

## WARDROBE | Tie? Yes. Collar? Yes. Gang symbols? Bad idea.



VICKI CRONIS-NOHE | THE VIRGINIAN-PILOT

Norfolk public defender Caswell Richardson stands next to a second-hand wardrobe closet that is kept for defendants who need a makeover for court appearances.

*Continued from Page 1*

locked him up for life.

Weeks later, a new man greeted the defense lawyer. His facial hair was shorn into a simple mustache. A rim of neatly trimmed hair circled a bald spot on top of his head. A cardigan, oxford and neck tie ensemble replaced his leather. He looked, Protogyrou said recently, "like a 50-year-old banker."

The client walked away from the federal trial with just misdemeanor convictions, he said.

These days, courtrooms have joined reality television shows as real-life examples of extreme makeovers.

The wrong appearance, many lawyers say, can prejudice a jury or potential jurors. Think 24-year-old James Holmes, who showed up in a Colorado courtroom after the Batman movie shooting last month with orange-red hair. Media outlets around the country stated that Holmes looked deranged and seemed to want to look like the movie chain's villain, The Joker.

What a defendant wears, Norfolk Public Defender Sherri Carr admits, rarely tips the scales for a jury between guilt and innocence. But it does matter, she said.

clients. They've also been known to make quick dashes to thrift stores.

"The closer the case, the more difference it's going to make," Carr said. "It's a subtle thing." Their advice to clients, Carr and other attorneys say, is usually simple: Dress appropriately.

They also suggest, encourage and browbeat: Wear shirts with collars. A tie is nice. No plunging necklines or miniskirts for women, please.

Still, not everyone hears, or bothers, to heed the advice, said Chesapeake Public Defender Kathleen Ortiz. One mother brought a T-shirt covered with gang symbols to her son's robbery trial, she said. "That was appropriate?" Ortiz asked herself.

Norfolk defense attorney Jennifer Stanton, who has argued some of the most serious criminal cases in state and federal courts, is more blunt to some clients. When Stanton caught a defendant wearing sunglasses in the courthouse, she quickly asked, "Hey, you see the sun in here? Take the sunglasses off."

Sometimes a lawyer's good deeds can backfire. Attorney Shelly Wood learned the perils of helping outfit one of her clients for a murder trial two

On the morning of opening arguments, Wood took the clothes to Norfolk Circuit Court where deputies searched them, according to court files.

They found a small cache of ecstasy and marijuana wrapped in condoms and hidden inside the soles of two black dress shoes. Wood knew nothing of the contraband, court records say. "I was stunned," Wood said in an interview.

Investigators had learned before the trial that Doyle planned to smuggle drugs into jail, records say.

A judge postponed Doyle's murder trial for 10 months. He was convicted in May 2011 of the original murder and a weapon offense, and he received a 23-year sentence, according to his court files. Doyle, now 34, pleaded guilty to four felonies for trying to smuggle and sell drugs in prison and was sentenced in April to an additional 6½ years, records state.

Some local jails allow families to deliver outfits to inmates, but the clothes must now arrive a few days in advance for security screening, a process Wood endorses.

"After this experience," she said, "I would prefer to have nothing to do with it."

Norfolk attorney Harry

of his job is presentation, which is why he keeps a small haberdashery in his office.

"If it was up to me, they'd look like the spitting image of a model in a Brooks Brothers catalog," said Harmon, who has practiced law in Virginia courts for more than a decade. "But I know they probably wouldn't want to dress like that." So he settles, instead, for long-sleeved shirts to cover up tattoos and a jail haircut to clean up his clients.

Caswell Richardson, a Norfolk public defender, once gave the tie off his neck to a defendant. Another time, as a new attorney, he advised a client to wear his Sunday best to a jury trial. The man came to court in a sweater with the word "Thug" across his chest, Richardson said.

The defense lawyers had a tough choice, he said. They could either ask the judge for a delay and clean up their client, or go ahead with the trial and hope the jury wouldn't notice. They opted for the trial, and they instructed the defendant to keep his arms crossed over his chest, Richardson said.

The jury convicted him, Richardson said, although a judge later overruled the decision.

Protogyrou, who is also a Norfolk city councilman, said he knows that his biker client's transformation was not the deciding factor in his case. Still, a well-groomed and -dressed defendant is one fewer potentially prejudicial detail that a lawyer has to fret over, he said.

One of Stanton's clients accused of robbery several years ago appeared in state court with long, mustard-colored shorts and a striped shirt of many colors. A bright and memorable outfit, Stanton said.

It was also the same one he wore to commit the crime, she said.

He was convicted.

Louis Hansen, 757-446-2341,  
louis.hansen@pilotonline.com