
Twelve Angry Men: The Case Of Adnan Syed

Sarah Koenig's captivating podcast Serial is a scathing examination of the American courtroom, as it skillfully unravels the complex case and controversial prosecution of Adnan Syed.

On January 13th, 1999, a senior of Woodlawn High School in Baltimore named Hae Min Lee was strangled to death and buried in a local park. The suspected perpetrator? Her ex-boyfriend Adnan. Despite a case peppered with logical fallacies and factual inconsistencies, the prosecution still managed to convince a jury that Adnan killed Hae. Were they just twelve angry men looking for a facile resolution and a swift prosecution?

However they were convinced, I maintain that Adnan Syed was convicted on insufficient evidence as the prosecution failed to prove a motive, relied on a dubious testimony from their chief witness, and utilized unreliable cell tower data while omitting key details which contradicted their narrative; proving that a jury's will can supersede any defensible position which contradicts it. According to the state, Syed's breakup with Hae threw him into a fit of rage because his deviance from Islamic tradition did not bear fruit. This idea is predicated on the fact that Adnan was forced to have a clandestine relationship with Hae due to his family's cultural background. Juror Stella Armstrong, in an interview, repeated the state's theory that "he had put his whole life on the line for her". Their narrative starkly contradicts Adnan's behavior. He smoked Marijuana on a regular basis, and after his breakup with Hae, he began seeing multiple other girls simultaneously. Saad Chaudry, one of Adnan's friends, described him as a "player".

Are either of these things indicative of a devout Muslim? The point being that Adnan sacrificing the sanctity of his faith for one girl, then murdering her out of frustration, seems to contradict his overall behavior and reaction to the breakup. Adnan's friends and classmates described Adnan as "sad" after the breakup. Not "furious" or "distraught". The prosecution referred to a note from Adnan in which he supposedly used the words "I'm going to kill" in the context of the breakup. This is a trivial piece of evidence, because "kill" is often a colloquial turn of phrase and not an expression of homicidal intent. Him becoming a "player" after breaking up with Hae is not an indication of humiliation or rage. Since he routinely deviated from his family's teachings and was not angered by the breakup, the State's theory seems dubious. It is likely that members of this jury, especially one named Owen Williams, harboured arbitrary assumptions about Adnan's personality due to his heritage. According to Williams, "women are second-class citizens in some countries" and "Adnan wanted power but Hae didn't give in". This is a baseless assumption which contradicts Adnan's routine deviance from his culture. Due to the thinly stretched motive presented by the prosecution, the basis for Adnan's guilt is

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specious. The prosecution's theory regarding Adnan's motive does not hold up, and neither does the testimony of their star witness Jay Wilds. He was the lifeblood of the prosecution's case against Adnan since he was their sole testifying witness, and he assembled a narrative which seemed to incriminate Adnan.

However, the jury overlooked the glaring inconsistencies and unsettling contradictions throughout Jay's story. He gave two interviews and told a different version of his story each time. Some of the changes to his story were smaller, such as Jay being the "criminal element of Woodlawn" versus being "perceived" to be so, or him being the only one smoking that afternoon. However, some of these changes are more confounding. Between the first and second versions of his story, the location of the murder changes from a "strip" to a Best Buy parking lot. If someone was shown a human corpse, the trauma would be too great for them to simply forget where he or she saw it. Jay was not being truthful. Even more confoundingly: an entire segment of their trip (a drive to Patapsco State Park for a quick smoke), simply disappeared after Jay's second interview. It is clear that in the three hours between telling these two versions, Jay massaged the details of his testimony. In addition to the inconsistencies between the two versions of his story, the time and place of the murder was unlikely to have been at a Best Buy at 2:36 in the afternoon. To elucidate, put yourself in the headspace of a murderer. Would you do it in the middle of the afternoon in a Best Buy parking lot? You'd be protected by the shadow of a bright mid-afternoon sun and shielded by the expanse of a public parking space. Correspondingly, the Best Buy payphone which Adnan supposedly used to call Jay after the murder never existed.

