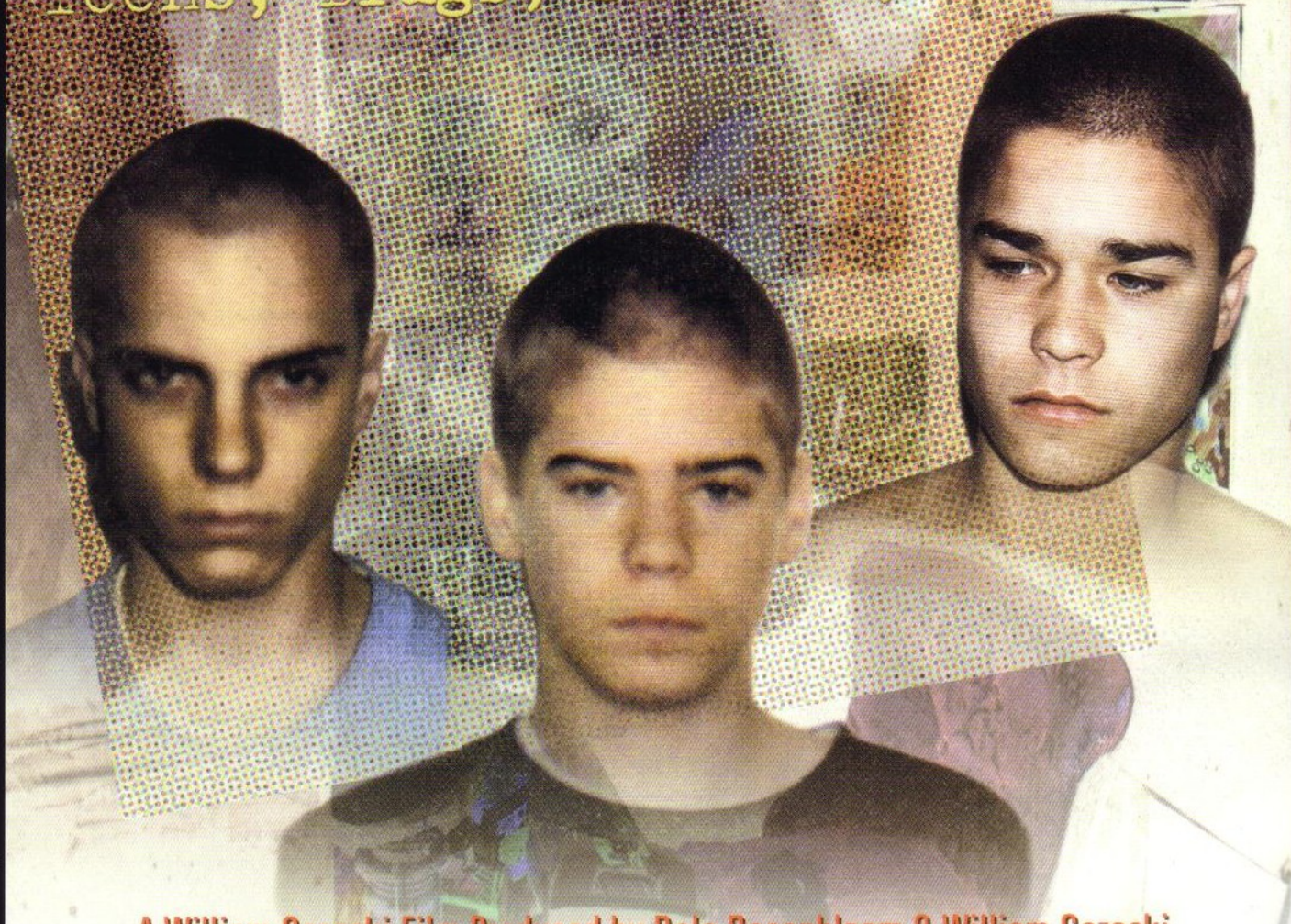


From the Director of the Academy Award Nominated
and Emmy Award Winning "WACO: The Rules of Engagement" comes
A True American Suburban Nightmare

RECKLESS INDIFFERENCE

and justice for ~~all~~ **NONE**

Teens, Drugs, Parents, Prison



A William Gazecki Film Produced by Dale Rosenbloom & William Gazecki
Executive Producers Henry Bloomstein & Gene Schwam
Co-Producer W. Scott Goldie Music by Ashley Witt
Directed by William Gazecki

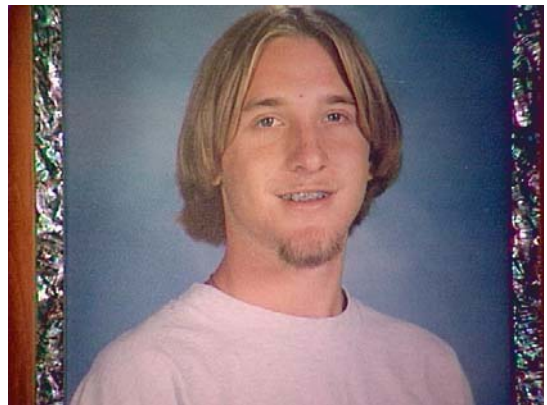
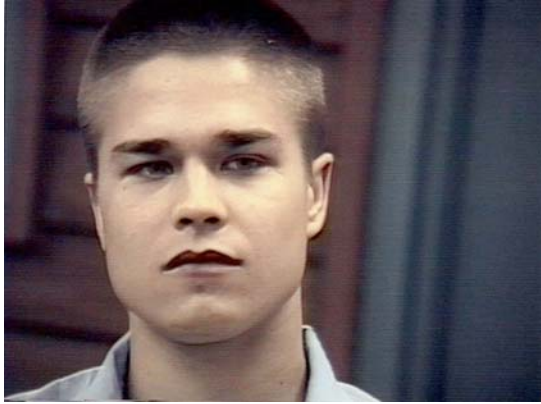
RECKLESS INDIFFERENCE

A Story of Endless Injustice

Reckless Indifference began as a classic American suburban nightmare of teens, drugs, parents and prison. It has become a compelling story of obfuscation, betrayal, and preferential justice. The film tells the true story of how a backyard brawl at the home of a teenaged drug dealer resulted in the death of the drug dealer's best friend, who by coincidence was the son of a Los Angeles Police Department officer. The ensuing trial sent four teenage boys to prison for life without parole – notwithstanding that only one of the four teenage boys wielded a pocket knife to protect his younger brother, and willingly confessed to his crime.

