

Read "Voir Dire" by Don Lee and "Doing Time in the Thirteenth Chair" by Scott Russell Sanders to answer the following question in an analytical essay format.

Are the readers ever meant to feel sympathy for villains of stories? If so (or if not), what is the significance of being able to relate (not relate) to a villain?

*Write a unified thesis

*Create an argument by comparing and/or contrasting two bad guys or villains.

*Write the essay by analyzing and utilizing the texts.

*the bad guys are: Chee Seng Lam in "Voir Dire"

Bennie in "Doing Time in the Thirteenth Chair"

Texts can be found below. Click on the link to access Doing Time in the Thirteenth Chair. "Voir Dire" can be found below as well.

4 Full Pages, double spaced, Times new roman, 12 font

Text 1: **Doing Time in the Thirteenth Chair**, by Scott Russell Sanders.

<https://www.sfponline.org/uploads/20/Sanders.pdf#:~:text=Doing%20Time%20in%20the%20Thirteenth%20Chair%20SCOTT%20RUSSELL,Magazine.%20Born%20in%20Tennessee%20%281945%29%20he%20did%20his>

VOIR DIRE

ON SUNDAY afternoon, when Hank Low Kwon returned to his house in Rosarita Bay, he found a note tacked to his front door. “You don’t think I read?” it said. The note was unsigned, but he knew it was from Molly Beddle. No doubt she had seen the newspaper article, small as it was, summarizing the first day of the trial, and was miffed that he had mentioned it only tangentially to her. It was clearly his biggest case in four years as a public defender.

He had been working at his San Vicente office all day and didn’t know where Molly would be. He tried her at her loft, at the sports center and gym, and then, on a hunch, dialed the marine forecast—northwest at twenty-three knots, gusting to thirty—and was certain he would find her at Rummy Creek, her favorite windsurfing spot.

From Highway 1, he turned onto a dirt fire road that cut through a barbed-wire fence with no trespassing signs, bumped down half a mile of scrub grass, wound past the Air Force radar station, and then arrived at the headlands bordering the ocean. Molly’s truck was there, parked among a handful of cars, and Hank stepped to the edge of the cliff to look for her.

It didn’t take long. She was flying across the water, feet in the board’s straps, hooked to the boom in her harness, raking the sail back so far, she was almost lying flat—a human catamaran. She carved the board into a

sweeping turn, executing a smooth laydown jibe, and raced back to shore. She jibed again, accelerated toward a small wave, and launched off its lip, swooping fifteen feet into the air, and then touched down without missing a beat.

Hank sat on a tree stump and watched her. Molly had once described the feeling she got out there, sometimes flailing, struggling just to keep her balance and hang on to the boom, and then getting into a slot where everything fell into place, hydroplaning on the tail of the board, lightly skimming over the chop. At that moment, going as fast as she could, it was effortless. She could take one hand off the rig, let her fingers drag in the water. She could look around, catch a little scenery—the cypress and pine atop the bluffs, the kelp waving underneath the surface. It was glorious, she had said, and, as Molly, finished for the day, waded to the sand, as Hank climbed down the cliff to meet her, he could see the quiet elation in her face, the contentment of a woman who knew what she loved in this world.

But then she spotted Hank. She dropped her board and sail and marched toward him, sleek and divine in her sleeveless wetsuit. Without a word, she punched her fist into his arm, stinging him so hard with surprise, he fell to the ground. He looked up at her, half laughing. “I can’t believe you did that,” he said.

“Did it hurt?”

“Yes, it hurt. Like a son of a bitch.”

“Good. I feel better now,” she said, and helped him to his feet.

■ ■ ■

THE indictment was on two counts: Penal Code Section 187, second-degree murder, punishable by fifteen years to life, and Section 273a, Subdivision (1), felony child abuse, punishable by one to ten. The previous summer, Chee Seng Lam, a cocaine addict, had beaten his girlfriend's three-year-old son, Simon Liu, to death with an electrical cord, whipping the boy, according to the medical examiner, more than four hundred times.

On Friday at San Vicente Superior Court, before the weekend recess, Hank had given his opening statement. He had told the jury that Lam was not a child abuser; he had never intended to harm Simon Liu that night. Indeed, he hadn't even known it was Simon he was hitting. High on cocaine, hallucinating wildly, he had believed he was lashing at—trying to protect himself from—a nest of snakes, thousands of them.

Drugs alone could not eliminate culpability. To win an acquittal, Hank would have to prove that the coke had made Lam delusional and paranoid, even when he wasn't under the influence—in other words, that he had developed a latent mental defect—and because of it, he was incapable of knowing or understanding the nature and quality of his act, or of distinguishing right from wrong—the legal definition of insanity in California.

