



and OWN | DOCUMENTARY CLUB

PRESENT

CRIME AFTER CRIME



A FILM BY YOAV POTASH

* PRESS KIT *

RUNNING TIME: 93 minutes

OFFICIAL WEBSITE: <http://crimeaftercrime.com/>

FACEBOOK PAGE: <http://www.facebook.com/crimeaftercrimefilm>

TWITTER PAGE: <http://twitter.com/#!/CrimeAfterCrime>

Publicity/Press Interviews:

Life Sentence Films (510) 508-6964

Yoav Potash, yoav@crimeaftercrime.com

TV Broadcast Contact:

OPRAH WINFREY NETWORK, (323) 602-5624

Jessica Boyer, Jessica_Boyer@own.tv

AWARDS AND PRIOR FILM FESTIVALS

AWARDS

- Audience Award, Atlanta Jewish Film Festival
- Audience Award, Berkshire International Film Festival
- Audience Award, Heartland Film Festival
- Audience Award, Rochester Jewish Film Festival
- Audience Award, San Francisco International Film Festival
- Best Documentary, Berkshire International Film Festival
- Best Editor, Milan International Film Festival
- Crystal Heart Award, Heartland Film Festival
- Freedom of Expression Award, National Board of Review
- Grand Prize for Best Documentary, Heartland Film Festival
- Golden Gate Award for Investigative Documentary Feature, San Francisco International Film Festival
- Grand Prize, San Antonio Film Festival
- Henry Hampton Award for Excellence in Film & Digital Media, Council on Foundations Film Festival
- Justice Matters Jury Prize, Washington DC International Film Festival
- Pursuit of Justice Award, California Women's Law Center

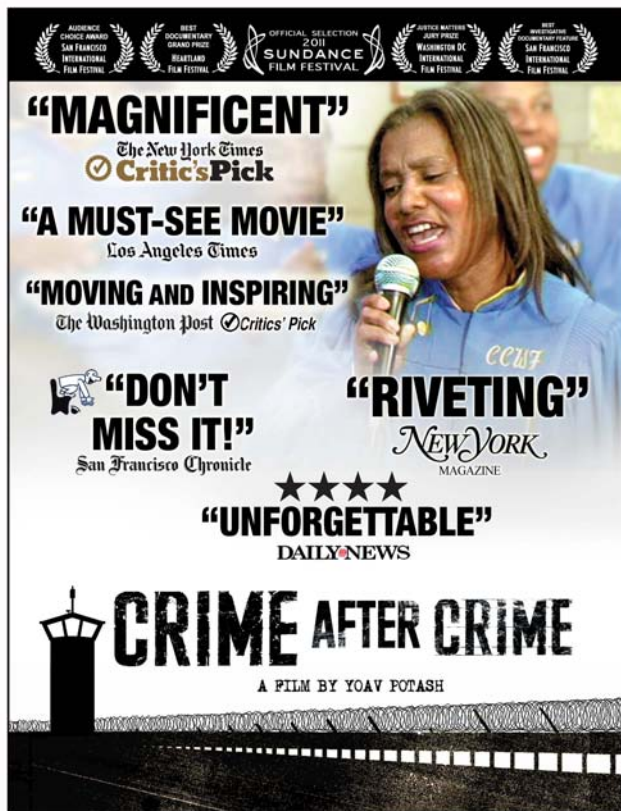
OFFICIAL SELECTION

- Oprah Winfrey Network Documentary Club
- Sundance Film Festival (World Premiere)
- Black Harvest Film Festival
- Black Women Film Festival
- Cleveland International Film Festival
- Gold Coast International Film Festival
- Hamptons Jewish Film Festival
- Independent Film Festival Boston
- Lighthouse International Film Festival
- Los Angeles Film Festival
- Martha's Vineyard Film Festival
- Milan International Film Festival
- New Hampshire Film Festival
- New York Jewish Film Festival
- Phoenix Film Festival
- San Francisco Jewish Film Festival
- Sarasota Film Festival
- Texas Black Film Festival
- Toronto Jewish Film Festival
- Vancouver International Film Festival



Yoav Potash, flanked by Joshua Safran and Nadia Costa, accepting the Pursuit of Justice Award in Los Angeles.

ABOUT THE FILM



CRIME AFTER CRIME tells the dramatic story of the legal battle to free Debbie Peagler, an incarcerated survivor of domestic violence. Over 26 years in prison could not crush the spirit of this determined African-American woman, despite the wrongs she suffered, first at the hands of a duplicitous boyfriend who beat her and forced her into prostitution, and later by prosecutors who used the threat of the death penalty to corner her into a life behind bars for her connection to the murder of her abuser.

