*. Broadway and First National tour credits include the original production of *Jesus Christ Superstar*, *Damn Yankees* (first revival with Gwen Verdon and Ray Walston), and as Capt. Smith in *Titanic*. Film credits include *Ode to Billy Joe* (co-starring), *Final Rinse* (starring) and most recently *Minute Men* for Disney Productions. Terence was a series regular on *Days of Our Lives* and had a recurring role on *The Young and the Restless*.

KENT HADFIELD (Juror Two) has performed in *Hamlet*, *You Can't Take It With You* and the world premiere of *The Three Musketeers*, all with PTC. In 2008 appeared with Utah Festival Opera Company in *Into the Woods* and *1776*. He is a graduate of the Actor Training Program at University of Utah ('90) and was one of the first Acting Interns with Pioneer Theatre Company.

PAUL KIERNAN* (Juror Ten) appeared at PTC in *Is He Dead?*, *Romeo & Juliet*, *Pride and Prejudice*, *Amadeus*, *Ten Little Indians*, and *Cyrano de Bergerac*, among others. His TV and film credits include *Go Figure* for Disney Channel, *Luck of the Irish*, *The Maldonado Miracle*, and the HBO series *From the Earth to*

BOB ARI*
(Juror Three)



TOBIN ATKINSON*
(Juror Five)



STEVE BETHERS
(Juror Six)



ALAN CAMPBELL*
(Juror Eight)



TERENCE GOODMAN*
(Juror Twelve)



KENT HADFIELD
(Juror Two)



the Moon. At Salt Lake Acting Company, Paul has been seen in *Freedomland*, *The Memory of Water*, *The Beard of Avon*, *Cowboys and Cabbies*, *The Water Project* and *Seeing the Elephant*.

PAUL KIERNAN*
(Juror Ten)



DANE KNELL* (Juror Nine) makes his Pioneer Theatre Company debut. His Broadway credits include *Lettice and Lovage* with Maggie Smith and *See the Jaguar* with James Dean. He has been seen in the films *Let It Be Me* and *The House on Carroll Street*, and on TV in *Law & Order*, *Law & Order: CI*, *Mathnet*, and *Another World*. Off-Broadway, he has been seen in *Much Ado About Nothing* with Sam Waterston (Delacorte Theatre), *She Stoops to Conquer* with Nathan Lane (The Roundabout), *The School for Scandal*, *The Forest*, and *The Guardsman* (Pearl Theatre).

DANE KNELL*
(Juror Nine)



LOU LIBERATORE* (Juror Seven) is making his PTC debut. He appeared on Broadway in *Burn This* (receiving a Tony nomination, as well as Drama Desk and Outer Critics' Circle Award nominations) and *As Is*. His film and TV credits include: *It's My Party*, *Honey*, *I Shrank the Audience* (Epcot), *Sex and the City*, *Law & Order*, *Who's the Boss?*, *Tales of the City*; and *One Life to Live*. Off-Broadway: *Pera Palas* (Lark), *The Wound of Love* (Penguin Rep), *The Waiting Room* (Vineyard), *Love* (Naked Angels), *Unidentified Human Remains...* (Orpheum), *Sight Unseen* (MTC), and Circle Repertory Company (various).

LOU LIBERATORE*
(Juror Seven)



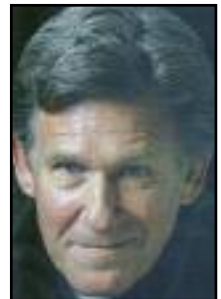
MICHAEL MCKENZIE* (Juror Four) returns to Pioneer Theatre Company after *Ten Little Indians* and *The Light in the Piazza*. He appeared on Broadway in *Waiting in the Wings*, *The Man Who Came to Dinner* and *Eastern Standard*. Film and television credits include *The Boy Who Cried Bitch*, *Kidnapped*, *Hack*, *Law & Order*, *As the World Turns*, *Chicago Hope*, *Babes*, *Gabriel's Fire*, *All My Children*, *One Life to Live*, and many episodes of *Babylon 5*.

MICHAEL MCKENZIE*
(Juror Four)



PEDER MELHUSE* (Foreman) has taught acting and voice for the University of Utah for the past three plus years. Mr. Melhuse has numerous television and film credits, including lots of cops: *The Wraith*, *Wayne's World*, *Hill Street Blues*, *Tango and Cash*, *Police Academy 6*, a recurring cop on *The Antagonists*, and national commercials. He can be seen in the soon to be released, locally shot, *Frozen* which was included in the 2010 Sundance Film Festival. Some memorable roles from his 30 year Equity career include Skip in *The Last Meeting of The Knights of The White Magnolia* (Joseph Jefferson Award, Best Ensemble), Lee in *True West* (Cherry Lane), Miles Ugtread in *Wat Tyler* (Spoleto Festival), Biff in *Death of a Salesman* (Arizona Theatre Company), Pale in *Burn This*, Vanya in *Uncle Vanya*, Gloucester in *King Lear* and Roe in *Sexsting* (Salt Lake Acting Company).

PEDER MELHUSE*
(Foreman)



JOSEPH R. SICARI* (Juror Eleven) is back after appearing in *School for Wives* 35 years ago. He has a leading role in the HBO miniseries *The Pacific* (March 2010). Films include *Kicking & Screaming* (Will Ferrell), *Stiffs* (Danny Aiello, Lesley Ann Warren), *Partners* (Ryan O'Neil), *Who Is Harry Kellerman* (Dustin Hoffman), among others. He has guest starred in over 250 TV shows from *Mod Squad* to *The Sopranos*; *Seinfeld* (Willie, his dry cleaner), *NYPD Blue*, *Law & Order*, *Triple Play* (Liza Minnelli), *One Day at a Time*, *Antony & Cleopatra* (Lynn Redgrave). In NY: original *Dames at Sea*, *Golden Boy* (City Center), *Price of Fame* (Charles Grodin), *Damn Yankees* (National Tour with Jerry Lewis). New York and L.A. Shakespeare Festivals: *The Tempest* (Anthony Hopkins), Iago in *Othello*, *The Tenth Man*, Doolittle in *My Fair Lady*, and comic leads in almost every musical written.

JOSEPH R. SICARI*
(Juror Eleven)



More cast information at:

www.pioneertheatre.org/2009-2010-season/12-angry-men