“You believe him?” Molly asked as she hosed the salt off her gear in his driveway.

“I don't know,” Hank said. “I'm not sure he's smart enough to have made it up.”

“Does he have a history of violence?”

“Not against the kid, but yeah, he was your basic piece of shit.” Chee Seng Lam had twenty-two prior arrests, mostly as a juvenile, when he had been a member of the Flying Dragons gang: aggravated assault, extortion,

burglary, receiving stolen property, gun and drug possession, a couple of other assorted goodies, none of which would ever be revealed in court, since Hank had gotten his record suppressed.

“I guess you won’t have too many character witnesses,” Molly said.

“His dealer liked him.”

Molly restraped her shortboards on the rack of her truck. She had been a ten-meter platform diver in college, but she was in better shape now, at thirty-five, than she had been at her competitive peak, although most people never suspected it. Largely, this had to do with how little she cared about her looks. She had a sweet, guileless face—eyes set wide apart, a plump mouth, long, wispy blond hair—yet she never wore makeup, and her skin was always sunburned in patches, bruised, scratched, her lips chapped. In the rumpled sweaters and khakis she preferred, she was deceptively ordinary. Solid and thick-boned, one would think; maybe even a little overweight.

But of course, underneath the baggy attire, it was all muscle and power. Besides windsurfing, Molly skied, kayaked, rock climbed, and occasionally entered a triathlon for fun. She had degrees in biomechanics and sports science, and she was now the head diving coach at San Vicente University, where she had put together a championship program.

Her energy and fitness both attracted and overwhelmed Hank, who’d become, in his late thirties, a bit paunchy and prone to bronchitis. Yet, for all their differences, they got on remarkably well. They had met at the grand opening of Banzai Pipeline, the Japanese restaurant on Main Street. Hank had grown up in Hawaii with the owner, Duncan Roh, a surfer Molly knew from Rummy Creek.

They had been seeing each other for a year and a half now, and recently they had agreed that they would move in together at the end of the summer, when their current leases expired. Both divorced, they were careful not to attach undue significance to the decision. They knew enough not to ask the other for compromise, not to be too preoccupied about defining a future, which had become difficult of late, since Molly was now ten weeks pregnant.

She adjusted the nozzle on the garden hose and took a sip of water. “Would you mind if I came to the trial?” she asked.

“Why would you want to?”

“I want to see you at work. I’ve never been to a trial.”

“You might make me more nervous than I already am,” he told her. This was partially true. Out of the two-hundred-fifty-some cases he had handled, only twenty had gone to a jury—a routine track record in the public defenders’ office, where the motto was plead ’em and speed ’em.

“Your ex-wife never went to court?”

“Didn’t care for the clientele.”

Molly pulled her T-shirt over her head.

“What are you doing?” Hank said. He rented a mildewy two-bedroom cottage near Rummy Creek, and his neighbors were out and about.

Molly bent over and sprayed water on her hair, then squeezed it into a ponytail.

Hank noticed a cut on her bicep. “You’re bleeding,” he told her. He didn’t think she should have been windsurfing at all, but pregnancy hadn’t slowed her down a bit—no morning sickness, no fatigue.

Molly examined the gash on her arm, then licked the blood and kissed him. “Have you been smoking today?” she asked. “You taste like smoke.”

“That’s what I like about you. You don’t nag. Why don’t you put your shirt back on before someone gets a cheap thrill.”

She looked down at her breasts. “Amazing. I actually have tits now,” she said. “They’re so swollen. Feel them.”

“Are they tender?”

“A little. You don’t want to feel them?”

He handed back her T-shirt. “You really want to come to the trial?”

“Would it disturb you that much?”

“I guess not,” he told her. “But it’ll be embarrassing to watch.”

“Why? Is your case that weak?”

“No, you don’t get it,” he said. “I think I’m going to win.”

■ ■ ■

LAST summer, on June 23, Ruby Liu drove down from Oakland to San Vicente with her son. She had been looking forward to spending the weekend with Chee Seng Lam, but right away they argued. Lam was irritated she’d brought Simon. “He say Simon noisy,” she testified. “He say Simon need discipline.”

Later, she and Simon fell asleep in the bedroom while Lam stayed up in the living room, listening to music on his headphones. At approximately one A.M., Ruby awoke and saw that Simon was no longer at her side. She walked down the hall and discovered Lam whipping her son with the cord to his headphones. She pushed Lam away. Simon was moaning, his eyes fluttering, and then he stopped breathing. She called 911. By the time the E.M.T.s arrived, Simon was dead.