Reckless Indifference also reveals the naivete, guilt and denial of middle class families caught up in the criminal justice system, and chronicles how an overzealous prosecutorial team propelled by the vengeful and grief-stricken LAPD officer's family eagerly abuse an obscure law to their advantage. "The Felony Murder Rule" states that anyone present during the commission of a felony where death occurs is automatically liable for First Degree Murder. Four teenage boys – only one of whom wielded a weapon (ostensibly in self-defense) – now sit in Level IV Maximum Security State Prisons for the rest of their lives. They will never see freedom again.

With a newly updated ***Epilogue, Reckless Indifference*** now shows for the first time the perjury of its star witness, Michael McLoren, upon whose testimony a conviction was won. . As told through the eyes of veteran criminal attorney William Genego, McLoren was given total immunity from prosecution before testifying on the witness stand- a fact kept from both the defense and the jury. In addition, the ***Epilogue*** also has an exclusive taped conversation with convicted inmate Brandon Hein, offering his thoughts on what that past 9 unjust years in prison have been like for him.



William Gazecki

Director/Producer

As a documentary filmmaker, William has been awarded the **International Documentary Association's Distinguished Documentary Achievement Award**. His film **WACO: The Rules of Engagement** premiered at the **Sundance Film Festival**, won awards at both the **Atlanta Film Festival** and the **Charleston International Film Festival**. Most notable is the film's **Academy Award** nomination, followed by an **Emmy Award** for **Outstanding Investigative Journalism**. His film **Reckless Indifference** won a **Golden Satellite Award** from the **International Press Academy**.

Gazecki came to documentary filmmaking in 1991 after a multiple **Emmy Award-winning** career in sound mixing for television, film, and record production (**The Rose, Hill Street Blues, St. Elsewhere, etc.**). Other recognitions of excellence in sound mixing include honors from both the **Cinema Audio Society** and the **Society of Motion Picture Sound Editors**, and several **Gold** and **Platinum** albums.

Early projects such as **Technical Remote Viewing** and **Natural Solutions** set Gazecki apart as an outspoken and un-intimidated purveyor of the expose long before such endeavors were en vogue. **Natural Solutions**, which aired on PBS in 1993, impacted then-pending legislation attempting to limit public access to vitamins and health food supplements.

Gazecki's films are a place where people can go to obtain not just information, but human understanding. Preferring to provide insight and awareness through his films, Gazecki seeks to impart knowledge, recognizing the difference between mundane facts and creating an inspired educational experience.

Gazecki's latest theatrical release (August, 2002), **Crop Circles: Quest for Truth**, is a fascinating examination of the mysterious, world-wide crop circle phenomenon. This controversial, widely-reviewed film won **Best Documentary** at the **Thomas Edison Film Festival**. His current DVD release (April, 2004), **Invisible Ballots**, presents a critical examination of the controversial issues surrounding electronic voting technology. The film has shown throughout the country as part of the grassroots **Take Back Democracy Film Festival**. He is also partnered with LeVar Burton (**Star Trek, Reading Rainbow**) on a series for PBS entitled **The Science of Peace**, and is currently in production on **The Future by Design**, a feature-length profile of enigmatic futurist Jacque Fresco, and **Energy from the Vacuum**, about the life's work of genius physicist Tom Bearden.

Each of Gazecki's projects display a cohesive and honorable theme – reflecting his desire to improve the lot humanity and improve the quality of life.



William Gazecki, Filmmaker

Dale Rosenbloom

Producer

Writer-producer Dale Rosenbloom adapted, directed and produced **Shiloh**, which earned Rosenbloom accolades from many of the nation's most highly regarded critics. **Shiloh** went on to win the 1997 **Genesis Award** for Best Feature Film as well as numerous other distinctions including top honors at the **Chicago International Children's Film Festival** and the **Heartland Film Festival** and a **Gold Medal Special Jury Prize at Charleston Film Festival**. **Shiloh** similarly proved a hit on the international festival circuit with invitations to screen at the **Cairo Film Festival**, **The Moscow International Children's Film Festival**, and **Cinemagic: The Northern Ireland International Film Festival For Young People**, among others. He also adapted and produced **Shiloh 2/Shiloh Season**, which premiered in July of 1999 and has been nominated for **The Humanitas Prize**.

Rosenbloom is a graduate of **USC Film School**. He began his career at **Aaron Spelling Productions** and, later, worked in development for **Mace Neufeld Productions**. Soon after, Rosenbloom put together the financing for his first theatrical feature, **Instant Karma**, a movie he produced independently and co-wrote with Bruce Taylor. Starring *Craig Sheffer* and *David Cassidy*, the movie was released theatrically by MGM/UA in 1990 to near unanimous praise. He followed **Instant Karma** a year later with **Across the Tracks**, a film which marked the first starring role for *Brad Pitt*. Co-starring *Rick Schroeder* and *Carrie Snodgrass*, **Across the Tracks** won awards at the **Houston** and **Philadelphia Film Festivals** and was selected for showing at numerous others.

Since then, Rosenbloom has remained one of Hollywood's most active filmmakers, with current projects including: **Kinsey Report** with Dream Entertainment, Michael Davis directing; **Eight Days a Week** written and directed by Michael Davis and starring *Ken Russell*, released by Warner Brothers/Legacy; **Flow My Tears, The Policeman Said** by Philip K. Dick, Marco Brambilla directing. Among his films are **Confessions of a Sexist Pig**, about modern day dating mores, which was written and directed by Sandy Tung; **A Woman, Her Men and Her Futon**, starring *Jennifer Rubin* and *Grant Show* for Republic Pictures and Overseas Film Group; **Nails**, with *Dennis Hopper* and *Ann Archer* for Viacom/Showtime; **Ride With the Wind**, an ABC Movie-for-Television starring *Craig T. Nelson*, which he co-executive produced; and the serio-comic feature **Red Ribbon Blues**, a pointed look at the crisis surrounding HIV starring *Paul Mercurio*, *Debi Mazur* and *RuPaul*, and which proved a hit at the **Deauville**, **Hamptons** and **Palm Springs Film Festivals**.

