

Digital Evidence' Forensic Audio and Video Evidence Analysis Assists The Cochran Firm with Achieving \$1.3 Million Dollar Verdict for Client

Compton, California – March 7, 2008

After 10 days of deliberations, a Compton, California jury awards Winston Hayes \$1.3 million dollars in his excessive-force claim against the Los Angeles County Sheriff's Department.

The case stems from a 2005 incident captured on videotape by professional cameraman, Jesse Escochea, in which Mr. Hayes led sheriff's deputies on a 12-minute, slow-speed pursuit through a Compton neighborhood. At the conclusion of the low-speed chase deputies discharged approximately 120 rounds from their weapons; compromising the safety of residents, wounding a fellow deputy and wounding Hayes several times during the chaotic crossfire.

The Defense claimed the deputies were justified in the amount of shots fired, because Hayes was attempting to use his vehicle as a weapon to assault or fatally injure the deputies.

However, the jury did not agree with the Defense's theory that the peace officers were in imminent danger.

Hayes' attorneys, Brian T. Dunn and Joseph M. Barrett (with The Cochran Firm), methodically presented demonstrative evidence to substantiate Mr. Hayes' excessive-force claim during the four-week, high-profile trial.

It took 10 days for nine of the 12 jurors (the minimum necessary in this civil matter) to reach a verdict in favor of Winston Hayes. "Justice was done," Hayes said after the verdict.

Latent Evidence Revealed During Forensic Evidence Analysis

Digital Evidence' CEO, Michael Jones said, "Originally, The Cochran Firm contracted our firm to generate still photographs (from the video) of every deputy discharging their weapon. Once we completed that phase of our forensic assignment, the scope of our work shifted to examining the audio and video evidence."

"Among other relevant factors that we discovered during our examination of the audio and video evidence, was the fact that the deputies actually fired approximately 8 to 10 bullets at Mr. Hayes – after his vehicle came to a complete rest!", Jones exclaimed.

"We knew our discovery yielded significant pieces to the puzzle that would thrust the facts of the case into another dimension, because the deputies claimed Mr. Hayes was using his vehicle as a weapon against them, and they continued discharging their weapons out of fear for their lives. Well, when Mr. Hayes' vehicle stopped moving, how was it possible for the vehicle to be a threat or weapon against the deputies?" Jones queried.

"When I met Mr. Dunn and Mr. Barrett to convey the results of our discovery, they were ecstatic! Our staff was excited too because we had been working diligently for weeks, pouring over the audio and video images of the frenetic incident, and we found the proverbial "needle in the haystack" for our clients," the exuberant CEO continued.

"If one uses consumer grade audio and video equipment to examine matters such as this, it is virtually impossible to see and hear the 8 to 10 rounds fired at Mr. Hayes when his vehicle was completely stopped. However, our forensics division utilizes high-tech computer systems and sophisticated software to conduct audio and video evidence analysis, enhancements, and other high-tech applications to reveal latent evidence," Jones explained.

The Video Evidence Balanced the Scales of Justice

According to jury forewoman Julia Christmas, “The video was the key evidence.” She said the video evidence persuaded her to conclude that the deputies used excessive force.

Another juror commented, “The video clearly illustrated the excessive amount of shots fired in that neighborhood, and it was unwarranted.” “They didn’t have a clear shot, and they could have used other non-lethal tactics to resolve the situation.”

Jones states, “There are many instances when there is no audio or video evidence to refute law enforcement’s version of an incident and the plaintiff’s version is completely discounted – and that can create a biased perspective of the incident. This particular incident was memorialized on video, which played a pivotal role in balancing the scales of justice”

Mr. Jones went on to say, “I don’t want to give the impression that I’m anti-law enforcement because I am not; not by any stretch of the imagination. In fact, I have relatives and friends whom I love very dearly who are law enforcement officers and officials. My point is simply this, there are some in law enforcement who abuse their authority, and unless there is audio or video evidence to present in a court of law, the abuse can and does get “covered up.” Jones explained.

Digital Evidence’ CEO, Jones Says Jesse Escochea is the Unsung Hero

“In my opinion, Mr. Escochea is the “unsung hero” in this matter. He’s the “professional” cameraman who had the fortitude to continue recording the incident amidst the erratic hail of bullets on that fateful night,” Jones said.

“Jesse Escochea’s camera work has been showcased on network news programs – nationwide, for many years.”

“Amateur videographers” could not have endured the pressures Jesse Escochea encountered while documenting that incident. He was cognizant to keep the camera rolling under extreme conditions, he made sure the images remained focused enough to discern the activity, while maneuvering to get the best possible angle to memorialize the incident, and beyond all of that... he was mindful of not getting shot.”

“*Everyone* on the litigation support team contributed greatly towards attaining the successful verdict, but without Jesse Escochea’s courage and professionalism, it would have been very difficult for the jury to understand the complexities of this high-profile civil case, “Mr. Jones concluded.