

# JUGÉ COUPABLE

de Clint EASTWOOD

## FICHE TECHNIQUE

Titre original : True Crime

Pays : USA

Durée : 2h06

Année : 1998

Genre : Policier

Scénario : Larry GROSS, Paul BRICKMAN, Stephen SCHIFF d'après le roman de Andrew KLAVAN

Directeur de la photographie : Jack N. GREEN

Montage : Joel COX

Musique : Lennie NIEHAUS

Coproduction : The Malpaso Company / The Zanuck Company

Distribution : Warner Bros. France

Interprètes : Clint EASTWOOD (Steve Everett), Isaiah WASHINGTON (Frank Beechum), James WOODS (Alan Mann), Denis LEARY (Bob Findley), Lisa Gay HAMILTON (Bonnie Beechum), Diane VENORA (Barbara Everett), Bernard HILL (Luther Plunkitt, le directeur de la prison), Mary McCORMACK (Michelle Ziegler), Michael McKEAN (le révérend Shillerman), Michael JETER (Dale Porterhouse), Hattie WINSTON (Angela Russel), Penny Bae BRIDGES (Gail Beechum), Laila ROBINS (Patricia Findley), Anthony ZERBE (le gouverneur Henry Lowenstein), Marissa RIBISI (Amy Wilson)

Sortie : 21 avril 1999

## SYNOPSIS

Brillant journaliste, mais porté sur l'alcool et les femmes, Steve Everett a dû renoncer à son emploi au New York Times pour un poste beaucoup moins en vue à l'Oakland Tribune, sur la Côte Ouest des États-Unis. Même si, depuis trois ans, il a cessé de boire, sur le plan des relations amoureuses, il ne s'est guère assagi. Lasse de ses fredaines, son épouse Barbara s'apprête à le quitter et, bien qu'il l'aime toujours, il ne peut s'empêcher de courir le jupon. Il a en ce moment une liaison avec Patricia, l'épouse de son confrère Bob Findley, tout en couvant d'un œil doux sa jeune consœur Michelle Ziegler. Par une nuit d'orage, celle-ci meurt dans un accident de voiture. Alan Mann, rédacteur en chef de l'Oakland Tribune, confie donc à Steve le reportage sur lequel elle travaillait : l'exécution de Frank Beechum, un garagiste noir condamné à mort pour avoir abattu Amy Wilson, une caissière blanche et enceinte de surcroît, sous prétexte qu'elle aurait refusé de lui rembourser une dette de 96 dollars. Steve ne met pas longtemps à comprendre que Frank est innocent, mais il n'a que quelques heures pour le prouver. Un entretien avec Dale Porterhouse, le principal témoin à charge, lui confirme que ce dernier n'a pas pu voir Frank, l'arme à la main, penché sur le corps de la victime. Il apprend ensuite qu'un jeune drogué, Warren Russel, a été aperçu sur les lieux du crime. Toutefois, la police a négligé de poursuivre l'enquête dans cette direction. Grâce aux notes de Michelle, Steve retrouve l'adresse du délinquant, mais Angela, sa grand-mère, lui annonce qu'il est mort entre-temps, poignardé par des voyous. L'heure de l'exécution approche. Frank fait des adieux émouvants à sa femme Bonnie et à sa fillette Gail, puis il prend son dernier repas. Steve, désespéré d'avoir échoué, est à deux doigts de sombrer de nouveau dans la boisson. Soudain, il se souvient avoir vu au cou d'Angela un médaillon appartenant à Amy. La vieille dame reconnaît que son petit-fils le lui a offert le soir du meurtre. Ensemble, ils se précipitent chez le gouverneur. Sont-ils arrivés à temps ? Le dénouement semble l'indiquer, mais est-ce un rêve ou la réalité ?

## PISTES PÉDAGOGIQUES

### The Death Penalty in America

Britain influenced America's use of the death penalty more than any other country. When European settlers came to the new world, they brought the practice of capital punishment. The first recorded execution in the new colonies was that of Captain George Kendall in the Jamestown colony of Virginia in 1608. Kendall was executed for being a spy for Spain. In 1612, Virginia Governor Sir Thomas Dale enacted the Divine, Moral and Martial Laws,

which provided the death penalty for even minor offences such as stealing grapes, killing chickens, and trading with Indians.

Laws regarding the death penalty varied from colony to colony. The Massachusetts Bay Colony held its first execution in 1630, even though the Capital Laws of New England did not go into effect until years later. The New York Colony instituted the Duke's Laws of 1665. Under these laws, offences such as striking one's mother or father, or denying the "true God", were punishable by death.