From the standpoint of the law, Ruby’s testimony was devastating, but she wasn’t entirely effective as a witness. She spoke in a rehearsed

monotone, eyes down, body impassive and contained, and it was hard to fathom a mother not betraying a single hint of emotion as she related the death of her only child. She seemed to be hiding something. She seemed to be lying.

What everyone but the jury knew was that Ruby Liu was a prostitute and a junkie. She mainlined speedballs—a combination of heroin and cocaine—and she had gone to Lam’s apartment that weekend to get high with him. She could have easily been indicted on a slew of negligence charges, so it was no surprise that she had agreed to testify for the prosecution.

“Did Mr. Lam ever hit Simon before?” Hank asked her.

Ruby glanced at the assistant district attorney, John Boudreau, then said no.

“Not once? Maybe an isolated spanking?”

“No.”

“So he never hit Simon, or spanked him, or slapped him. Not once. He never even raised his voice to him, did he?”

“He say Simon noisy. He say he need discipline.”

“You keep repeating that. Did he say this to you in English or Chinese?”

Ruby blinked several times, trying to choose. “English,” she declared.

“How good would you say Mr. Lam’s English is?”

“He speak English.”

“Is he fluent, or is his English somewhat broken, like yours?”

“Same as me, maybe.”

“Can he read and write?”

“Not good.”

“Have you ever heard him use the word ‘discipline’ before?”

She squirmed. “No.”

“Are you sure he said ‘discipline,’ or did someone suggest the word to you?”

“Objection,” Boudreau said.

For the next two hours, Hank had Ruby describe Lam’s escalating drug use over the five years she’d known him, how eventually he would freebase cocaine for up to twenty hours at a time, sometimes going six days without sleep, obsessed with getting and smoking the coke, ignoring all else.

Increasingly, his behavior became more erratic. He saw bugs, tadpoles. On his body, coming out of his skin, on other people. Without warning, he would slap and scratch himself, claw his fingernails into his arms until he bled. Then he began seeing snakes. Diamondbacks, corals, water moccasins, copperheads, black mambas, cobras, tree vipers—he identified fourteen varieties from library books Ruby stole for him. Lam weather-stripped his doors and sealed every window, covered the heating vents with screens. He would often drop to all fours with a flashlight and a propane torch, hunting for the snakes, burning the floor and furniture.

Once, he beat a sofa cushion with a stick, trying to kill the baby cottonmouths he said were slithering out of it, rending the cushion apart for an hour and a half without pause. He heard voices, he saw ghosts. He thought the government was dumping the snakes into his apartment to kill him, and he drilled peepholes in the walls, bolted a security camera above his front door, and installed listening devices in nearly every room. He would not leave his apartment. Repeatedly, Ruby tried to convince him that the cocaine was making him hallucinate, but he refused to believe her. She was crazy, he said.

“Was he freebasing cocaine the night Simon was killed?”

“Yes.”

“When you discovered him standing over Simon in the living room, did you yell at him to stop?”

“Yes.”

“And did he respond to you in any way?”

“No.”

“So he appeared to be in a trance?” Hank asked.

Ruby frowned. “I don’t know,” she said. “No.”

“Like the time with the sofa cushion?”

“Objection,” Boudreau said. “Asked and answered.”

Hank withdrew the question and said instead, “Where were the headphones?”

“What?”

“He was holding the cord to his headphones, but where were the headphones themselves?”

“I don’t know. His neck, maybe.”

“Mr. Lam often spent all night doing cocaine while he listened to music on the headphones?”

“Yes.”

“Would you say, then, that when Simon walked in, Mr. Lam must have jumped up in a panic, thinking these snakes—”

Boudreau cut him off. “Calls for speculation, Your Honor,” he complained, his face flushing. Boudreau had some form of psoriasis, and whenever he was nervous or rattled—which was all the time—his skin bloomed red. Boudreau asked only one question in his redirect: “Did you ever see Mr. Lam selling drugs?”

“Yeah, he sell drugs.”

Hank stood up. “Did he sell drugs to make a profit,” he asked, “or just to support his own habit?”

Ruby looked dumbly at Hank. She was exhausted. “Habit, okay?” she said.

After a lengthy sidebar at Hank’s request, the judge, Eduardo Gutierrez, instructed the jury that the issue of selling drugs was pertinent only to the defendant’s state of mind, not his character. “The fact that Mr. Lam might have sold drugs does not prove he has an inherent disposition to engage in criminal conduct,” Gutierrez said, remarkably deadpan.

■ ■ ■

LAM wore a striped button-down shirt, which was one size too large for him, a tie, and pleated pants—nothing too fancy, but neat. His hair was cut above the ears, and he was clean-shaven. Since he was small and thin to begin with, he looked, by design, harmless—a far cry from the ponytailed, hollow-eyed menace to society Hank had met nine months earlier, when Lam had been released from Cabrillo State Hospital.