In episode nine, Laura Sandoval asserts that "there were never any payphones at the Best Buy". You can't make a call from a pay phone that doesn't exist. If Adnan could not have made the call, he could not have been at Best Buy. If he couldn't have been at Best Buy, he could not have strangled Hae in the parking lot³. The credibility of the star witness's story is rapidly diminishing. To further discredit Jay's story, Hae's friends remember seeing her after school at around the time when Jay says she was killed, and Jay's story does not allow for Adnan being dropped off at track practice in time (which Jay claims to have done). But why would a jury believe such a fallacious testimony?

Detective Jim Trainum has the answer. His theory is that confirmation bias pervaded the trial. According to the detective, the State (and, as it happens, the jury) had a "murder case on a silver platter" and couldn't bear to "ruin an excellent witness". This position is sound since Jay was all the prosecution had against Adnan. If his story was discredited, they would not have any way to convict Adnan. The mystery would have remained unsolved in the eyes of the jury. Just as with the motive, both the jury and prosecution held convictions which circumvented a truthful investigation. Given that most of the jury was black (seven out of twelve, as specified in episode eight), there may have been an element of racial bias towards Jay, a fellow African American.

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The prosecution's desperation to convict despite an unreliable witness allowed the conviction of Adnan Syed to base itself off of a lie. Jay's story would not be powerful enough without some form of corroborative scientific or statistical evidence, and though there was, it was not reliable enough to convict Adnan. The prosecution used cell phone data to corroborate Jay's testimony. Using a record of incoming calls on Adnan's phone in tandem with cell tower data, they tried to place Adnan at key locations (Best Buy, burial site, etc.). Only, Adnan did not even have his cell phone that afternoon. It was with Jay, and since both he and Adnan attest to this, the prosecution's story seems to double back on itself. The cell phone records, if they are truly reflective of the cell phone's whereabouts, work in Adnan's favour. They would place Jay at the scene of the crime. Considering this critical detail, the idea that Adnan showed Jay Hae's body and drove around with him that afternoon is not a plausible one. There is no way to prove that they were together, save for one call to a girl named "Nisha", whom only Adnan knew. If Jay was alone, it seems unlikely that he would place this call. It is the prosecution's most sound argument against Adnan, one which Koenig calls a "smoking gun" (episode six). However, this does not mean that Adnan called her either. Nisha's number was on speed dial, pocket dialing is common, and her memory of the call is not particularly lucid. Excluding the call records, even more critical to the investigation was the cell tower data which prosecutors used to prove the location of Adnan's cell phone.

The cartographic cell tower data was not accurate enough to place Adnan at key locations. It is possible for a call to be routed through a tower other than the one in closest proximity, so the locations are never precise enough to ascertain the whereabouts of a specific phone. Koenig mentions that cell tower records are more useful for determining where someone "wasn't". So even if Adnan was with Jay that afternoon, even if Adnan called Nisha, there is no sound way to prove where these calls took place. However, there were a few calls that successfully corroborate Jay's story: a total of four. All four calls took place in the evening, long after Hae's murder (assuming that she was actually murdered on the thirteenth). Curiously, a total of fourteen cell tower tests were conducted during the investigation. What did the prosecution do with the ten tests that didn't corroborate their story? They omitted them. According to Koenig, "they asked the cell phone expert about four of them. . . Because the rest of them didn't really help their argument". This is an example of Jim Trainum's confirmation bias theory. Despite the scarcity of evidence placing Adnan with Jay on the thirteenth, the omission of data which contradicted the prosecution's theory and the unreliability of the cell tower data, a guilty verdict still prevailed.

The case of Adnan Syed played out like a real version of Twelve Angry Men: a jury possessed by their personal convictions and a prosecution who could not afford to have their chief witness repudiated. There was no demonstrable motive for Adnan to murder Hae even though the jury presupposed one, Jay's story wasn't credible in the slightest even though the State desperately needed a lifeline, and even scientific data is susceptible to error. Adnan's

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prosecution in the face of such glaring fallacies seems to downplay the legal importance of evidential reasoning. It seems to indicate that the power vested in a jury gives its prior convictions the power to circumvent contradictory evidence. The prosecution desperately wanted to convict someone, and the jury believed Adnan's guilt with staunch certitude and without proper corroboration. The criminal justice system is supposed to be a bastion of reason and evidence. Yet the case of Adnan Syed proved that even the most revered institution of democracy can be corrupted, that the power of evidence can be overshadowed by the power of jural authority, and that the truth can be washed away by the tides of baseless predisposition⁵.

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