Her story takes an unexpected turn two decades later when two rookie land-use attorneys step forward to take her case. Through their perseverance, they bring to light long-lost witnesses, new testimonies from the men who committed the murder, and proof of perjured evidence. Their investigation ultimately attracts global attention to victims of wrongful incarceration and abuse, and becomes a matter of life and death once more.

DIRECTOR'S STATEMENT

I am very proud to have the opportunity to tell Deborah Peagler's story in my first full-length featured documentary. She is, quite simply, a remarkable person who chose to live a positive life despite many very negative circumstances.

Initially, I began production of this project simply because of my attraction to the high-stakes storyline and to all three main characters: Deborah and her attorneys, Joshua and Nadia. Over time, however, working on the film transformed me into a vocal advocate for all victims of domestic violence, especially those who would otherwise be forgotten and denied justice.

Through our outreach and engagement effort, which we are calling "Debbie's Campaign," this film is sparking change for victims of domestic violence. I hope CRIME AFTER CRIME advances a national dialog about the rights of battered women, and in the years ahead, I hope that its success will further enable me to be involved in the creation of films that have a direct and meaningful impact on people's lives.

-Yoav Potash



THE CASE & THE BROKEN DEAL

In 1983, Deborah Peagler was sentenced to life in prison for first-degree murder, despite many factors indicating that she should not have been charged with the crime in the first place. Deborah was a victim of domestic violence who had tried to escape her abuser many times, and had contacted police, who were of little help. When two men who were supposed to protect Deborah killed her abuser, she was charged with first-degree murder and threatened with the death penalty.

To avoid that sentence, Deborah entered a guilty plea so that she would “only” be sentenced to life in prison. With a slim chance of being released on parole, Deborah had little hope of ever reuniting with her two daughters outside of prison – until a 2002 law offered a new possibility. Two decades after her incarceration began, California became the first state to allow domestic violence cases like Deborah’s to be reopened.

Her volunteer attorneys soon uncovered a trail of prosecutorial misconduct that began with Deborah’s arrest and that continues to the present day. Their discoveries sent the case into the headlines and launched a movement that not only advocated for Deborah’s freedom, but that also raised a banner for battered women and the wrongfully imprisoned around the globe.



In 2005, after Deborah’s lawyers met with Los Angeles District Attorney Steve Cooley, who reviewed their new evidence and the District Attorney’s own files, and concluded in writing that voluntary manslaughter — not first-degree murder — most accurately represented Deborah’s level of culpability. Voluntary manslaughter would have carried a sentence of 2-6 years, meaning that Deborah should have been freed in 1989 at the very latest.

An April 2006 Los Angeles Times article recounts what happened next: “Then Cooley changed his mind. His offer had set off a political battle in his office, according to court filings, with top level deputy prosecutors saying they should have been consulted.” Cooley’s office later claimed to have changed course based on a more-thorough review of the evidence against Peagler. This claim led best-selling author and LA Times columnist Steve Lopez to write: “I’m not sure what’s worse: that Cooley and his chief deputy would offer a get-out-of-jail deal without doing any homework, or that they’d be unprofessional enough to withdraw it without a full explanation for their ineptitude...”

In an effort to overcome the broken deal, Deborah’s attorneys submitted numerous petitions in Los Angeles Superior Court, filed a civil suit against Cooley and the other prosecutors involved, and sought Deborah’s release through parole and various other avenues. Meanwhile, filmmaker Yoav Potash held work-in-progress screenings of CRIME AFTER CRIME and released excerpts of the film to news agencies, increasing the public profile of Deborah’s case and sparking a grassroots movement that advocated for Deborah’s freedom.

Origins of the Film

Filmmaker Yoav Potash first met Joshua Safran when he arrived in Berkeley to attend law school. The two became friends and, in 2001, Potash cast Safran in a short comedic film called “Minute Matrimony,” (Winner, Golden Gate Award, San Francisco International Film Festival).

In 2002 – Safran’s first year practicing law – he volunteered to work alongside his former law school classmate Nadia Costa to free a battered woman from prison. The Habeas Project assigned the cases at random, and fate placed Deborah Peagler’s appeal in their hands. Safran mentioned the case to Potash, who admitted that he is often lobbied by friends with directives that begin with, “You should make a film about...” However, Potash was intrigued enough in his instance that he agreed to meet Peagler and film an exploratory interview.

On day one, Potash was hooked. “Debbie had been through hell,” he recalls, “and yet she was an inspiring, uplifting person... When I left the prison that day, I was committed to making this film.” He thought making the documentary would take a year. Instead, it took five and a half. But, the filmmaker says, he is “proud and thankful for the entire journey.”

Overcoming Obstacles to Filming Behind Bars

Stories like Deborah Peagler’s are not often heard outside of prison walls, largely because of prison restrictions on media access. To film interviews with Deborah, filmmaker Yoav Potash initially gained entry to the prison not as a member of the press, but as a member of Deborah’s legal team – the official legal videographer.