In a conference room next to the holding pen, Hank gave Lam a cigarette. Smoking wasn’t permitted anymore, but everyone ignored the rule. “You do good,” Lam said. “Better than I think.”

“I covered all the necessary points.”

“No, really. Before, I think you *stupid*.”

Hank was used to this reaction. No one had any respect for public defenders—not judges, prosecutors, cops, not the public, least of all clients. “Don’t get too smug,” he said. “We’ve got a long way to go.”

Lam blew on the tip of his cigarette, reddening the cherry. “Blondie your girlfriend?” Lam said. He’d seen Molly with Hank during a recess. “*Low*

faan girlfriend, huh? No like Chinese girls?”

Hank flipped through the pages of his notepad. Like everyone, Lam assumed that Hank was Chinese. He had a Chinese-sounding name, but he was actually Korean, born and raised in Haleiwa, on the North Shore of Oahu, where his father was a Presbyterian minister.

Lam helped himself to another cigarette. As he was lighting it, Hank noticed his eyes—glazed and dilated. “You’re stoned,” he said.

“Naw.”

“Bullshit.”

“Just a little pot.”

“You idiot. I told you to stay clean.”

“You see Ruby? I betcha Valium,” Lam said. “Good thing I never marry her. She lie first, you know. Say Simon my baby. But I know. I slap her. My baby? *My* baby? She cry. Boo hoo. Mistake. Big mistake. I’m not *stupid*. Right, Hankie?”

Hank looked at Lam, who was grinning, clowning. “When we get back in the courtroom,” he told him, “you don’t smile, you don’t laugh. You don’t act bored or slouch in your chair. Look serious and remorseful. Look like you feel bad about what you’ve done.”

■ ■ ■

THEY were stuck in traffic on Highway 71, coming over the hill from San Vicente to Rosarita Bay. During rush hour, it sometimes took two hours to travel the fifteen miles home.

“I don’t think I can make it to the rest of the trial,” Molly said.

“No?” Hank asked. She had only attended two days.

“I’ve got too much work to do.”

This was an equivocation, Hank knew, but he was relieved nonetheless.

“Do you think they assigned this case to you because you’re Asian?” Molly asked.

“That’s rhetorical, right?”

“Because they thought it’d help with the jury?”

“Partly them, mostly the client.”

Molly tugged on her seat belt strap, pulling it away from her chest. “You ever wonder what makes people go in one direction and not another?”

“What do you mean?”

“All the little things that add up. I was thinking about Lam and his girlfriend, the model minorities they turned out to be. Aren’t you curious about that?”

“I used to be. Not anymore.”

“Why not?”

Hank shifted into neutral; they weren’t going anywhere. “There’s this strangely poetic phrase in the California Penal Code. Malice can be implied if circumstances show ‘an abandoned and malignant heart.’ Day in and day out, that’s what I see. Some people are just evil.”

“That’s a charitable view of the world. I thought you were such a liberal.”

“Given enough time, we all become Republicans.”

Before moving to Rosarita Bay, Hank had spent ten years working for a small, progressive law firm in San Francisco, specializing in immigration cases and bias suits. He had always been a true believer—a “left-wing, bleeding-heart pagoda of virtue,” his ex-wife, Allison Pak, used to say. He hadn’t known what he was getting into four years ago, becoming a public defender. He had been fired up about the presumption of innocence and due process, about the racial inequities of the judicial system. Now he

represented muggers, drug dealers, wife beaters, carjackers, arsonists, thieves, rapists, and child molesters. They were almost always guilty, they were all junkies, and if by some technicality Hank was able to get them off, they'd go right out and do the same thing, or worse.

He told Molly about one of his first cases in Juvenile Court, a ten-year-old San Vicente kid who, as he was riding down the street on his BMX bicycle, swung a pipe into a man's face. No reason. Didn't know him, didn't rob him. Just felt like it. Hank found out some things about the kid's background—broken home, physical abuse—and thought he deserved another chance. A month later, the kid participated in a home invasion. He raped and sodomized a six-year-old girl with a broomstick, a beer bottle, and a light bulb, which he busted inside her, and then, for good measure, hammered a few nails into her heels.

"You're having a crisis of faith," Molly said.

"Is it that obvious?"

"It's just this case. You'll get over it."

"You're horrified by it. How can you not be? I'm defending a baby-killer."

