

IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY

STATE OF IOWA,)	
)	Criminal No. FECR388079
Plaintiff,)	
)	TRANSCRIPT OF JURY TRIAL
-vs-)	
)	
JAMES L. MATHIAS,)	
)	
Defendant.)	

The above-entitled matter came on before the Honorable Henry W. Latham II on May 7 through May 9, 2018, at the Scott County Courthouse, 400 West Fourth Street, in the City of Davenport, Iowa.

A P P E A R A N C E S

Plaintiff by: **CALEB COPLEY**
Assistant County Attorney
Scott County Attorney's Office
400 West Fourth Street
Davenport, Iowa 52801

Defendant by: **RYAN M. BECKENBAUGH**
Attorney at Law
1111 East River Drive
Davenport, Iowa 52803

KIMBERLY K. BROWN, CSR, RPR, RMR
Official Court Reporter
Scott County Courthouse
Davenport, Iowa 52801

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1 to me it sounds a lot like jury nullification and I
2 think it's a confusion of the issues and it again is
3 not relevant to whether or not he had a gun on school
4 grounds.

5 **THE COURT:** Mr. Beckenbaugh, anything
6 further?

7 **MR. BECKENBAUGH:** I cited a case that sets
8 forth the rule that the defense is supposed to be
9 granted wide and liberal latitude in cross-examining
10 prosecution witnesses on their bias. This testimony is
11 the only testimony the State has, the only evidence the
12 State has about my client being in possession of a gun.
13 If I can't attack his credibility, then I just -- I
14 think that Defendant will be prejudiced severely.

15 I would agree that if I were to be asking the
16 jury to find him not guilty because of the First
17 Amendment, that would be improper. That's not what I'm
18 doing. May I add one observation, Your Honor?

19 **THE COURT:** You may.

20 **MR. BECKENBAUGH:** Mr. Copley indicated that
21 then he will enter the flyers. I guess I really want
22 to know if the State has the flyers. I never filed a
23 formal Motion for Discovery. If the State has the
24 flyers, it means that the officer gave them the flyers,
25 which means the officer apparently considered the

1 flyers when considering whether to make this charge,
2 which goes to his bias and his credibility.

3 **THE COURT:** If you want to respond,
4 Mr. Copley.

5 **MR. COPLEY:** Yes, I have a copy of the flyer.
6 But again Mr. Beckenbaugh's conclusions are not
7 supported in reports or facts. In fact, in the actual
8 report Captain Brown typed up the big concern was
9 whether or not Brady Street Stadium was school grounds.
10 That's why our office was consulted.

11 And I don't know if it's just because
12 Mr. Beckenbaugh hasn't done this a lot or what, but
13 officers consult with our office all the time to make
14 sure proper charging decisions are made. It is not
15 because we are just trying to throw away every single
16 citizen in the Quad Cities and lock them up without the
17 key. It's to make sure that we do our jobs right so
18 that defense attorneys don't get upset when we file
19 wrong charges. And that's what happened in this case.
20 Again the only reason our office was consulted was to
21 determine whether or not Brady Street Stadium was
22 school grounds, not because, hey, what do you want to
23 do with this racist Nazi guy. That is not supported in
24 anything, that is not what happened, and again that's a
25 baseless accusation that has continued to be hurled at