Congress and state legislatures may prescribe capital punishment for certain crimes. It has been held that the death penalty is not a *per se* violation of the eighth amendment's ban on cruel and unusual punishment.

Not all states provide for the death penalty. Most states that do employ capital punishment have an age requirement.

Amendment VIII: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

- Timeline :

Eighteenth Century B.C. first established death penalty laws.

Eleventh Century A.D. William the Conqueror will not allow persons to be hanged except in cases of murder.

1608 Captain George Kendall becomes the first recorded execution in the new colonies.

1632 Jane Champion becomes the first woman executed in the new colonies.

1767 Cesare Beccaria's essay, *On Crimes and Punishment*, theorizes that there is no justification for the state to take a life.

Late 1700s United States abolitionist movement begins.

Early 1800s many states reduce their number of capital crimes and build state penitentiaries.

1823-1837 over 100 of the 222 crimes punishable by death in Britain are eliminated.

1834 Pennsylvania becomes the first state to move executions into correctional facilities.

1838 discretionary death penalty statutes enacted in Tennessee.

1846 Michigan becomes the first state to abolish the death penalty for all crimes except treason.

1890 William Kemmler becomes first person executed by electrocution.

Early 1900s beginning of the "Progressive Period" of reform in the United States.

1907-1917 nine states abolish the death penalty for all crimes or strictly limit it.

1920s-1940s American abolition movement loses support.

1924 the use of cyanide gas introduced as an execution method.

1930s executions reach the highest levels in American history – average 167 per year.

1948 the United Nations General Assembly adopted the Universal Declaration of Human Rights proclaiming a "right to life".

1950-1980 De facto abolition becomes the norm in western Europe.

1958 *Trop v. Dulles*. Eighth Amendment's meaning contained an "evolving standard of decency that marked the progress of a maturing society".

1966 support of capital punishment reaches all-time low. A Gallup poll shows support of the death penalty at only 42%.

1968 *Witherspoon v. Illinois*. Dismissing potential jurors solely because they express opposition to the death penalty held unconstitutional.

1970 *Crampton v. Ohio* and *McGautha v. California*. The Supreme Court approves of unfettered jury discretion and non-bifurcated trials.

June 1972 *Furman v. Georgia*. Supreme Court effectively voids 40 death penalty statutes and suspends the death penalty.

1976 *Gregg v. Georgia*. Guided discretion statutes approved. Death penalty reinstated.

January 17, 1977 ten-year moratorium on executions ends with the execution of Gary Gilmore by firing squad in Utah.

1977 Oklahoma becomes the first state to adopt lethal injection as a means of execution.

1977 *Coker v. Georgia*. Held death penalty is an unconstitutional punishment for rape of an adult woman when the victim is not killed.

1977 *Batson v. Kentucky*. Prosecutor who strikes a disproportionate number of citizens of the same race in selecting a jury is required to rebut the inference of discrimination by showing neutral reasons for his or her strikes.

December 2, 1982 Charles Brooks becomes the first person executed by lethal injection.

- 1984 Velma Barfield becomes the first woman executed since reinstatement of the death penalty.
- 1986 *Ford v. Wainwright*. Execution of insane persons banned.
- 1987 *McCleskey v. Kemp*. Racial disparities not recognized as a constitutional violation of “equal protection of the law” unless intentional racial discrimination against the defendant can be shown.
- 1988 *Thompson v. Oklahoma*. Executions of offenders age fifteen and younger at the time of their crimes is unconstitutional.
- 1989 *Stanford v. Kentucky*, and *Wilkins v. Missouri*. Eighth Amendment does not prohibit the death penalty for crimes committed at age sixteen or seventeen.
- 1989 *Penry v. Lynaugh*. Executing persons with mental retardation is not a violation of the Eighth Amendment.
- 1993 *Herrera v. Collins*. In the absence of other constitutional grounds, new evidence of innocence is no reason for federal court to order a new trial.
- 1994 President Clinton signs the Violent Crime Control and Law Enforcement Act expanding the federal death penalty.
- 1996 President Clinton signs the Anti-Terrorism and Effective Death Penalty Act restricting review in federal courts.
- 1998 Karla Faye Tucker and Judi Buenoano executed.
- November, 1998 Northwestern University holds the first-ever National Conference on Wrongful Convictions and the Death Penalty. The Conference brings together 30 inmates who were freed from death row because of innocence.
- January, 1999 Pope John Paul II visits St. Louis, Missouri, and calls for an end to the death penalty.
- April, 1999 U.N. Human Rights Commission Resolution Supporting Worldwide Moratorium on Executions.
- June, 1999 Russian President, Boris Yeltsin, signs a decree commuting the death sentences of all of the convicts on Russia’s death row.