They finally crossed Skyview Ridge and headed downhill to Rosarita Bay. Hank rolled down the window and breathed in the chaparral and the ocean. Rosarita Bay was part of San Vicente County, but this side of the peninsula mountains, the Coastside, was a remote outpost in the tundra compared to the industrial Bayside city of San Vicente. To Hank, it was well worth the commute to be out of the fray.

They stopped by Hank's cottage to pick up one of his suits, then went to Molly's loft, which was in a converted cannery next to the harbor. Once

inside, Molly said, "I have to pee. It's incredible how many times I have to pee these days."

There was a mini-trampoline on the floor, near the foot of her bed, and on the way to the bathroom, Molly nonchalantly hopped onto it and did a forward flip. She grinned back mischievously at Hank.

For a while, the trampoline had been an instrument of ritual. Whenever Molly wanted to make love, she would bounce off the tramp, tumble through the air, and flop onto the bed. "Time to make Molly jolly," she'd say. Sometimes, growling: "Tiger Lily want her Moo Shi Kwon."

At first, Molly's sexual assertion had unnerved him. When they began dating, she had been subdued and uncomfortable, and he had been certain, each time he called her, that she would not see him again. At the end of their fourth date—another disaster, he had thought—he drove her home and lightly kissed her cheek goodnight. She stayed in the car, cracking her knuckles. "That's *it*?" she suddenly blurted. "You mean you're *done* with me?" Then she had ravished him, taking him inside to the loft and stripping him of his clothes.

With Molly, all roads originated in the body. Her entire life, she had spoken through it—joy found in challenging limits and conquering the elements, being fearless, perfect, indomitable. There were no moral ambiguities in her life. What she did was pure.

When she came out of the bathroom, she joined Hank on the couch, and he massaged her feet, kneading his thumbs into her instep.

"Hank," she said, "why don't you want this baby?"

When she had first revealed she was pregnant, he had told her he would support her either way, but it was her decision to make. He wouldn't say it

explicitly, but it was clear he favored an abortion. “I just wish it was something we’d planned,” he said to her now.

“Is it because I’m not Korean?”

“God, no,” Hank said. “Where’d that come from?”

She wiggled her toes, signaling for him to switch feet. “I think I saw your ex-wife today.”

“What?”

“At the courthouse. One floor up. The bathroom across the hall was being cleaned, so I went upstairs.”

“Are you sure it was her?” Hank asked. Molly had seen photographs of Allison, but had never met her.

Molly nodded. “She’s very pretty.”

■ ■ ■

THE photographs hurt. There were five of them—all color eight-by-tens—and they sat on Boudreau’s table for the next two days as he called up the firemen who were first on the scene, the E.M.T.s who tried to revive Simon, and the police officers who arrested Lam. With each witness, Boudreau brought out the photographs and asked, “Do they accurately and fairly depict the condition of the boy as you found him?” And each of these grown men, these veterans of daily, horrific violence, would wince looking at the pictures, then choke out yes.

Each of them confirmed that Lam had pointed to the headphone cord when questioned what he beat Simon with, that he had kept repeating he wasn’t a child beater, and that though he seemed agitated, he was coherent, even asking to change his clothes and put on his shoes before being cuffed. He did not mention any hallucinations. Not a word about snakes.

The county medical examiner testified that he had counted 417 separate and distinct contusions and abrasions, and the cord was consistent with the injuries. At some point, he said, the cord must have been doubled up, which would explain some of the U-shaped marks. The official cause of death was swelling and bleeding of the brain caused by trauma, which forced the brain into its base and cut off breathing functions.

“You also found a large lump on the back of his head?” Hank asked.

“A blunt force injury on the occipital lobe.”

“Was it caused by the cord?”

“No. Most likely he fell backwards to the floor and hit his head.”

“He tripped and fell down.”

“Or he was pushed.”

“Could the fall have rendered Simon unconscious the whole time?”

“That’s impossible to determine.”

“Is it *possible*, however?”

“I suppose.”

“Could the fall, bumping his head, have been the actual cause of death?”

The M.E., seeing where Hank was going, smirked and said, “Unlikely.”

“But it’s possible?”

Boudreau objected, and Gutierrez had them approach. “You know better than to challenge proximate cause,” he told Hank. “Move it along.”

Hank held up the plastic evidence bag containing the headphones. “It’s been stipulated that this cord is ten feet long, but only one-sixteenth of an inch wide. *With* the headphones, it weighs less than three ounces. Wouldn’t you say it’s pretty ineffective as a weapon?”

“It seemed to do the trick.”

“But considering how light it is, it’s rather awkward to use as a whip, isn’t it? Even doubled up?”

“I wouldn’t know.”

“Did the injuries indicate a repetitive motor motion?”

“Obviously.”

