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Although prosecutors had convinced jurors Jesse James Hollywood was guilty of murder and kidnapping in the first phase of his trial, the same jury sided with defense attorneys Wednesday when the panel rejected a death sentence and instead recommended *life without the possibility of parole*.

The jury of nine women and three men returned to the courtroom with its recommendation roughly 24 hours after receiving the case, but Santa Barbara County Superior Court Judge Brian Hill will hand down the official sentence on Oct. 21.

Wednesday's decision came nearly nine years after the Aug. 6, 2000, kidnap of 15-year-old Nicholas Markowitz from the San Fernando Valley by Mr. Hollywood and two associates. Nicholas was shot dead less than three days later by another of Mr. Hollywood's associates -- Ryan Hoyt -- at a hiking spot known as Lizard's Mouth in the foothills above Santa Barbara. Mr. Hoyt is currently appealing the death sentence he received for his role in the case.

Although the jury apparently accepted that Mr. Hollywood was mastermind behind the tragic chain of events, the candidate -- whose exploits were the basis of the feature film "Alpha Dog" -- the notorious defendant, once the youngest man ever to make it to the FBI's most-wanted list, skirted a trip to California's death row.

He showed no obvious signs of relief as the verdict was read by Judge Hill's clerk.

Instead, it was co-defense counsel Alex Kessel who appeared as if a burden had been lifted from his shoulders as he slumped down in his seat at the counsel table upon hearing the verdict.

Once Judge Hill cleared the courtroom, it was Nicholas' parents -- Jeff and Susan Markowitz -- who first arrived outside to an awaiting cavalcade of local and out-of-town reporters to offer statements. All parties involved in the case had previously been subject to a gag order issued by the judge.

"As a mother, I would not be thrilled or relieved that he received the death penalty," said Mrs. Markowitz, who added that she was grateful to the jurors. "Another son dying is not going to make me feel good in any way."

"It wasn't going to bring Nicholas back," added Jeff Markowitz.

The father speculated what could have happened had Mr. Hollywood pulled over on the drive to Santa Barbara and contacted the Markowitz family, his own father Jack Hollywood or someone else of responsibility.

"This thing would have been over," Mr. Markowitz said. "He may have gotten a slap on the wrist, I might have got a little angry and we'd probably have family discussions, but Nicholas would be alive and (Mr. Hollywood) wouldn't be going to jail for the rest of his life."

Mr. Hollywood took the stand in his own defense, and the man told jurors his instruction to Ryan Hoyt -- the convicted gunman now on California's death row -- was to return Nicholas home.

However, Jeff Markowitz told reporters a lot of testimony was held back in this particular trial, and he, as well as his family, knew what was really going on.

"He's trying to save his own life," Jeff Markowitz said.

Nicholas' sister Leah Goyanes was there with her family, but missing was the victim's half brother Ben Markowitz, who owed the drug debt to Mr. Hollywood that prosecutors argued led to the kidnap and murder. While Ben was cut off from the family following Nicholas' death, Jeff Markowitz reported his family is once again tightly knit.

As for articulating a message for other families, Mrs. Markowitz called out "Stay close."

Outside of the courtroom, members of the Markowitz family embraced and applauded Chief Trial Deputy Joshua Lynn of the Santa Barbara County District Attorney's office.

The lead prosecutor in the case, Mr. Lynn had pushed for the death penalty, but he still commended jurors for all the work they put in.

"They delivered a verdict that I believe is just and fair, and it was based on the facts and the law," Mr. Lynn -- with his co-counsel Senior Deputy District Attorney Hans Almgren standing at his side -- told reporters, "That's all we were asking them to do. And with respect to penalty, that opinion is theirs and theirs alone and I have no quarrel with it.

"Life in prison without possibility of parole is a very, very severe punishment, and is appropriately severe."

To land the convictions, the prosecutors relied at times on testimony from a convicted co-defendant as well as some of Mr. Hollywood's associates -- each with what could be fairly described as checkered pasts.

"That's the nature of a case like this," Mr. Lynn said. "Those are the people that Jesse Hollywood surrounded himself with."

When Ben Markowitz took the stand, he admitted to dealing drugs as well as breaking into a home and holding the residents at gunpoint, among other misdeeds. But Mr. Lynn found him to be a very compelling witness who had made himself into a good man.

"I'm proud to know him," the prosecutor said.

He had praise for the grace with which the Markowitz family conducted themselves throughout their ordeal.

"This case has been a nine-year odyssey for the family that I hope is, as to this case at least, finally at an end," Mr. Lynn said. "It's the one thing we can offer this family ... the road to justice."

However, Mr. Hollywood's lead attorney James Blatt countered that statement with one of his own: "It's not over."

Mr. Blatt plans to file the motion for a new trial when Mr. Hollywood is back in court for sentencing. Among the issues Mr. Blatt said scarred the trial was a confusing instruction to jurors concerning the felony murder ruling.

"I think this was the major problem in the case," he said.

Mr. Kessel expressed disappointment that many statements Judge Hill allowed to be introduced during the trial were hearsay and those who reportedly said them never testified. Such statements were from Jesse Rugge, who was convicted of kidnapping for ransom or extortion and sentenced to seven years-to-life in prison in connection with the case. Mr. Kessel said the defense could have called some of these witnesses, but the burden of proof fell on prosecutors. Mr. Hoyt, he said, could not have been called to the stand by either side because his attorneys would not have allowed it as he appeals his sentence.

Mr. Hollywood's father Jack shied away from speaking in front of most cameras, but he briefly spoke with a few journalists in front of office space rented by his son's attorneys not far from the courthouse.

Jack Hollywood reported feeling some relief his son didn't receive the death penalty, partly because it increased his chances of being able to get appeals out earlier. He additionally reaffirmed his belief that his son was not involved in the murder.

Of the defendant's personality, Jack Hollywood described the notion of his son being a ruthless thug as bogus.

Multiple character witnesses described Mr. Hollywood as a caring, non-violent individual, including a nurse who regularly examined the defendant after his capture. However, Mr. Hollywood told reporters the nurse reported being harassed by sheriff's detectives because of the testimony.

As Mr. Hollywood spoke, he was unaware that a black unmarked sheriff's department vehicle had stopped at a light behind him at the corner of Figueroa and Santa Barbara streets.

The back seat window was rolled down and from inside, Jesse James Hollywood looked toward where his father was standing and smiled.

Then the light turned green and he was on his way back to jail.

News-Press Assistant City Editor James Zoltak contributed to this story.