DAILY VARIETY

Cahners

\$2.50

FRIDAY
OCTOBER 20, 2000

PERIODICALS POSTAGE PAID

FILM REVIEW

Reckless Indifference

(Docu)

A Utopia Films and Open Edge Media presentation of a Dale Rosenbloom/William Gazecki production. Produced by Rosenbloom, Gazecki. Executive producers, Henry Bloomstein, Gene Schwam. Co-producers, W. Scott Goldie, Randall Sullivan.

Directed by William Gazecki. Camera (color), Eric Reiner; editor, Gazecki; music, Ashley Witt; sound/supervising sound editor, Gazecki. Reviewed at Directors Guild Theater, West Hollywood, Oct. 16, 2000. Running time: 94 MIN.

With: Judie Farris, Jim Farris Sr., Tony Miliotti, Jeff Semow, Alan Dershowitz, Patrick Sullivan, Robert Derham, Mike Latin, Jill Lansing, Randall Sullivan, Dick Detrich, Mary Pols, Natasha Sinkinson.

By ROBERT KOEHLER

While far less partisan than his previous pic, "Waco: Rules of Engagement," filmmaker William Gazecki's provocative "Reckless Indifference" eventually reveals a seething anger at an increasingly inflexible American legal system. First appearing to represent modest reportage of a tragic 1995 murder case involving six teen boys in an L.A. suburb, Gazecki's work builds an impassioned, blatantly slanted account of a trial that sent youngsters to prison for life.

More in the tradition of Emile DeAntonio's work and other politicized nonfiction of the '60s than the kind of true-crime mellers that

Reckless Indifference

Continued from page 14

weekly issue forth on cable, docu should find a responsive distributor able to handle the explosive material, followed by a strong ancillary life.

The story's preface indicates where Gazecki's heart lies, as attorney Alan Dershowitz insists that the convictions were "not proportional" and private investigator Patrick Sullivan bluntly states that "the authorities wanted to screw these kids." Still, the events leading to the murder of Jimmy Farris and near-fatal wounding of Mike McLoren are described with sober patience.

Gazecki incorporates talking-heads accounts from parents, friends, attorneys, reporters and investigators; a series of scanned photos of the shack-like "clubhouse" out of which McLoren dealt pot; several staged re-creations of described events; and exclusive video of convicted youth Tony Miliotti giving his account to state Sen. Tom Hayden, gathering evidence for reform of California's felony/murder rule, which enforces heightened penalties when murder is committed in the course of a felony act. This range of visual material, supported by an itchy, minimalist guitar score by Ashley Witt that evokes the anomie of lost teen boys, lifts docu to the level of rich, textured cinema.

The background and tragic events form a sad, suburban tale. McLoren, like the rest of the youths, attended Agoura High School, and had a rep for dealing and giving away cannabis. His pal and so-called bodyguard was Farris. Both knew Miliotti, Brandon Hein, brothers Jason and Micah Holland and Chris Velardo. They were all the kind of bored kids who would be right at home in an early Richard Linklater movie.

A hot day in 1995 saw the Holland brothers, Miliotti, Hein and Velardo hanging out with friends,

getting drunk, driving around Agoura and winding up at McLoren's clubhouse. Without witnesses, and with only Miliotti — drunk, dazed and confused at the time — coming close to a detailed description of what happened, the boys' motives are never clear.

In a flurry of shouting and fighting, McLoren and Farris were both stabbed. Farris bled to death, while McLoren, who was saved on a UCLA operating table, fingered the Hollands and Miliotti as the perps to LAPD investigators.

Farris' father, Jim Sr., is an LAPD cop (though not a detective, as he is identified onscreen), and this fact alone generates great suspicion — voiced by defense attorneys, the parents of the accused, investigator Patrick Sullivan and Rolling Stone reporter Randall Sullivan (credited as a co-producer) — that the D.A.'s office was pressured for convictions, with Farris Sr. supposedly enjoying extraordinary access to authorities and attorneys.

In other words, Gazecki's film indicates, here was a kangaroo court dominated by a D.A.'s office obsessed with not losing another high-profile case, a la O.J. And win it did, using the felony/murder rule to send the Holland brothers and Miliotti to prison for life. Like "Waco," docu argues a point of view for which there's likely a potent counter-argument, which receives only lip service here.

This is activist journalism, designed to stir up popular support for appeal of the convictions. If, as Dershowitz notes, the jury was "terrorized" by prosecutors into thinking that they were judging violent gang-bangers, Gazecki makes no effort to interview jurors to confirm or deny this account. The grieving Farris are the docu's only emotional counterbalance to a drumbeat message that injustice was done in this case. "Reckless Indifference" drives the anger home with unswerving conviction, even if you doubt the film has all the facts on its side.

*News*Current NewsAcad deadline looms for four categoriesOscar docu deadline nearAcad sci-tech deadline setAcad sets Oscar event skedAcad tightens Oscar rulesAMPAS apologizes to sound groupFull Coverage...Oscar Watch**Documentaries** -- By Kathy A. McDonald

Oscar's feature documentary category traditionally honors those pics in which the filmmaker's vision truly makes it to the screen with serious matters predominating. This year, docu feature contenders are limited to the 57 qualifying submissions that have met the Academy of Motion Picture Arts & Science's stringent criteria.

For the second year in a row, the Academy will follow a divide-and-view procedure in which preliminary screening committees of credited documentarians view 15 features (on cassette) and rank the submissions by a point system that narrows the qualifiers down to 12. Members who have seen 10 of the 12 can then nominate the final five films to be considered. Only members that have screened all of the nominated docs can cast a final ballot.

Buzz alert

A number of this year's contenders have critical and festival buzz coupled with previous Oscar nods for their creators, giving them better than even odds at making the short list.

"Reckless Indifference," directed by William Gazecki ("Waco: The Rules of Engagement"), and produced by Gazecki and Dale Rosenbloom, examines a miscarriage of justice. Four suburban teenage boys are sentenced to life in prison after a backyard brawl at a local drug dealer's house that results in the death of the dealer's best friend, a police officer's son.

"Long Night's Journey Into Day," directed by Frances Reid and Deborah Hoffmann, and produced by Frances Reid, is a searing look at South Africa's Truth and Reconciliation Commission and the Sundance 2000 documentary grand jury winner.