“The same action, over and over, like a mindless robot?”

“I can’t make that characterization.”

“But you *are* an expert on injuries resulting from the application of specific weapons?”

“I am that.”

Hank showed the M.E. two photographs of Lam’s living room and passed copies to the jurors, which was decidedly risky, since they would spot the V.C.R.s stacked in Lam’s apartment and might surmise, correctly, that he had been fencing them. “If Mr. Lam really wanted to inflict pain, ‘discipline’ someone, as it were, wouldn’t the baseball bat—right here in the photograph, right next to where they found the deceased—wouldn’t it have been more effective?”

“That depends,” the M.E. said.

“What about this broomstick here? Or this belt?”

The M.E. sighed. “Mr. Kwon, a piece of dental floss, tightened around a tender part of the body, could be more excruciating than many more obvious methods of torture. Its general innocuousness as an implement of hygiene does not remove its lethal potential. What happened to this boy was brutal, and it caused him unimaginable pain, and it killed him.”

■ ■ ■

“MAYBE wrong before,” Lam said in the conference room. “Maybe you really stupid.”

Hank lit a cigarette. Lam, wanting one, motioned to Hank, who ignored him.

“Hey,” Lam said. “C’mon.”

Hank forcefully slid the pack across the table, bouncing it off Lam’s chest.

Lam tsked. “Be nice.”

“Tell me something,” Hank said. “How do you know Simon wasn’t your kid?”

“Huh?”

“What makes you so sure he wasn’t your son?”

“You crazy? Ruby whore. She slam heroin with needle. Always use condom. No want AIDS, you know.”

“You had no feelings for him?”

Lam shrugged. “Make noise. Run run. Break stereo. Always cry. No food. No toy. Little whore baby. Ruby no care. You think Simon become doctor? Maybe lawyer, like you? Better dead.”

In the medical examiner’s photographs, Simon’s entire body—all two feet, thirty pounds of him—had been covered with welts and bruises and cuts, only the palms of his hands and the soles of his feet spared.

Hank watched Lam brush a stray cigarette ash from his shirtsleeve.

A few days ago, Hank had found a pregnancy book in Molly’s loft, hidden in a cupboard. He had read a passage in the book that she had underlined. At twelve weeks, the fetus would be fully formed. It would have eyelids, thirty-two tooth buds, finger- and toenails. It would be able

to swallow, press its lips together, frown, clench its fists. It would be, at that point, two and a half inches long.

“It sickens me to think I might let you walk,” he told Lam.

“Too bad. You have job.”

“I find myself asking what would happen if I slipped a little, made a mistake here and there.”

“No choice. You have job. You do best.”

“Maybe I already fucked up on purpose. You were right about the medical examiner. I’m usually smarter than that.”

“No, you too much goodie-goodie. You never do that.”

“No?”

“Naw.”

“The funny thing is, you wouldn’t be able to tell. No one would. If I’m not blatantly incompetent, no one would ever know.”

Lam giggled, then slowly quieted down, growing uncertain. “Better not,” he said. “Better not, you fuck.”

“Who would it hurt?”

■ ■ ■

THEY got their drinks at the bar and snagged a table near the front window. The restaurant was crowded—a popular hangout for those who worked at the courthouse.

“This place is a pit,” Allison said.

“There’s not much else around here,” Hank said.

“I hate San Vicente.”

Hank had checked the dockets and had found his ex-wife upstairs, representing a consulting firm that was being sued for breach of contract.

“The details would put you to sleep,” she told Hank. She was still hoping to settle.

They caught up a little. It had been about a year since they’d run into each other. Allison looked good, crisp in her starched white blouse and silk suit. Her hair was longer, chin-length now, parted in the middle and tucked behind her ears. She’d had a short blunt cut before, which had pronounced her sucked-in cheeks and skinny frame, making her seem even more acerbic and severe than she was.

They had been divorced for three years, almost as long as they had been married. They had been mismatched from the beginning, always getting into fights about politics and money (“kuppie,” he would call her—Korean yuppie), trading indictments about his moronic crusades and her nauseating self-absorption, epitomized, he felt, by her refusal to have children. They had mistaken their hostility for passion and stayed together longer than they should have.

She was now living in San Francisco with a wealthy developer named Jason Chu, an A.B.C., American-born Chinese, who, coincidentally, had been trying for the last decade to build a \$50 million monstrosity in Rosarita Bay: two hundred houses around a golf course, a shopping mall, a hotel and conference center, and a fake lighthouse.

“Is he still trying to get that passed?” Hank asked. “He’ll never get it to fly. Not in Rosarita Bay.”

“How can you live there?”

“It’s nice.”