• Find the following words :

- |                               |                              |
|-------------------------------|------------------------------|
| - être condamné à = .....     | - commettre un délit = ..... |
| - exécuter = .....            | - meurtriers = .....         |
| - couloir de la mort = .....  | - un condamné = .....        |
| - injustice = .....           | - une peine = .....          |
| - emprisonnement à vie =..... |                              |

• Exercise : complete the following genuine statements with a superlative or a comparative using the words between brackets :

1. America is one of (enthusiastic) practioners of executions.
2. (big) one is China, responsible for about 80% of executions.
3. Texas executes 2.5 (people) any other state in the US.
4. Winning a case with death penalty is one of (good) way of advancing a career in the state justice system.
5. The District Attorney has no budget limit: he can spend (a lot) lawyers appointed by the state to defend poor accused people.
6. This explains why the District attorney has (expert witnesses) the lawyer paid by the state.
7. The DA isn’t (bright) but (rich).
8. Very often, lawyers are (experienced) DAs.
9. Sometimes, a novice lawyer has to face one of (famous) lawyers in the state.
10. The lawyers can choose 12 jurors from a panel of 100 candidates. So they look for (weak) people in the panel to manipulate them.
11. Once people learn that executing a criminal costs 4 to 5 times (much) imprisonning him for life, their support drops dramatically.
12. If you are a Black accused of killing a White, you are 11 times (likely to be executed) if you’re a White accused of killing a Black.
13. The race of your supposed victims may be (important) your own.

**Prosecution**

If somebody is prosecuted for murder, he faces trial. In court, the state prosecutor – the district attorney or DA – demands the death penalty for any case in which 2 or more people have been murdered. The person accused is defended by a lawyer – a private lawyer if he can afford it or a lawyer appointed and paid by the state.

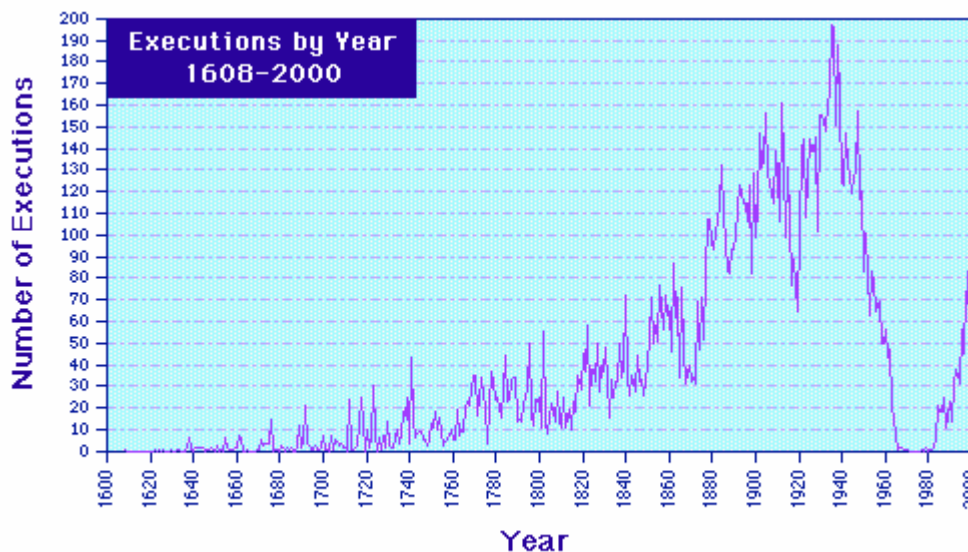
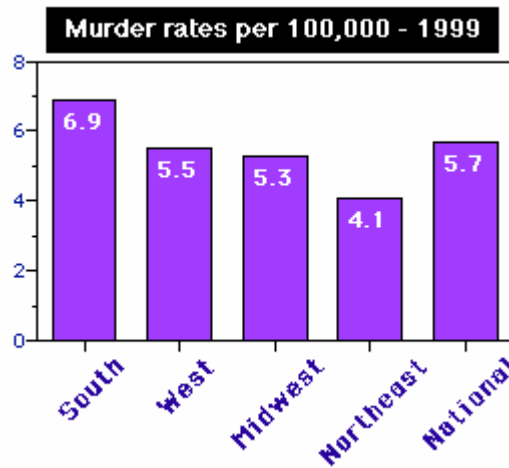
The guilt or innocence of the person charged with murder is decided by a jury made of 12 jurors, ordinary citizens. If the jury’s verdict is that the person accused is guilty, then he is convicted of murder and the judge sentences him to death.