"Into the Arms of Strangers: Stories of the Kindertransport," directed by Mark Jonathan Harris (director of Oscar winner "The Long Way Home") and produced by Deborah Oppenheimer, chronicles the rescue of 10,000 Jewish and other children by Britain in the months before World War II.

"Fight to the Max," directed by Simeon Soffer ("The Wildest Show in the South"), and produced by Soffer and Jonathan Stack ("The Farm: Angola USA"), is a look at the Louisiana penal system told through the story of one boxer who literally fought his way to freedom via the state's prison boxing championships.

The two most successful docus in terms of circuit buzz also might have a chance at a nomination. **"The Life and Times of Hank Greenberg,"** directed and produced by Aviva Kempner, is a 16mm sports doc that grossed more than \$1.7 million in limited release.

SECTION

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SUNDAY

DECEMBER 3, 2000 E/CC

Los Angeles Times
WWW.LATIMES.COM/EDITIONS/VALLEY

Valley

Agoura Hills Murder Case Appeal, Film Spark Tension

■ **Justice:** Lawyers seek lighter terms for four young men in the slaying of Jimmy Farris, an officer's son. Emotions run high for the parents on both sides.

By MARGARET TALEV
TIMES STAFF WRITER

AGOURA HILLS—Five years after a fight over marijuana left the 16-year-old son of a police officer dead, advocates of the Conejo Valley men sentenced to life terms for his death are escalating their campaign on two fronts: in a court of law and in the court of public opinion.

Last week, lawyers for Brandon Hein, Tony Miliotti and brothers Jason and Micah Holland—all in their early 20s now—took their cases before the state Court of Ap-

peal in Los Angeles. They asked for new trials or greatly reduced sentences in the death of Jimmy Farris, arguing that the terms imposed are cruel and unusual and that prosecutors failed to prove elements necessary to uphold the sentences.

They also contended that prosecutors made improper comments that swayed the jury enough to warrant a new trial, including assertions that defense lawyers were liars and that the defendants had ties to a suburban gang called the Gumbys.

Also last week, parents on both sides see **FARRIS, B5**



Judie Farris, mother of victim Jimmy Farris, tries unsuccessfully to read from a prepared statement during the documentary screening.



Patricia Kraetsch, center, mother of defendant Brandon Hein, grew frustrated during a showing of William Gazecki's documentary. Photos by CON KEYES / Los Angeles Times

VALLEY NEWS

FARRIS: Appeal, Documentary Film Raise Parents' Tension

Continued from B1

sides of the case attended the first public screening of "Reckless Indifference," a documentary critical of the way the legal system handled the case. The film's director, William Gazecki, argues that the defendants—three of whom have no possibility of parole—received unfairly harsh sentences for an accidental death they could not have foreseen.

Emotions Boil Over at Screening of Film

It inevitably, the appeals and the film's release have stirred up grief and tensions between two camps of parents.

There are the defendants' relatives, many of whom believe Jimmy Farris' parents could help get the young men out of prison if they would put aside their grief and look at the situation rationally.

Then there are Jimmy's parents, Judie and Jim Farris, who say they are tired of being painted as the bad guys when they, in fact, are the victims. They recoil at implications that their son was into drugs like the other teens or that Jim Farris' career as an LAPD police officer influenced the prosecutors, judge or jury.

"I am not going to say whether it's justice or not, because my son is dead," Judie Farris said last week of the defendants' sentences. This mutual bitterness was exposed at Tuesday night's screening of the



CON REYES / Los Angeles Times

William Gazecki leads a discussion of his film, which argues that the sentences were too harsh. The documentary at USC's Annenberg Auditorium.

The 90-minute film shows reenactments of the events leading up to Jimmy's death, spliced with a prison interview with Hein, clips from the trial and interviews with Judie and Jim Farris and several of the defendants' relatives.

It also features Harvard lawyer Alan Dershowitz, who calls the sentences "an outrage. I believe it's cruel and unusual punishment."

During a question-and-answer segment after the screening, Judie Farris, dressed in black, repeatedly referred to the "criminals' families."

Pat Kraetsch, Hein's mother, dressed in a pastel turtleneck, grew

frustrated from her seat in the audience. "I have a name," she called out. "I am not a criminal's family."

Within minutes, both women's anger cracked into hot tears. Farris told Kraetsch that her son and the others could have avoided their stiff sentences if they had pleaded guilty to lesser charges, as did a fifth teen who had been waiting in his truck as the fight took place.

"Brandon didn't take a plea because he didn't do it," Kraetsch said, weeping. "My son was in a fistfight."

Jimmy didn't die of punches, but of a stab wound to the heart. Jason Holland admitted pulling out a pocket knife during a melee that lasted less than a minute. He said he used the knife to protect his younger brother.

He was the only defendant who admitted wielding a knife, and defense lawyers maintain that the others did not know about the knife until after the fight, which took place in the backyard fort of Jimmy's friend, Mike McLaren. The defense also maintained that Milotti never took part in the fight, but watched from the doorway of the fort.

Attempted Theft Made Charges More Serious

What enabled prosecutors to go after all the young men for murder is a legal provision known as the felony murder rule. It

says people can be found guilty of murder if they take part in another crime that leads to someone's death. Prosecutors argued that the fatal fight broke out when the defendants stormed the fort and tried to steal marijuana from McLaren, an acquaintance of some of the boys in the group. McLaren also was stabbed in the fight, but survived. He was not prosecuted.

Micah Holland, who was 15 at the time, was sentenced to 25 years to life. The other boys—Jason Holland, 18 at the time; Milotti, 17 at the time; and Hein, 18 at the time—all received life sentences without possibility of parole.

In contrast to the film screening earlier in the week, Thursday's appellate court hearing was peaceful. The defendants' families, lawyers and a handful of friends, including Jason Holland's girlfriend, packed the chambers, hugging and praying

during a break.

While the defendants' case has become a cause for many—from Harvard's Dershowitz to outgoing state Sen. Tom Hayden (D-Los Angeles) to Rolling Stone magazine—the convicts' families know that none of that means much unless a court rules in their favor.

Defendants' Families See a Ray of Hope

It could be March before the Court of Appeal in Los Angeles rules. But some of the questions asked by two of the three justices during Thursday's hearing gave the defendants' families hope. "It's the best I've felt in five years," said Milotti's uncle, Jeff Ladin.