“It’s hicksville. You might as well be in the Farm Belt,” Allison told him. “Jason says it’s racism, the reason why he can’t get zoning. In your former life, he might’ve been a client of yours. Get this. I read him the article

about your trial, your lovely Mr. Lam, and Jason said, 'That can't be right. Chinese don't do drugs.'"

"Ha."

"How's your diver friend? Martha?"

"Molly. Don't try to be cute. You know her name."

"So, how are things going?"

"She's pregnant."

"*Well*," Allison said expansively. "Congratulations. You're finally going to be a *papa*."

"Maybe not," Hank said.

"What do you mean? You knocked her up by *accident*?"

"I don't know how it happened."

"I'm guessing it was a Freudian spurt. It's what you've always wanted, isn't it? Do you love her?"

Hank lit a cigarette.

"I thought you quit," Allison said.

"I did."

"Well, do you? Love her?"

Hank nodded.

"Enough to marry her one of these days?"

He nodded again.

"What gives, then?"

Hank tried to flag down the waitress for another drink, but she didn't notice him. He hesitated, then asked Allison, "Why didn't you want a child with me?"

"I thought it was because I'm a selfish bitch. Because I'm—" "Don't start."

"I always hated that about you. Your moral superiority. What made you think you were so much better than everyone else? Now look at you, with this scumbag Lam. That'd be quite a precedent if you win. Negate culpability for anyone on drugs. Some way to save the world."

"Do we have to do this?"

"No, I suppose not," Allison said. "But you could've let me enjoy myself a bit longer." She reapplied lipstick to her mouth.

Hank fiddled with his empty drink glass. "Did you think I wouldn't be a good father?"

She turned to him. "No, I never thought that," she said, softening. "What's going on with you? What are you afraid of?"

"These days, everything."

"I don't like seeing you like this. It's fun beating you up once in a while, but only if you fight back."

"Ironic, isn't it?" Hank said. "I used to think not wanting a child was selfish. Now I think wanting one is."

■ ■ ■

His defense took four days. He had a narcotics detective testify that, contrary to Boudreau's suggestions, Lam was not a dealer of any consequence. The paraphernalia found in his apartment was used for freebasing, a somewhat antiquated method of smoking coke, reserved for connoisseurs and hard-core addicts. Instead of heating cocaine hydrochloride powder with baking soda, which would yield crack, Lam separated the base with ether and a propane torch. Freebase was purer than crack, but no dealer today went through the trouble of producing it. It took too long, and it was dangerous. And although crack houses had precision

scales and surveillance equipment like Lam's, most dealers did not have any reason to monitor the inside of the house. There was also no currency found in the apartment, no vials or plastic pouches that were the usual receptacles for distribution.

Three of Lam's friends corroborated Ruby's testimony about Lam's bingeing habits, paranoia, and snake fixation, but all three, when cross-examined by Boudreau, were impeached rather comically. Each claimed he had never bought any drugs from Lam, never saw him sell drugs to anyone else, didn't know where he got them, didn't smoke with him, simply went to the apartment to watch TV.

A neighbor recalled seeing Lam scamper out to the street one evening in his underwear, bleeding profusely, screaming. She called the police, who took him to the hospital. Lam told the admitting nurse he'd run through a sliding glass door, trying to get away from the snakes. He was transferred to the county mental health clinic, where he'd been held five previous times for acute cocaine intoxication.

The Chinese officer who had booked Lam on June 23 recounted their conversation in the police station. Lam spoke to him in Cantonese and insisted he had not known it was Simon he was hitting, he'd seen snakes, that he would have never done anything to hurt the kid.

Finally, Hank brought Dr. Jeffrey Winnick to the stand. Winnick, a psychopharmacologist, studied the effects of cocaine on human behavior. He was a frequent consultant to the F.B.I. and the D.E.A., and he had testified in over five hundred trials, mostly—Hank emphasized—for the prosecution. By chance, Winnick had been doing research at Cabrillo State Hospital when Lam was taken there to test his competency. Over the

course of four months, he interviewed Lam three times a week for a total of seventy hours.

“Did you arrive at an opinion about Mr. Lam?” Hank asked.

“In my opinion, Mr. Lam was psychotic on June twenty-third and could not appreciate the wrongfulness of his actions. In my opinion, he did not know it was Simon he was beating.”

He explained to the jury the psychopathology of freebasing. Because the surface area of the lungs was equivalent to a tennis court, smoking cocaine allowed the drug to enter the bloodstream almost instantaneously, affecting the brain within eight to twelve seconds. The initial effect was as a stimulant, creating a feeling of confidence and euphoria. As one’s tolerance increased, however, dysphoria occurred, prompting more frequent usage, which led to paranoia.

