

Joe Hayden Quoted in InsiderNJ on Rittenhouse Verdict

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Joseph A. Hayden, Jr.

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Joseph A. Hayden, Jr., Co-Chair of the Criminal Defense and Governmental and Internal Investigations practice at Pashman Stein Walder Hayden, was quoted in the InsiderNJ article, “The Courtroom Factor in the Rittenhouse Verdict.” In the article, Hayden shares his reaction to the verdict in the Kyle Rittenhouse trial:

Although many of us in New Jersey are shocked by the acquittal of a young man who took an automatic weapon into Wisconsin and shot three people, killing two, it is worth trying to understand what happened.

Number one, you never, never get the real feel of a trial unless you are in the courtroom. A five minute summary of an eight hour day does not cut it as to what happened.

Number two, this case arose amidst a political atmosphere and racial tensions in the community from which the jury was picked. The problem was exacerbated by the complexity of the law of self defense, which shifts the burden of proof back to the prosecution. The background and the complexity of the law had the ability to create the aura of doubt as to who was responsible for what and bring about a subjective verdict.

Number three. Juries decide cases not on the basis of a computer-like analysis of the facts, but on the basis of impressions of the proofs. The impressions of the proofs are filtered through the jury's impression of the attorneys. From afar, it looked like the defense attorneys were more personable and more skillful, especially when the trial judge appeared to go out of his way to dramatically criticize the prosecutor.

From afar, I was surprised by the verdict because I expected a hung jury or perhaps a compromise verdict rather than a complex acquittal. It is unfortunate that the jury was not able to rule on a viable criminal charge against Rittenhouse for taking the automatic weapon into Wisconsin in the first place. But then again, I was not in the courtroom.

To view the full article, [click here](#).