

Broadnax case spotlights long-time defense attorney

By Lisa Popyk
Post staff reporter

At his daughter's soccer games, attorney John Burlew has to use binoculars to find the 11-year-old on the small playing field.

In the office, staff members write in exaggerated boldness so he can read memos.

And every day, no matter where he goes, Burlew has to wait for a bus to take him because he can't see to drive.

"How do you deal with not being able to sit down and do homework with your daughter or not being able to see her face clearly?" Burlew said.

Legally blind for five years, the Cincinnati defense attorney understands deep depression, defeat and the nagging desire to give up.

So when clients like former city health commissioner Stanley Broadnax come to him, their lives torn apart by criminal charges, the 46-year-old said he understands their despair.

"The first thing I do is sit them down and ask about the good things in their lives," Burlew said.

He makes a list of 10, 12 items. And then he tells his client: "You've got this problem right now, OK. We'll deal with it. But in the meantime, you're going to have to keep doing whatever you're doing that makes things in life good."

A tall, charming, unassuming man, Burlew said finding the will to fight is more than half the battle. And instilling that

will in his clients, Burlew said, is one of his best qualities.

During the Broadnax drug trial last month, Burlew showed a fighting spark he says many people weren't expecting.

The 19-year veteran settles about 90 percent of his criminal cases out of court because he said arguing isn't always the best answer for the client.

"I like to try and solve problems first. But people often mistake not wanting to fight for not being able to fight."

Day after day in the two-week Broadnax case, Burlew hammered away at the prosecution with an eloquent, yet razor-sharp dramatic attack.

Burlew forced a police witness to admit that a scale — described as key evidence because it's often used by drug traffickers — didn't work. "You couldn't weigh an elephant with that scale now could you?" Burlew boomed across the hushed courtroom.

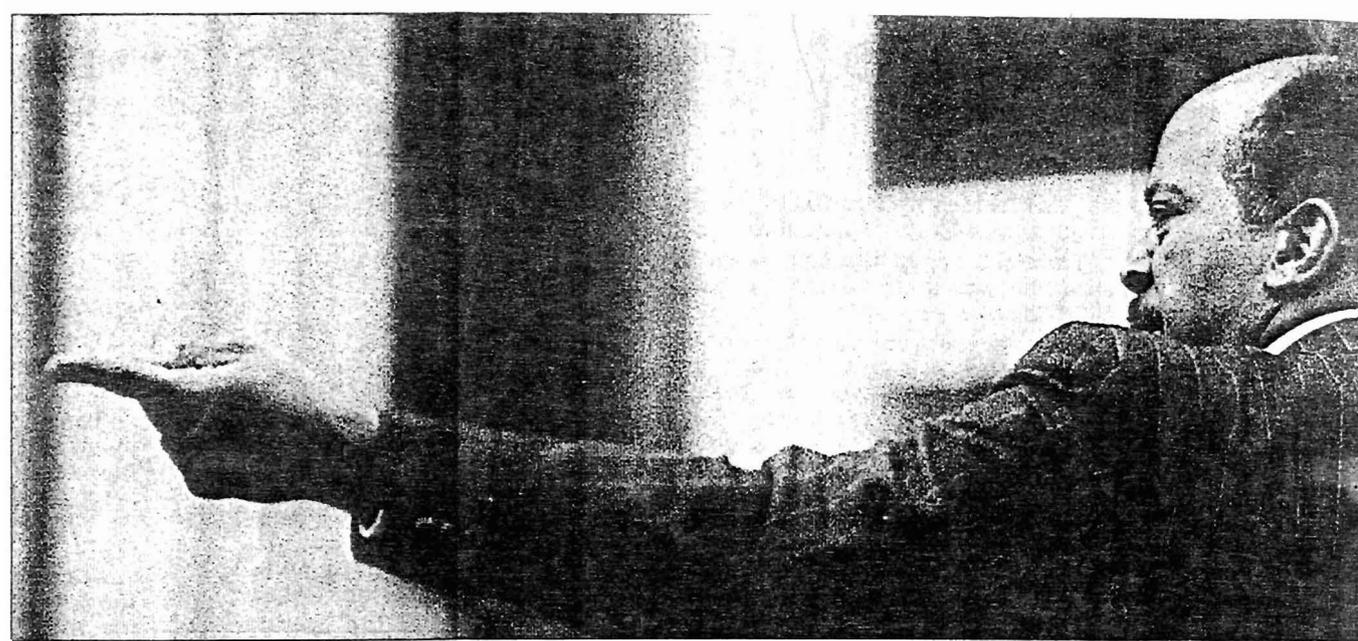
He stunned the audience again when he screamed at his own client, calling Broadnax a "failure" for using drugs. A failure, yes, he told the jury. But not a dealer.

The trial ended in a hung jury, with one juror refusing to vote for conviction.

The first-round victory will be followed by a second trial Oct. 11. Burlew said he's ready.

The case he calls "very interesting, very complicated," is the most widely watched, high-profile cases of his career.

There are others he's proud



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Defense attorney John Burlew is a 19-year veteran of the courtroom. Here he gestures doing a trial.

of. Like winning a large, undisclosed settlement for the family of Ervin Fanning, who choked on his own vomit while being subdued by police in 1990.

And convincing a jury of Sandra Cornett's mental incompetence after she fed her child a fatal formula of toilet-bowl cleaner in 1977.

He's also represented scores of police officers and attorneys — the best of compliments.

"These are the people who see you in court, hate to come up against you, but come to you when they're in trouble because they know you'll be aggressive and won't give up."

For the most part, however, the battles that have filled nearly two decades have been small, underdog cases.

He said big, lucrative clients often shy away from him be-

cause he's black, "I have them come in, sit across from me and say, 'John, do you think I'd do better if I had a white attorney?' If there's that doubt, I won't handle their case."

Instead, he uses personal income to subsidize his practice.

"I like the challenge of fighting personal battles for people. I like empowering them," he said.

Representing the accused, however, is not always a welcome, or an easy task. "Cincinnati police do not make a habit out of arresting innocent people," Burlew said.

"But my job is to give them the best defense they can get. It's up to the prosecution to convict them. And the prosecution doesn't always do their job — sometimes they're lazy.

"A lot of times I've walked away and felt that society wasn't well served."

Burlew came under criticism from some blacks this month after he testified in the Issue 3 trial on behalf of gays suing for rights protection.

"Some of the things I'm hearing, like '...we don't want to be around them' are the same arguments we heard during the civil rights fight," he said.

"African Americans do not have a monopoly on civil rights."

"I've had five, six ministers whose judgment I respect saying I'm going to hell.

"But," he said, "it's important that you not only fight for things people agree with, but things you think are important."

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