Justice Norvell Fred Woods spoke of "apples, oranges, grapes and grapefruit," asking lawyers if

the defendants with lesser roles in the fight should have had different sentences.

L.A. Superior Court Judge Thomas W. Stoeber, a special appointee to the appellate panel, told defense lawyers, "We're asking the question: 'Are our hands tied?'" He drew them a road map for what legal arguments and case law they might focus on to convince him otherwise. He suggested they discuss the defendants' maturity at the time of the fight and whether, individually, they could have foreseen that their actions might prove fatal.

The Farris did not attend the court hearing. But Gazecki was there, watching as the newest chapter of the case unfolded. "The idea of justice is very mercurial," he said. "I think it's pretty clear at this point that the story is not resolved."

Valley

FRIDAY

OCTOBER 20, 2000

Los Angeles Times

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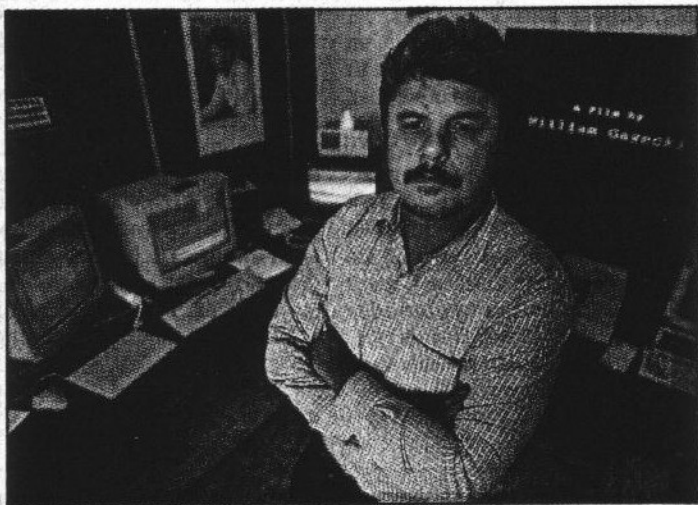
Movie on Teens' Roles in Slaying to Debut

■ **Film:** "Reckless Indifference" documents legal aftermath of stabbing death of Agoura Hills boy.

By RICHARD FAUSSET
SPECIAL TO THE TIMES

More than five years ago, the quiet Conejo Valley suburb of Agoura Hills was shocked by a backyard brawl among teenagers that resulted in the stabbing death of Jimmy Farris, the 16-year-old son of a Los Angeles police officer.

Today, a new feature-length documentary by an Oscar-nom-



KEN HIVELY / Los Angeles Times

Oscar-nominated William Gazecki directed "Reckless Indifference," which opens for a limited run in downtown L.A. today.

nated director is reviving questions about the controversial court case that followed. In it, three teenagers were convicted of first-degree murder and sentenced to life in prison without the possibility of parole, and a fourth, younger boy, also convicted of first-degree murder, was given 25 years to life, although only one youth admitted to the stabbing.

In director William Gazecki's "Reckless Indifference," which opens today, activist attorney Alan Dershowitz joins parents, defense attorneys and others in blasting the justice system for sentences Dershowitz calls "disproportional, outrageous, unconstitutional and immoral."

"This is clearly not a case where the law was properly ap-

Please see MOVIE, B4

Murder Trial Remembered

Continued from B1

plied," Dershowitz says in the film. "This is a manslaughter case."

Judie Farris, the mother of the slain boy, said she is still too hurt by the crime to be able to analyze the fate of the defendants. The documentary, she said, has done little more than revive her pain. "It totally disrupts my life," she said. "It brings back everything."

"Although only one boy apparently wielded the knife, all four were charged with first-degree murder under the felony murder rule that allows such charges to be brought if someone is killed during a serious crime, such as a robbery.

State Sen. Tom Hayden (D-Los Angeles), who appears in the film interviewing one of the convicted youths, Brandon Hein, introduced a bill last year to require courts to tailor such sentences to a defendant's role in a crime. The bill was voted down on the Senate floor.

Now the parents of the convicted youths, all four of whom are appealing their sentences, are hoping the film will bring more attention to their sons' plight.

"It was nerve-racking, but emotionally satisfying [to watch]," said Brandon's father, Gene Hein. "I think the movie shows the injustice of the whole situation."

Gazecki, who was nominated for an Academy Award in 1998 for the documentary "Waco: The Rules of Engagement," called his new film "compassionate without being knee-jerk liberal."

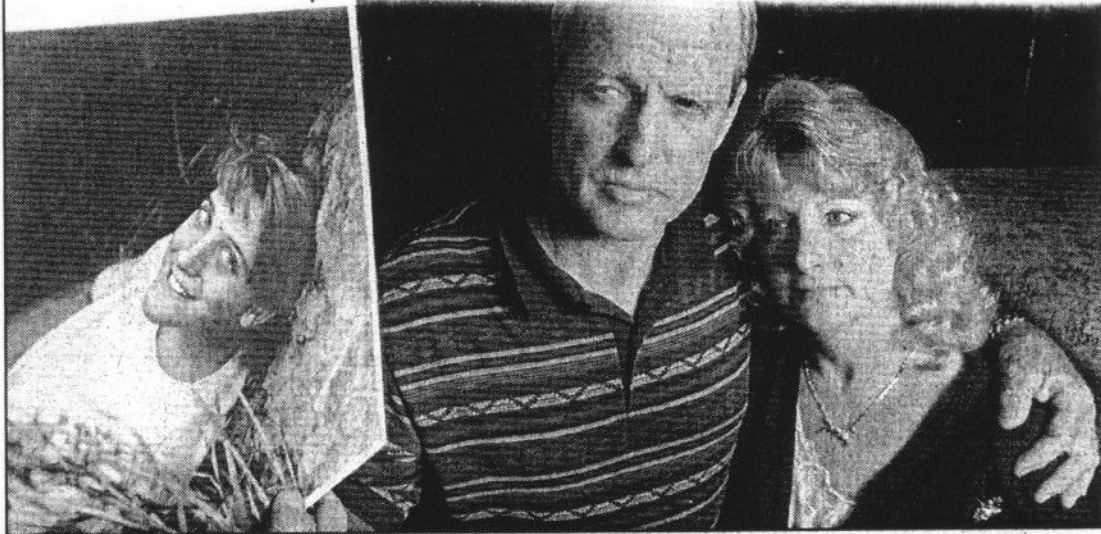
"These kids were stupid and they were reckless," he said. "But they were kids, and the system was equally as reckless."