Meanwhile, prison gatekeepers limited media access to only the stories that they believed would portray the prison in a positive light. After meeting Deborah Peagler, Yoav Potash proposed making LIFE ON THE INSIDE, a PBS documentary project about the prison’s work and rehabilitation programs – and prison officials were happy to permit access to these aspects of prison life. Potash happened to know that Deborah Peagler led the gospel choir, worked in an electronics manufacturing plant, taught other inmates to read and write, and obtained a college education behind bars. The resulting documentary not only stood on its own, but also acted as a footage archive, full of excellent material for CRIME AFTER CRIME.



Through these unique approaches and the filmmaker’s patience and persistence, Potash was able to document Deborah Peagler’s story in and out of prison for over five years. The outcome provides audiences with unprecedented and exclusive access to a story that otherwise would have remained forever hidden from the public knowledge.

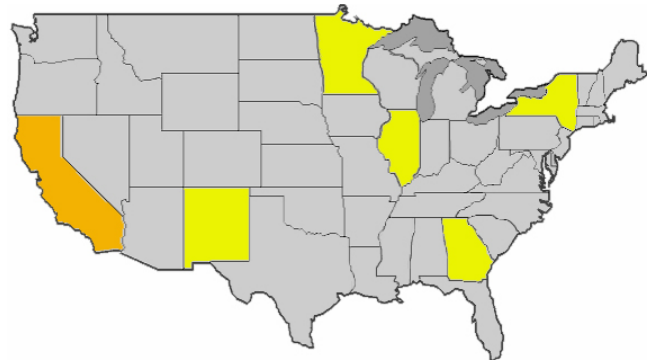
DEBBIE'S CAMPAIGN, the accompanying outreach and engagement effort for CRIME AFTER CRIME, is creating real change to help end domestic violence and wrongful incarceration. Recent activities of Debbie's Campaign include:



- Distributing copies of the film to domestic violence prevention organizations nationwide through a partnership with The National Network to End Domestic Violence (NNEDV).
- Arranging special screenings of the film at high schools as part of a campaign to educate teenagers about the warning signs of abusive relationships.
- Enabling battered women's shelters to use private screenings of the film as fundraiser events.
- Working with lawyers' groups to spark changes in the practice of domestic violence law.
- Showing CRIME AFTER CRIME as part of ongoing efforts for legal and legislative reform across the country.

DOES YOUR STATE HAVE A LAW TO ALLOW WOMEN LIKE DEBBIE TO BE FREE?

At present, California is the only state in the nation with a law that allows incarcerated survivors of domestic violence to petition the courts for their freedom based on evidence of the abuse they endured. Efforts to pass similar laws, however, are spreading quickly. When the film CRIME AFTER CRIME premiered in January of 2011, only one other state had an effort underway to pass similar legislation. Now efforts are in progress in:



- Georgia
- Illinois
- Minnesota
- New Mexico
- New York

Can people or organizations start or get involved in an effort in my state?

YES! To learn more about getting involved in a call for reform in your state, please send an email to info@crimeaftercrime.com.

ABOUT THE CHARACTERS



Deborah Peagler

Sitting before a concrete prison wall, Deborah Peagler, recalls how she was only 15 when she met and fell in love with a charming young man — only to then be horribly abused by him, beaten with a bullwhip and forced into prostitution. Today, she is in prison for his murder. In her decades behind bars, she teaches illiterate inmates to read and write, leads the gospel choir, and earns two college degrees. While participating in a

battered women’s support group, she discovers that she is not alone; the majority of women in prison today are survivors of domestic violence. Still, she doesn’t dare allow herself to believe that a court or parole board will ever reopen her case and allow her to be free – until she meets Joshua Safran and Nadia Costa.



Joshua Safran

As a nine year-old boy, Joshua saw his mother beaten too many times to count. He felt powerless to stop the abuse, and after one particularly bloody night, young Joshua and his mother narrowly escaped her batterer. Flash-forward two decades: Joshua is now a lawyer and he finds that, in working for his client Deborah Peagler, he now has a chance to help a victim of domestic violence where he could not help his own mother.

Over time, Joshua’s identity as an orthodox Jew also fuels his work on the case, as he finds inspiration in prayers that specifically address the injustice of wrongful incarceration.



Nadia Costa

In addition to being a successful lawyer and mom, Nadia is an ultra-marathon runner who rises before dawn to train for hundred-mile races. The stamina that she has developed through this daily practice is a great asset in her work on Deborah’s case, as the battle for Deborah’s freedom itself becomes a legal marathon, stretching on for years and covering the terrain of both civil and criminal law. Nadia’s personal

mantra of “constant forward momentum,” becomes the only way that Deborah and her legal team can persevere through the difficult challenges and setbacks they encounter. Meanwhile, Nadia’s background as a former social worker for Children’s Protective Services in Los Angeles helps her research, investigate, and prove Deborah’s claims of abuse.

