

1 can't change. That includes build: Fat, short, heavy,
2 build. You've heard the descriptions. You've heard him
3 described, thin, thin.

4 Well, what's a distinguishing characteristic that does
5 not change? DNA, skin tone, the darkness of one's skin,
6 light skin, dark skin, black male. When asked, the
7 description between Trevin Smith was his skin tone and
8 Mr. Kirkland's skin tone was major difference, major
9 difference. So that doesn't change.

10 And if you remember, Calvin and -- it was either Calvin
11 or Rodney Ball, and your memory of course controls, says:
12 I'm trying to look at his face and I know he was a black
13 male because the hood was over his face so it was dark.
14 Dark black hood around his face and the face inside the hood
15 was dark. I couldn't see. So dark and darkness of skin is
16 something that witnesses have told you again and again.

17 A distinguishing characteristic that cannot be changed
18 and has been talked a lot about in this case, eyes. Eyes.
19 The same description of eyes has been threaded throughout
20 this case. And you can complain and you can say: Well, you
21 didn't say red in your statement and you didn't put red in
22 the first police -- when the police first talked to you, but
23 when you go through your notes and what witnesses said over
24 and over again was: When I looked at this guy, I noticed
25 his eyes. His eye his were wide. His eyes were wide open.