“People often begin to have hallucinations at this point,” Winnick said, “the most common of which is cocaine bugs. Their brains are firing so fast, these bursts of light—snow lights, they’re called—flash in the corners of their eyes, and they think they’re seeing things that aren’t there, that keep escaping when they turn to look. At the same time, their skin feels like it’s prickling, because cocaine constricts the blood vessels, and the combination leads them to believe there are things crawling on them—bugs or worms, or, as in Mr. Lam’s case, snakes—and they’ll scrape their skin or try to catch them. Since they’re wide awake, they’ll be absolutely convinced these hallucinations are real, and they’ll have delusions beyond the period of intoxication. This stage is referred to as cocaine paranoid psychosis, and it can be latent for months or even years after the last use of cocaine.”

“Did Mr. Lam’s cocaine habit progress to this stage?”

“Yes. His entire world revolved around trying to prove the existence of these snakes and trying to capture and kill them. He was terrified of them.”

“Is cocaine paranoid psychosis caused by an organic disturbance to the brain?”

“Yes.”

“So you would say that this is a mental defect?”

“Absolutely.”

“Was Mr. Lam suffering from this mental defect on June twenty-third?”

“I am certain that he was.”

■ ■ ■

THE jury took two days to reach a verdict, and in the end, they did what was right. Legally, they felt obliged to acquit Lam of child abuse, but they could not absolve him completely of killing Simon. Nor could they find him insane and send him to the relative comfort of a state institution. They convicted him of voluntary manslaughter. Gutierrez sentenced Lam immediately to the maximum term—eleven years.

Hank went to Molly’s loft and told her the news. “I should resign,” he said.

“Why?”

“I did a great job. On the evidence alone, the jury should’ve found him not guilty. But they didn’t, and I’m relieved. What does that say about me as a public defender?”

“It says you’re human. It says Lam got a fair trial.”

“With early release, he could be out in six years. He killed a three-year-old kid. Is that fair?”

They went to Banzai Pipeline for sushi, and then stopped by the Moonside Trading Post to rent a couple of videos before returning to the loft. Between movies—two mindless comedies Molly hoped would distract him—Hank popped in the videotape of Molly competing in the N.C.A.A. diving championships fifteen years ago.

“Why are you watching that again?” Molly asked, coming out of the bathroom.

The first time Hank had seen the tape, it had been a revelation, the image of her then. She had saved her best dive for last—a backward one and a half with three and a half twists, ripping the entry, barely bruising the surface. As the crowd erupted, Molly had pulled herself out of the pool. She had knocked the side of her head with the heel of her hand, trying to get the water out of her ear, allowing herself only a small, victorious smile.

“Can you believe I was ever that young?” Molly said. She moved over to the couch, straddled Hank’s thighs, and sat on his lap. She locked her arms around his neck. “I have something to tell you,” she said. “I decided this a while ago, but I wanted to wait until after the trial. I’ve decided to have this baby no matter what. With you, without you, regardless of how you feel.”

“I suspected as much.”

“But I’m hoping you’ll be there with me. Do you think you will?”

Hank looked at Molly—her large blue eyes, the freckles across her cheeks, the blond down of eyebrows and lashes. “I don’t know,” he said. He thought of her standing on the ten-meter platform, not a single tremor or twitch, taut and immortal in her bathing suit. “Our worlds are so

different,” he said. “You deal with human beings at their highest potential. I see them at their worst.”

“What does that mean?”

“How can I say I’ll be able to protect this child, when I’m putting people like Lam back on the streets?”

“You can’t. But that’s the risk we’d have to take. Don’t you think it’d be worth the risk?”

They watched the second movie, then fell asleep together. For how long, he did not know. A black, dreamless sleep. Then he awoke to the bed shaking. An earthquake, he thought, as he lay on his back, opening his eyes to the ceiling, scared.

But it was Molly, standing over him at the foot of the bed. “Don’t move,” she said. He saw her body toppling, breaking the plane of inertia, then falling toward him, gathering speed as she brought her hands together, arms rigid, palms flat. An inch before his face, she split her hands apart, and he felt a rush of air as they brushed past his ears. “You ever do this as a kid?” she asked, holding herself over him. “Admit it. You want this baby.”

“What are you doing?”

She stood up and fell again. “Confess.”

“I can’t be coerced,” he said.

“You sure?” She got off the bed. “Don’t move.”

She walked to the middle of the floor, then turned around. She took two steps, ran toward the trampoline, and bounded into the air. Her back was arched, arms swept out in a swan dive. She was coming right at him. He watched her, staying still. She was going to crush him, he knew. Eventually, she would crush him.