ABOUT THE CREW



Yoav Potash – Director, Producer, Editor

Yoav Potash's work addresses important contemporary social issues through compelling and creative storytelling. In collaboration with his wife, nutrition educator Shira Potash, Yoav recently co-directed the one-hour documentary *FOOD STAMPED* (www.FoodStamped.com), Winner of the Jury Prize at the 2011 San Francisco Independent Film Festival (SF IndieFest). His half-hour documentary *LIFE ON THE INSIDE*, about the nation's largest prison for women, began airing on PBS stations in 2007. His short 35mm film *MINUTE MATRIMONY* earned a Golden Gate Award at the San Francisco International Film Festival and a Grand Festival Award at the Berkeley Video & Film Festival. He has been honored for his work on *CRIME AFTER CRIME* not only by film festivals, but also by humanitarian and justice groups including the California Women's Law Center.

Yoav has also produced short documentaries and videos for many companies and nonprofits, including: Apple Computer, Neutrogena, Jewish Family and Children's Services of San Francisco, The David and Lucile Packard Foundation, The Koret Foundation, and the Jewish Community Federation of San Francisco.

He has taught film courses at the Bay Area Video Coalition (BAVC) and Academy of Art University, and is a graduate of UC Berkeley, where he received the university's top prize in creative writing.

CRIME AFTER CRIME is his first full-length feature film. In what may now be seen as an ironic twist, the first job he landed behind a camera was as a legal videographer, filming depositions for ongoing legal disputes.



Gail Dolgin – Consulting Producer

Gail Dolgin was a veteran producer/director of several highly regarded documentaries. Her film *DAUGHTER FROM DANANG* won the Sundance Grand Jury Prize for Best Documentary, was nominated for an Academy Award, and was broadcast nationally as part of the American Experience series. In association with KQED, American Experience subsequently commissioned Gail to direct *THE SUMMER OF LOVE*. As Consulting Producer for *CRIME AFTER CRIME*, Gail reviewed and provided feedback on rough cuts and grant proposals, operated camera during film shoots, asked follow-up questions during interviews with Deborah's attorneys, and provided production consultation on a broad range of topics.

She passed away in October 2010 after doing so much to help this film, as well as many other films and filmmakers. The premiere screening of *CRIME AFTER CRIME* at the 2011 Sundance Film Festival was dedicated to her.

Jaymee Carpenter – Music Composer

LA-based songwriter, music composer & record producer Jaymee Carpenter has over a decade of experience composing music for television shows ranging from Fox's THAT 70'S SHOW to Bravo's TOP CHEF. Jaymee most recently was sought out to write and perform original music for Paramount Pictures Academy Award-winning film THE FIGHTER, directed by David O. Russell, starring Mark Wahlberg, Christian Bale and Amy Adams. www.JaymeeCarpenter.com

Frank Giraffe – Assistant Editor & Post-Production Manager

Frank Giraffe brings experience in entertainment software and project management to CRIME AFTER CRIME. He has edited documentary films for Adoption Connection (a San Francisco non-profit agency) and MedAmerica (a nationally recognized medical practice support company), and collaborated with Yoav Potash on the post-production of his half-hour documentary LIFE ON THE INSIDE. Prior to his work in film and video, Frank worked for eight years as a development director for Electronic Arts, where he gained extensive experience delivering million-selling entertainment titles on time and under tight budgets. In switching to the film industry, Frank brought with him his technical savvy and his ability to collaborate effectively and efficiently.

He is a graduate of Drexel University, where he worked as Program Director and Music Director for radio station WKDU. He has augmented his film experience with coursework at Film Arts Foundation, Bay Area Video Coalition, and San Francisco State University.

Ben Ferrer – Co-Director of Photography

Ben Ferrer's unique cinematography has documented a wide variety of cultures and locations including: the inside of the world's largest pipe organ, the Gay and Lesbian Mardi Gras in Sydney, and the temples at Ankor Wat. He was Director of Photography for Yoav Potash's half-hour women's prison documentary LIFE ON THE INSIDE, which began airing on PBS in 2007. Ben has also shot footage for many high-profile corporate clients, including Google, A&E, Gap Inc., Pottery Barn, Cisco Systems, and a variety of travel videos.

His influences range from Diego Rivera to Jacques Cousteau. Ben received his Bachelor of Arts in Communications from California State University in Sacramento. While at "Sac State," he twice earned the prestigious Kelly Broadcasting Scholarship. He also interned at then NBC affiliate KCRA-TV.