On May 22, 1995, five Conejo Valley youths aged 15 to 18 drove to an Agoura Hills home where teenager Mike McLoren was known to sell marijuana from a backyard fort. Four boys—Anthony Miliotti, Brandon Hein, and brothers Jason and Micah Holland—got out of the car with the intention of either stealing or buying McLoren's pot.

The boys entered the fort, and a fistfight ensued involving Hein and the Holland brothers, as well as McLoren and his friend Jimmy Farris. Anthony Miliotti was standing in the doorway.

Jason Holland admitted to stabbing both Farris and McLoren. McLoren recovered; Farris died of the wounds.

Three defendants—Hein, Jason



MEL MELCON / Los Angeles Times

Jim and Judie Farris with favorite photo of their son, Jimmy, who was fatally stabbed in 1995.

Holland and Miliotti—were sentenced to life terms in August 1996. The jury found they acted with "reckless indifference," a special circumstance that ruled out the possibility for parole.

The fourth, Micah Holland, received a sentence of 25 years to life, the maximum he could receive as a 15-year-old. The fifth boy, Chris Velardo—who stayed in the car during the fight—pleaded guilty to voluntary manslaughter and was given 11 years in prison.

Before the sentencing, Malibu Municipal Judge Lawrence J. Mira noted that the boys, on the afternoon of the incident, had gone on a deliberate crime spree that included stealing a wallet from a woman's van and later verbally assaulting her.

But Dershowitz and others in the film take issue with some of the prosecutors' key tactics—trying the boys as adults, arguing that the boys acted together as part of a gang, and arguing that the boys went to the fort with the intent to commit a robbery.

Critics in the film—which today begins a limited seven-day run for Oscar consideration at Laemmle's Grande 4-Plex downtown—assert that the victim's father, Jim Farris, a Los Angeles Police Department officer, had undue influence on the case. And in the wake of the O.J. Simpson trial and other perceived failures by the district attorney's office, they say, prosecutors were under intense political pressure to get convictions at any cost.

Judie Farris, who appears in the film, disputes these two claims and has taken the criticism of the trial from the convicted youths' parents personally.

"All the blame they put on us is because they can't face the facts," she said.

"Almost everything the criminals' families say [in the documentary] is wrong," she said.

Producer Dale Rosenbloom, whose Utopia Pictures film company financed the documentary, said filmmakers did their best to offer a balanced view. "Though [Farris] may not agree, there weren't any lies, and in every single [claim], there's a rebuttal from the Farris family or the prosecution."

In the film and in person, prosecutors deny they were influenced by politics, or that Jim Farris was shown any special deference.

Jeff Semow, one of the prosecutors, said he has not seen the film, but was surprised to learn that Gazecki did not mention that the prosecution was ready to offer a deal to the four defendants, and swap lesser charges for guilty pleas—thus avoiding such harsh penalties.

Attorneys for Miliotti and Hein rejected overtures for a plea bargain, Semow said, while the attorneys for the Holland brothers, by their "adversarial posture," let it be known that they were not going to deal.

"Let me put it this way: The first thing any defense attorney does if they're looking for anything short of going to trial is to ask [prosecutors], 'Is there some level at which we can settle this case?'" Semow said, adding that attorneys for the Hollands never asked.

"Nobody wants to acknowledge that," Semow said.

Gazecki called the plea bargain issue a "red herring" that detracts from the real story. "I appreciate Mr. Semow's attempt to discuss his own actions as to what could have happened before the trial, but the story is about what happened during the trial," he said.

Judie Farris said viewing the film was extremely difficult, opening old wounds she is trying to heal. She said she doubts any good

will come from it.

She also said she is simply incapable of judging whether the defendants' sentences were too harsh.

"I can't even go there," she said. "Just like people can't feel the feelings of my son's death."

At the time of the sentencing, her husband asked for the maximum sentences for the defendants.

Today, Gene Hein hopes the film will help raise awareness of the plight of his son, now 23 and serving time at the California Correctional Institution at Tehachapi. Hein and others maintain an informational Web site, www.brandonehein.com. And on Nov. 2, blues guitarist Jonny Lang will play a benefit concert for Hein at the Key Club in West Hollywood.

Gene Hein also sees the film as helping him spread the message he has been taking to youth groups and schools: that teenagers should be aware that their frivolous or thoughtless actions can sometimes have dire consequences.

Producer Rosenbloom, who provided all of the funding for the documentary, said filmmakers were drawn to both the legal issues and the setting of the crime—a sleepy suburb that, like many suburbs, appears placid only on the surface.

"We got into this to give an overview of where we are in middle-class American life at the turn of the century, and it's scary," Rosenbloom said. "You think when you move your family to a place like Agoura [Hills] that you're going to escape gangs, drugs and violence. But that's not the case."

Verdicts

& Settlements

murder rule to 25-years to life for the 1995 death of another local boy when a fistfight in a darkened backyard clubhouse took a deadly turn.

Though Los Angeles County deputy district attorneys never established at trial which, if any, of the boys stabbed victim Jimmy Farris during the melee (or whether the stabbing was intentional), Gazecki's footage shows prosecutorial tactics that many deem more worthy of punishment than a teen-age brawl-turned-tragic.

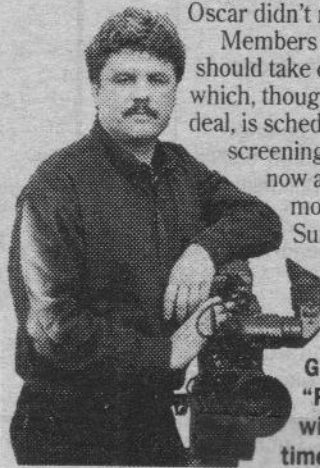
Harvard Law Professor **Alan Dershowitz**, who is featured in "Reckless Indifference" commenting on the origin and abuses of the felony murder rule, says, "This is a case that violates the Bible, that violates the Constitution, that violates the law, that violates common sense and that violates common decency."

Gazecki, who won an Emmy Award and an Academy Award nomination for "Waco: Terms of Engagement," screened "Reckless Indifference" in October to qualify it for consideration for Sunday's awards.

Oscar didn't notice.

