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TRIAL ATTRACTS NATIONAL ATTENTION

LAUREN LEACH, Staff Writer

The prosecutor Barney Giese and the father Barney Giese were on opposite sides.

They faced off inside his mind when Giese gazed at Christopher Pittman, the 15-year-old sitting in the Charleston courtroom, accused of killing his grandparents. "The father part of me sympathized with him. . . . The prosecutor side of me was very unsympathetic as to what he did."

But when Giese, who has two daughters and a son, asked himself whether he would want Pittman set free to be among children his own age, the matter was resolved.

"Both the father and prosecutor said I didn't want him out. He struck me as very dangerous."

That thought helped keep Giese focused during a trial that drew national attention and ended with Pittman receiving a 30-year prison sentence for murder.

Giese, solicitor for Richland and Kershaw counties, took over as prosecutor in August when John Justice, solicitor for the circuit that includes Chester County, became ill.

Pittman's defense team claimed Zoloff, an antidepressant he was taking, drove him to commit the crimes in Chester in 2001.

He was 12 at the time, and he set fire to the home of his grandparents, Joe and Joy Pittman, after killing them.

The trial aired on Court TV, and dozens of reporters set up outside the Charleston courthouse where the trial was moved because of pretrial publicity.

"It was intrusive," Giese said, recalling the camera people who followed him outside the courthouse and shoved boom microphones in his face.

"I've never seen anything like that."

But he said, "Once we got in the courtroom, the focus was easy."

Giese's ability to keep the jury focused on Pittman's conduct and not the Zoloff was crucial, area attorneys said.

"The result speaks for itself. It was a very difficult case," said **Jack Swerling**, a prominent Columbia defense attorney who has faced Giese in court.

The fact that the defense lawyers were nationally known experts on Zoloft and other such drugs was formidable, **Swerling** aid.

"They threw everything at him that they had."

Giese proved that Pittman knew right from wrong because of the "manner he carried out the crime and the manner he covered it up," said solicitor Tommy Pope, whose circuit includes Union County. In a 1995 trial that drew national attention, Pope prosecuted Susan Smith, who was convicted of murder for drowning her two sons.

Another solicitor, David Pascoe, whose circuit includes Orangeburg County, said he was proud of Giese.

"He did an outstanding job of making this a simple case for the jury to look at. Bottom line was, did the defendant know right from wrong? He stayed focused on this. He did everything perfect in this trial," said Pascoe, who used to work for Giese.

Pascoe talked to Giese often during the trial and left him humorous messages when he could not reach him.

Among them, Giese said, were, "Your bald spot was showing. You need to fluff up your hair" and "Do you want me to do your closing argument for you?"

In that closing argument, Giese pointed a gun at the heads of two mannequins, demonstrating how Pittman gunned down his grandparents.

"It may be the most powerful closing argument I've ever seen a prosecutor or defense attorney make in a criminal trial," Pascoe said. "My mother in Richmond, Va., told me she cried when she watched. And my mother is mean."

As he typically does, Giese did not use notes in his closing. He read an outline the night before, went to sleep, and let everything sink in.

"I can't tell you prior to getting up what I'm going to say," he said.

Giese said he could not recall trying a more difficult case. But he wouldn't have had the challenge if he hadn't been defeated in the Republican primary for state Senate in June.

"Maybe this was the reason I lost," he said.

During preparation for the Pittman trial, Deputy Solicitor John Meadors told Giese the case was grabbing attention. Giese didn't realize the extent until he arrived in Charleston.

Giese, who jokingly calls himself a "bumpkin," was not used to all the uproar.

Even so, Court TV representatives told him they would not have been there if another case had gotten under way on time.

"I was hoping the Michael Jackson trial would start," Giese said.

Giese appeared confident and "thought we won every day of the trial." He praised Meadors and the rest of his team.

But he still wasn't positive the outcome was going to go his way.

"You feel like you die 100 times waiting on juries. It never gets easy. You never know. . . . One of the biggest worries about the case was he was 12 years old when he did it. You've got to show why a 12-year-old can do this, why will a 12-year-old kill."

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BARNEY GIESE

* Position: 5th Circuit solicitor

* Age: 49

* Family: wife, Charlotte; daughters, Kelly, 18, and Kristen, 15; son, Phillip, 17

* Years as solicitor: 10

* Education: Graduated from Dreher High School in 1974, USC in 1978 and USC Law School in 1981

1. Barney Giese of Columbia prosecuted 15-year-old Christopher Pittman, who was found guilty of murder. FILE PHOTOGRAPH/THE ASSOCIATED PRESS

2. Giese



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