Aaron I. Butler – Consulting Editor

Aaron I. Butler is an award-winning editor with over 12 years of professional experience including the long-running HBO series TAXICAB CONFESSIONS, the critically acclaimed Sundance Channel series PLEASURE FOR SALE, and the PBS/NOVA EVOLUTION series narrated by Liam Neeson. He has also worked on projects for FOX, A&E, IFC, Discovery Channel, MTV, VH1 and Showtime. He currently edits TRUE BLOOD for HBO.



SAN FRANCISCO FILM SOCIETY

Inmate Deborah Peagler, left, leads a gospel choir of other prisoners in "Crime After Crime," a documentary about the attempt to secure her release that will be screening at the San Francisco International Film Festival.

'Crime After Crime' chronicled

S.F. film festival documentary tracks Walnut Creek lawyers in fight to free abuse victim from prison

By Kimberly Chua

kchua@mercurynews.com

Deborah Peagler easily could be someone you know. She is in her 40s, has two daughters and was once one of the highest-paid employees in an electronics manufacturing company.

She found time to work on her associate degree, sing in a choir and teach illiterate inmates how to read.

All this while she was behind bars, serving 25 years to life in the Central California Women's Facility in Chowchilla after being found guilty of first-degree murder in Los Angeles in 1983.

She was still in prison two decades later when a couple of land-use lawyers from Walnut Creek took on her case — pro bono — and set out to prove that not only was Peagler forced into



COURTESY OF SAN FRANCISCO FILM SOCIETY

Deborah Peagler is flanked by her Walnut Creek attorneys, Joshua Safran and Nadia Costa, in "Crime After Crime," screening during the San Francisco International Film Festival.

prostitution and brutally abused by the man who pimped for her, but that she was wrongfully incarcerated for his death.

Berkeley filmmaker Yoav Potash captures Peagler's story — largely as her case unfolded over its final five years — in his documentary "Crime After Crime." The film premieres at 6 p.m. Sunday at the 54th San Francisco International Film Festival.

"The title is obviously sort

of a play on phrases like "time after time," Potash says. "But the thing that makes the story unique — the crime after the crime — is a reference to all the misconduct of how her case was mishandled and keeping her in prison all these years. It's that second wave of crime that's far more nefarious and upsetting."

Peagler's story began in 1975 when she was 15 years old and introduced to a young man, Oliver Wilson, who quickly won

IF YOU GO

WHAT: The 54th San Francisco International Film Festival

WHEN: Thursday through May 5

WHERE: Multiple venues in San Francisco and Berkeley

TICKETS: Available online at www.sffs.org or at the Sundance Kabuki, 1881 Post St., S.F. For general festival information, call 415-561-5000, ext. 0.

SCREENING: "Crime After Crime" will premiere at 6 p.m. Sunday at the Kabuki. Additional screenings are at 6:30 p.m. Wednesday at Pacific Film Archive in Berkeley and 9 p.m. May 2 at the Kabuki. For more on the film, visit www.crimeaftercrime.com.

her affection.

But, according to the film, he soon forced her into prostitution, and what followed was more than five years of abuse and fear for Peagler and threats to her mother and sisters. Finally, two men from a neighborhood gang promised they would make sure Wilson never bothered her

Film

From Page 1

again, Peagler says in the film.

While it is unclear what happened the night Wilson was killed, Peagler was charged with first-degree murder and threatened with the death penalty. She entered a guilty plea to lessen her punishment to a life sentence.

"Crime After Crime" picks up Peagler's story shortly after attorneys Nadia Costa and Joshua Safran volunteered to take her case in 2002.

Earlier that year, California became the first — and only — state to pass a law (Penal Code §1473.5) helping incarcerated survivors of domestic violence win their freedom if they could provide evidence of the abuse that had led to their crime.

Through this law, organizations committed to helping such survivors came together and formed the California Habeas Project. They identified about 20 victims in their initial run and approached law firms throughout the state to take on these cases.

The first step

Costa, a lawyer at Bingham McCutchen, had seen a flier about how to get involved in assisting victims of domestic violence.

"Some of these cases seemed so clear in justifying a new trial, so I raised my hand sheepishly and said I'd take on a new client," she says. "As soon as I went and visited Debbie, she's such a powerful figure that we were really drawn into her story — not just because of her abuse — but her ability to cope and persevere under the most severe circumstances."

Costa enlisted the help of Safran, another attorney at the firm, and they quickly realized the case would be complicated.

"We couldn't control a lot of what was happening, but it was critical we believed her and validated her sense of self-worth," Costa says. "We couldn't promise we'd walk



SAN FRANCISCO FILM SOCIETY

Berkeley filmmaker Yoav Potash used the title "Crime After Crime" because he considered the events that ensued from the first offense much more heinous.