Members of the legal community should take careful note of this film, which, though lacking a distribution deal, is scheduled for only four public screenings in Los Angeles between now and April 8 (on weekend mornings at the Laemmle Sunset 5 and the Laemmle Santa Monica).

Filmmaker **William Gazecki's** documentary, "Reckless Indifference," will screen only a few times locally.



Keeping L.A. Safe From Kids

Sadly missing from Sunday's Academy Awards' show was any official mention of **William Gazecki's** amazing "Reckless Indifference."

The 90-minute documentary chronicles the murder prosecution of four Agoura Hills teenagers who were convicted under the felony

RAVE!

WESTSIDE

March 30 - April 5, 2001

J J F M L M A S

CURRENTLY SHOWING

Searing look at youths' 'Reckless' lives

BY CHARLES BRITTON

SPECIAL TO RAVE!

Laemmle's documentary series ends with a subject that hits close to home — particularly if you take it as a study of overzealous Los Angeles district attorneys, driven by community overreaction.

"Reckless Indifference," a fascinating though workmanlike film, considers the 1995 Agoura Hills case in which 16-year-old Jimmy Ferris was killed in a melee over marijuana. Three young men — Brandon Hein, Tony Miliotti and Jason Holland, all 17 or 18 — were sentenced to life imprisonment without possibility of parole for their parts in the killing.

Jason's brother, Micah, then 15, got 25 years to life. A fifth teen-ager who waited in his truck outside the home where the fatal fight took place received a milder sentence.

In January, an appeals court upheld the convictions of Hein, Miliotti and the Hollands. They are now seeking review by the California Supreme Court and public support for a clemency petition. The convictions came under the felony murder rule

— that a death resulting from a felony is murder, even when not originally intended.

Prosecutors charged that the five went to the home of Mike McLoren in order to steal marijuana. McLoren was outside his "fort," a shack behind his parents' home that had once been a boyhood clubhouse; with him was his friend Jimmy Ferris. McLoren was the neighborhood source for pot, kept in his fort; some described the larger, stronger Ferris as his "body-guard."

In a case where many points are still disputed, these facts are clearly established: Immediately upon arriving, Micah Holland got into a dispute with McLoren inside the small, dark fort. Within about a minute, words escalated to blows; others piled in.

Someone pulled a pocket-knife (on the stand, Jason Holland would confess to this), and Ferris and McLoren were stabbed, Ferris mortally. The others left; Ferris died shortly afterward, while McLoren was air-lifted to UCLA Medical Center in serious condition. His subsequent testimony was important in securing convictions.

REVIEW

"Reckless Indifference"
★★★

Documentary. An Open Edge Media release directed by William Gazecki. Not rated but PG-13 would be advisable for content. Plays at 10 a.m. Saturday and Sunday at Laemmle's Sunset 5, West Hollywood, and at 11 a.m. April 7-8 at Monica, Santa Monica.

Ratings: ★★★★★ Excellent, ★★★★★ Above Average, ★★ Fair, ★★ Poor, (no stars) totally worthless.

tions. The case caused shock in peaceful, moderately upscale Agoura Hills, a Conejo Valley community where such things weren't supposed to happen.

The crux of the issue is the intention of the five young men; if they did not go to steal, the death was not murder. Partisans of the defendants, including documentary maker William Gazecki, characterize the event as young men getting into a brawl that had an unfortunate, unintended result; some go so far as to term the death "accidental." An article

in *Rolling Stone* termed the case "A Lynching in Malibu" (where the trial took place).

Famed defense attorney Alan Dershowitz, free with his opinions as always, terms the sentences "illegal, unconstitutional and immoral." And, indeed, they do seem wildly disproportionate; the prosecution and the court obviously wanted to make an example of those convicted.

A controversial aspect of the case is the role of Ferris' father, a homicide detective in the Los Angeles Police Department. He and his wife evidently had an undue influence, typified by a letter to the judge, written during the sentencing phase by no less than then Los Angeles Police Chief Willie Williams, recommending no leniency, even though the case did not touch his jurisdiction.

In interviews and news footage shown here, Ferris' father comes across as a puffed-up, punitive man — perhaps his way of repressing his own guilt. After all, what was the son of an LAPD officer doing consorting with the neighborhood pot dealer?

And yet, and yet.

The five teen-agers do appear to have acted like punks, aimless young guys just asking for trouble. Shortly before their visit to the fort, one stole a woman's wallet, an act that didn't bother the others. They had been drinking heavily when they went to McLoren's to get drugs, for which they apparently had no money to pay. There's some indication of bad blood between some of the five and McLoren.

And most suspicious of all, why did the fifth teen-ager wait in his truck out front? Obviously, because he thought the others would be returning right away. This makes him look like the getaway driver and therefore party to a plan, a point not made in the documentary. In his plea bargain, the driver admitted he was there for robbery.

None of this justifies draconian sentences, but it does indicate that all of the accused may not be as innocent as claimed.

■ Charles Britton is a free-lance entertainment writer based in Manhattan Beach.

