

# ONE

Under common law, murder is defined as the intentional killing of a human being with malice aforethought. Contrary to what many people believe, such an intent to kill does not require premeditation; the intent can be formed in a matter of seconds. Such a split second decision can alter the path of countless lives forever.

Absent a confession, there is no way to ascertain what was in the mind of the suspect. Did he *really* intend to kill? Or did he merely intend to scare the victim? Or was the suspect acting in self-defense or the defense of another?

Modern forensic science is wonderful but so far no one has developed a way to conduct a scan or to bore into a man's brain to determine what evil, if any, resided there. Instead, law enforcement officers, prosecutors and ultimately jurors look the circumstances underlying the killing to try to piece together the suspect's state of mind.

And sometimes they look to the events *after* the killing to see if the suspect demonstrated a consciousness of guilt.

But killing a man is a strange thing. It doesn't matter if he deserved it. It doesn't matter if you've killed before. It doesn't even matter if you know you are going to get away with it. None of that matters.

Of course, it probably didn't help that the victim was his best friend.

Sure, he had been cleared of any murder charge in a technical sense. That fact that the whole thing was captured on film saw to that. But it is just good that those scientists had not yet determined a way to see into the heart of man. Because if they could, everyone would have known that it most certainly was murder.

But the law had spoken. He had been officially absolved of murder.

Again.

But he knew differently.