"We couldn't promise we'd walk her out of the gate, but we did promise we'd be with her every step of the way."

— Nadia Costa, attorney

her out of the gate, but we did promise we'd be with her every step of the way."

Safran and Costa discovered an important thread with Peagler — and with each other: perseverance fueled by their own experiences with domestic violence. "Once we were in, we were in," Safran says about his and Costa's determination, despite the long hours spent in addition to their full-time jobs.

"It was setting precedent, and it was true at every stage, that we were on the verge of getting her out."

Peagler had already been denied parole twice when they took her case, and what ensued was a lengthy battle with the Los Angeles district attorney's office and the state. One of the biggest weaknesses they identified early on was the lack of evidence of abuse. In an attempt to start documenting more of Peagler's story and to bring more awareness to her case,

Safran approached his longtime friend, Potash.

"I had some initial ambivalence but said, 'If you can get me into this maximum security prison, then maybe,'" Potash says with a laugh.

Revisiting the pain

"I think it was difficult for Deborah Peagler to remember the abuse she had suffered. Then along came these lawyers who offered her freedom, and she had to recall all the details of the worst time in her life." Potash says. "Then she has to repeat those details in front of a camera, and come to terms with the fact that people are going to see her footage."

Peagler's story takes an unexpected twist that we won't reveal here.

While the film may be complete, efforts to continue raising awareness for Peagler and thousands of other women like her are not.

"Right now the main thing I'm working on is what we're calling Debbie's Campaign — the outreach and using this film as a platform to create social change," Potash says. "I want bar associations, law enforcement agencies, as well as the general public, to know they can make change so Deborah's story doesn't keep repeating itself."

Contact Kimberly Chua at 408-920-5313. Follow her at [Twitter.com/kimberlyachua](https://twitter.com/kimberlyachua).

The New York Times Critic's Pick

JULY 1, 2011

Crime After Crime

*Opens on Friday in Manhattan.
Directed by Yoav Potash
1 hour 33 minutes; not rated*

When the lawyers Nadia Costa and Joshua Safran first encountered Deborah Peagler, she had already served 20 years of a 25-years-to-life sentence for involvement in the 1982 murder of her pathologically abusive boyfriend. Taking advantage of a California law that allows reconsideration of cases involving battered women, the lawyers embarked on a pro bono journey to free her that would last eight years and unearth a reeking trail of perjury, prosecutorial misconduct and political malfeasance.

Recording every success and setback, the wrenching documentary "Crime After Crime" favors the personal over the political, creating a no-frills portrait of a stoic and remarkably unembittered woman. Interviews with Ms. Peagler's family and that of

the victim paint a horrific picture of domestic violence at a time when shelters were rare and restraining orders difficult to obtain.

Equally horrific, however, is the swamp of systemic failure and official misconduct that the director, Yoav Potash, declines to excavate too vigorously. Though his execution is barely cinematic — he initially gained access to the prison as a legal videographer — his moral outrage is magnificent, swelling from hushed to howling without the help of narration or posturing from the unfailingly dignified Ms. Peagler or her quietly dedicated lawyers.

There may well be, as one of her lawyers claims, "thousands and thousands of Debbies across the U.S.," but it is this particular one who makes it difficult to leave the theater with dry eyes and an untouched heart.

JEANNETTE CATSOULIS



LIFE SENTENCE FILMS

Deborah Peagler, the subject of the documentary "Crime After Crime," flanked by her lawyers Joshua Safran and Nadia Costa.

The Washington Post

MD DC VA M2

Partly sunny 85/67 • Tomorrow: Mostly sunny 86/71 • DETAILS, B8

FRIDAY, JULY 15, 2011

washingtonpost.com

★★★ CRIME AFTER CRIME

Not a woman of constant sorrow

BY STEPHANIE MERRY

Some movies prove so eye-opening that a viewer may feel the urge to recount the story, start to finish, to friends and acquaintances. "Crime After Crime" is that kind of film. The shocking, emotional documentary follows an abused, incarcerated woman whose quest for freedom meets a never-ending series of outlandish obstacles.

Deborah Peagler was 15 when she started dating Oliver Wilson, a man with a magnetic personality and good looks to match. He also had a dark side: Wilson was a pimp, and for years he forced Peagler to prostitute herself, all while routinely beating her and molesting her daughter. After an incident in which Wilson threatened his girlfriend and her family with a shotgun, Peagler finally called the police, who arrested and promptly released Wilson. At the urging of her mother, the young woman sought out the neighborhood's arbiters of



FROM MICHAEL TUCKMAN MEDIA

Deborah Peagler is flanked by her attorneys, Joshua Safran and Nadia Costa, who worked for years to reopen the case that sent Peagler to prison for 25 years to life.

"ghetto law," a couple of Crips gang members. She asked them to make Wilson leave her alone, and they did: They killed him.