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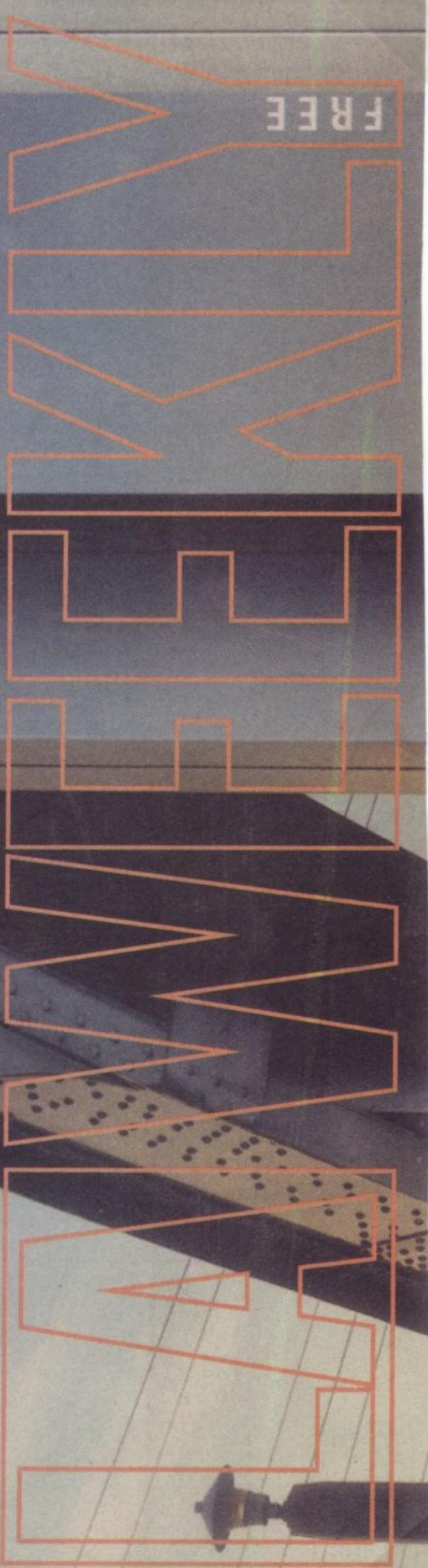
Reckless Indifference This timely new documentary from William Gazecki (*Waco: The Rules of Engagement*) looks at a murder and its aftermath in the Southern California community of Agoura Hills. In 1995, a group of four teenagers went over to the hangout of another kid, who was the local drug dealer. In a scuffle in a darkened room, the drug dealer's best friend (or bodyguard, depending on which side you believe) was knifed. When he subsequently died, an extremely aggressive prosecution team managed to push every possible option to the max, leading to all four of the boys being sentenced to life in prison without chance of parole, even though even the prosecution admits that two of them, or maybe three, never even knew their friend was carrying a knife. The film builds a strong case that this was simply a brief, chaotic brawl in which one boy was accidentally killed. But the main thrust of the documentary is how the prosecutors took what should have been manslaughter at most, even for the teen who made the fatal cut, and mercilessly converted it to first-degree murder convictions, even for one of the boys who was standing in the doorway the whole time. Some familiar talking heads show up — Tom Hayden and the ubiquitous Alan Dershowitz, among them — but mostly the filmmaker relies on the defendants, their families and their lawyers. While the prosecutors come across as lying Central Casting sleazebags, the victim's parents — an LAPD officer and his wife — present a thornier problem. It is hard to be blankly critical of people who seem so blinded by justifiable grief that they cannot see the gross unfairness of their vengeance. But the legal system isn't supposed to be about personal vengeance; and it's hard to watch Gazecki's riveting film without concluding that, at a bare minimum, the trial was tainted enough to warrant a mistrial or an appeal. (A.K.) Saturday and Sunday, 10 a.m., at the Sunset 5.

SURELY YOU'RE JOKING,
MR. ALDA: QED, THE
RICHARD FEYNMAN STORY
AT THE TAPER (MORRIS)

TALKING IT OVER:
JULIAN BARNES ON
CRITICS, THE NOVEL AND
LOVE, ETC. (BERNHARD)

SPILT MILK OVER SPILT
BLOOD: AWOL ONE
AND DADDY KEV'S
SOULDOUBT (BABCOCK)

INDEPENDENT SPIRIT:
AGNES VARDÁ PARLE
ART, HUMANITY AND
MAKING FILMS (HARDY)



DOCUMENTARY DAYS 2001 — RECKLESS INDIFFERENCE

Suburban crime and punishment is the focus of director William Gazecki's compelling *Reckless Indifference*, which centers on the 1996 trial of four Agoura, California, teenagers for the stabbing death of an LAPD officer's son. Although only one boy did the crime — pulling a knife during a brawl with two other teens, a local drug dealer and the cop's son — all four are currently serving hard time: life without parole. During the trial, which garnered national media attention, prosecutors argued that the killing occurred during a robbery — claiming that the accused intended to steal marijuana — making the sentences mandatory. Defense attorneys, including Alan Dershowitz, claim the punishment is cruel and unusual for what should have been a manslaughter case. The facts surrounding the event are cloudy, but the personal and political pressure on the District Attorney's Office to go for the jugular are made crystal clear as Gazecki (director of *Waco: The Rules of Engagement*) obviously pursues

an activist agenda — all four boys are awaiting appeal. He presents both sides of the case, using primary sources, reenactments and interviews, but the film still slants toward the defense as it explores the question of legal proportionality and, to a lesser extent, the complexity of grief in the aftermath of two tragedies. (*Sunset* 5; *Sat.-Sun.*, March 31-April 1, 10 a.m. *Monica 4-Plex*; *Sat.-Sun.*, April 7-8, 11 a.m.)

—Paul Malcolm

Calendar weekend

Los Angeles Times

THURSDAY, MARCH 29, 2001

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The Laemmle Theaters' current **"Documentary Days"** cycle concludes with William Gazecki's **"Reckless Indifference,"** screening Saturday and Sunday at 10 a.m. at the Sunset 5. The film investigates the 1995 stabbing death in Agoura Hills of a 16-year-old son of a Los Angeles police officer, which resulted in three teenagers being sent to prison for life and another receiving 25 years to life. Gazecki, whose films include the riveting Oscar-nominated **"Waco: The Rules of Engagement,"** makes a convincing case that the convicted teens are victims of a gross miscarriage of justice.

On May 22, 1995, the five teens, all local youths, drove to a home in Agoura Hills where one of the boys, Mike McLoren, was known to sell marijuana in his makeshift backyard "fort." A scuffle ensued, and 16-year-old Jimmy Farris wound up dead. (To his grieving mother Farris was an "angel," while others claim he was in effect McLoren's "bodyguard.") One of the group admitted to the stabbing

but all were convicted of first-degree murder, much to the dismay of Harvard law professor Alan Dershowitz, who says, "This is a manslaughter case," calling the sentencing "disproportional, outrageous, unconstitutional and immoral." The parents of the four convicts are appealing verdicts.

Gazecki takes a calm, low-key approach yet makes a case that the fact Farris' father is a policeman (who firmly believes justice has been done) weighed heavily against the youths.

The most pertinent remarks come from a local minister who suspects that the severe sentencing allows the community to think

that it has ridden itself of an "undesirable element," while ignoring that the fatal stabbing reveals an aimlessness among these five middle-class teenagers for whom getting stoned was apparently a routine activity. **"Reckless Indifference"** screens April 7 and 8 at 11 a.m. at the Monica 4-Plex, 1332 2nd St., Santa Monica (310) 394-9741.