If there is new evidence (a new testimony, a result of a legal test...), the person sentenced can appeal of the verdict.

- Find the following words :

- accusé de = .....
- un procès = .....
- assassiné = .....
- un avocat = .....
- déclaré coupable = .....
- l’avocat de l’accusation = .....
- témoignage = .....
- poursuivre = .....
- culpabilité = .....
- un juré = .....
- coupable = .....
- condamner quelqu’un à = .....
- preuve = .....

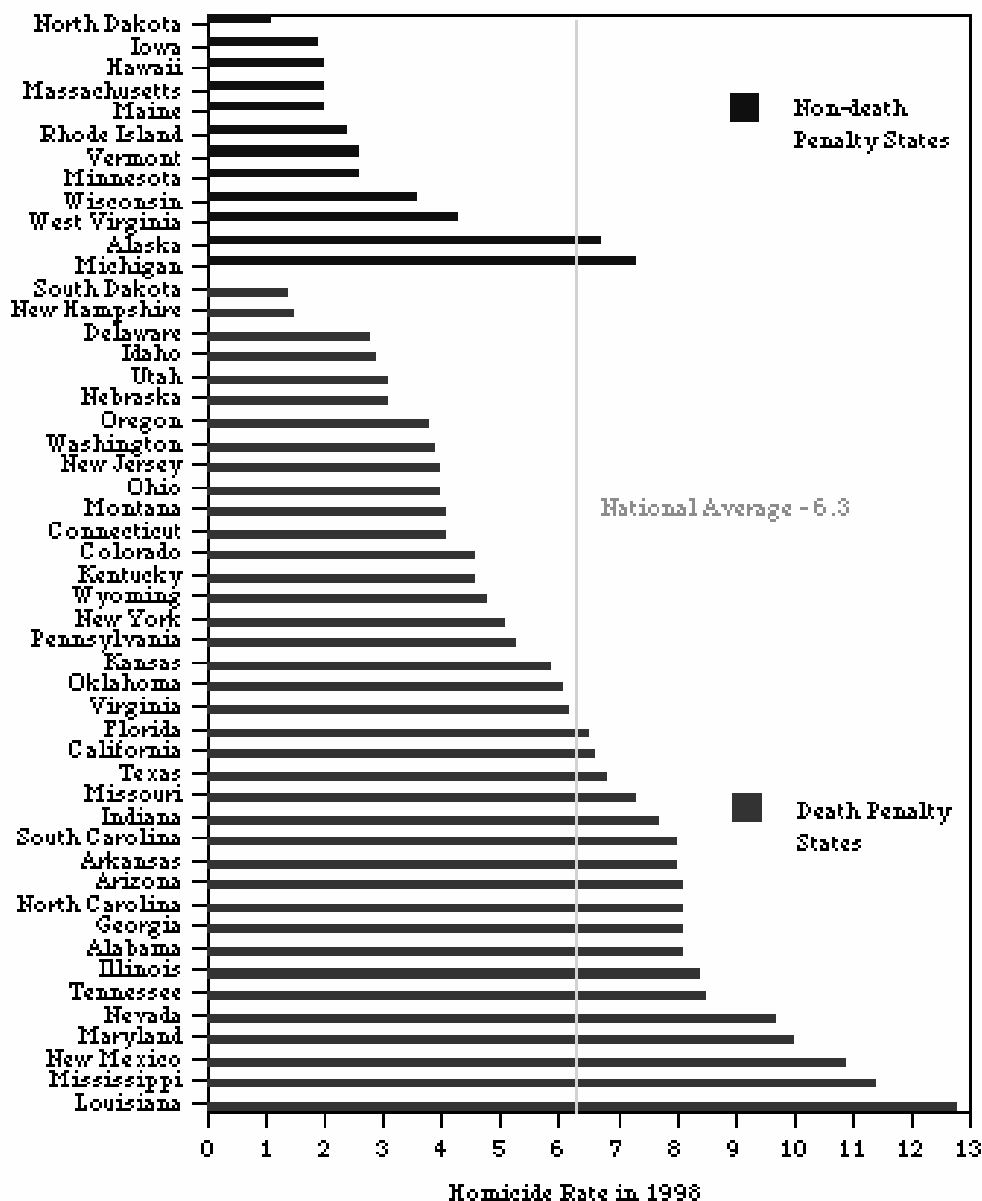
**Charts 1 and 2**



(Source: "Executions in the U.S. 1608-1987: The Espy File," with recent years added by DPIC)

Chart 3

### Homicide Rates in Death Penalty and Non-death Penalty States - 1998\*



\* DPIC Chart from statistics found in the FBI Uniform Crime Reports

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