Peagler pleaded guilty to first-degree murder after prosecutors threatened her with the death penalty and she began serving 25 years to life.

Yoav Potash's no-frills documentary picks up in Peagler's 20th year behind bars, offering glimpses of her life in prison, which includes singing in a gospel choir and mentoring fellow inmates. As the film begins, a new California law seems as if it could be Peagler's salvation: If an incarcer-

ated person can provide evidence of battery or domestic violence, the case might be reopened.

Enter Nadia Costa and Joshua Safran, lawyers who take on Peagler's case pro bono. They make frequent trips to visit their client, accompanied by Potash, who is ostensibly shooting interview footage that could help Peagler's case. But what they think will be a few months of work becomes a multiyear battle with the Los Angeles District Attorney's Office.

The camera follows as the lawyers, with the help of a private investigator,

uncover increasingly astonishing facts. Suffice it to say, the prosecutors didn't have a case against Peagler. What's more, the district attorney's office seems hell-bent on keeping Peagler behind bars, despite new evidence.

The ragtag team of unlikely allies on this odyssey provides the film with a cast of affable characters. Safran is a quick-witted but slightly ruffled Orthodox Jew, while Costa is a well-spoken ultramarathoner, and both have firsthand experience with abuse. Interviews with Peagler reveal that the woman is almost irrepressibly upbeat despite constant setbacks, which makes the few times she breaks down all the more affecting. In one of the many tear-jerking moments, Peagler talks to the camera, her gratitude toward her attorneys coming out amid weeping: "They don't have to do it. They don't get a dime."

To Peagler, it seems illogical that anyone would work so hard for nothing. The only thing more irrational might be why so many powerful people worked so hard to keep her behind bars.

stephanie.merry@wpost.com

Not rated. At West End Cinema. Contains profanity. 93 minutes. Director Yoav Potash will be taking questions at West End Cinema on Friday, Saturday and Sunday after the 5 and 7:10 p.m. screenings.



The accused: Deborah Peagler (center) with attorneys Joshua Safran and Nadia Costa, who worked pro bono for her release.

Time served

Crime After Crime takes a sobering look at the justice system

By Dennis Harvey
arts@sfbg.com

FILM In 1983, Deborah Peagler was sentenced to 25 years to life for first-degree murder in the death of her former boyfriend Oliver Wilson, whom two local L.A. gang members had strangled — supposedly at her behest, to access Wilson's life insurance money.

Encouraged to plead guilty to avoid the death penalty, Peagler had a juryless trial and was quickly shunted off to prison. There she was repeatedly turned down for parole despite spending the years of her incarceration as a church leader, mentor, and tutor to other inmates; a highly skilled electronics-assembly supervisor; earning two degrees; and sustaining good long-distance relationships with her two daughters. Even most of the victim's surviving relatives had come to believe she should have been released years earlier. For her part, Peagler always claimed she intended Wilson to be beaten, but had not asked for or condoned his murder.

What was missing (or suppressed) from the original trial were the myriad reasons she'd wanted to frighten him away from herself and her family. She was a pregnant 15-year-old high schooler when she first

met Wilson, a charismatic sometimes model who charmed her by taking a fatherly interest in her firstborn. But when money got tight, he abruptly insisted she turn tricks. Initial refusal brought beatings that only increased over time despite her reluctant subsequent acquiescence, stopping just briefly when she bore his own child.

Soon Wilson was dealing drugs, then taking drugs; he kept Peagler a virtual prisoner, refusing to let her speak to friends or relatives. When an eviction forced their temporary separation, he stormed into her family's home with two armed men, threatening to kill them all. For this he was jailed exactly one night, making new death threats in retaliation for the police being called at all. At this point in 1982 she contacted the Crips members (who viewed that home invasion by an outsider in their territory as a serious offense) to frighten Wilson away before he actually killed anyone.

At the time of her trial, testimony on "battering and its effects" were not allowed as circumstantial evidence in California courts, despite — as we now know — the overwhelming majority of U.S. women being victims of domestic violence, rape, or other abuses. (In 1979 President Carter gave a huge boost to the nascent overall cause by establishing the Federal Office of Domestic Violence. Two years later, Reagan

shuttered it.) In 1992 that changed, allowing new cases to benefit — although cases already tried could not be re-opened with evidence previously excluded.

A decade later that, too, changed. Walnut Creek attorneys Nadia Costa and Joshua Safran agreed to take on Peagler's case pro bono, stepping well outside their usual land-use litigation. They launched what turned into years of effort during which her cause becomes a public *cause célèbre*, and indications emerge of some very ugly misconduct by the District Attorney's office.

This battle — all the above is just a starting point — is chronicled in Bay Area filmmaker Yoav Potash's documentary *Crime After Crime*. It's a story with plenty of lurid and tragic revelations, ranging from child sexual abuse to terminal illness to hidden evidence of perjury. After a certain point it becomes clear the D.A.'s office isn't opposing Peagler's release because she's guilty as charged (though nearly everyone by then agrees she should have been tried for manslaughter with a maximum sentence of six years), but because it has dirty secrets of its own to protect and deny.

Crime After Crime won't exactly stoke your faith in the justice system. But this thoroughly engrossing document does affirm that there is hope good people can and will fight the system — even if, alas, it sometimes takes nearly three to score one bitter-sweet win. **SFBG**

CRIME AFTER CRIME opens Fri/5 in Bay Area theaters.

Gross miscarriage of justice (again)

by David Lamble

Twenty-five years ago, I spent an exhilarating hour with a then-unknown filmmaker as he explained how his new documentary, *The Thin Blue Line*, had already sprung an innocent man from a Texas death row, and would eventually not only set him free but see that the real killer took his place. Errol Morris not only convinced me of the innocence of Randall Adams, but allowed me to see that the gross miscarriage of justice that had caused an innocent man to be framed for the murder of a Dallas police officer could just as easily have happened to me. It was scary to see how much I and

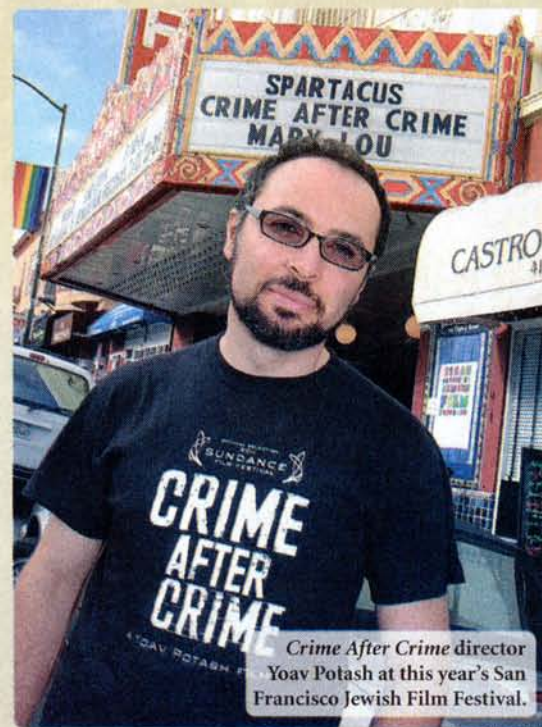
Adams resembled each other, and to realize that Adams' only mistake had been to hang out with a charismatic young teen, David Harris, an error I could easily have committed. Only a stylistic tic by Morris, the repeated spilling of a milkshake in a dramatic recreation of the crime, kept *Thin Blue Line* from copping a best doc Oscar.

This year, another compelling true-life criminal justice doc, Bay Area director Yoav Potash's riveting cliffhanger *Crime After Crime* (opening Friday at the Roxie), seems very Oscar-worthy. Potash and pro bono attorneys Joshua Safran and Nadia Costa

have worked a minor miracle in securing the freedom of an LA woman unjustly incarcerated for the murder of her abusive pimp.

At one point the fact that Deborah Peagler served more than 25 years in the Chowchilla women's prison for the alleged murder-for-hire of a man who started dating her when she was 15, who forced her into prostitution, beat her with a bullwhip and threatened her family with retaliatory violence, would have taken center stage in any film about her ordeal. But as luck would have it, Potash and her

See page 28 >>



Crime After Crime director Yoav Potash at this year's San Francisco Jewish Film Festival.

Steven Underhill

« Crime After Crime

From page 17

legal team were handed even juicier material when Los Angeles District Attorney Steve Cooley reneged on a written offer to allow Peagler immediate release from prison on the grounds that she had served more than two decades more than the sentence for her actual crime: involuntary manslaughter.

Ironically, the filmmakers make a plausible case that another family member actually arranged for Oliver Wilson to be attacked by South Central gang members, but director Potash asserts that Deborah Peagler felt morally complicit in the death of a violent man whom she merely wanted out of her life.

Gradually, *Crime After Crime* becomes more than a cold-case probe into the fate of a woman who may just have been collateral damage in the overzealous crusade of an LA County anti-gang strike force in the DA's office. Once DA Cooley dug in his heels and blocked Peagler's release, possibly fearing the unfavorable publicity from an admission of even an ancient error by his office in a year when he was running for State Attorney



Deborah Peagler in director Yoav Potash's *Crime After Crime*.

General, her defense team began the discovery of a treasure of evidence discrediting not only the LA DA, but also calling into question how successive California governors had undermined the powers of the state parole board.

The filmmaking and legal teams behind *Crime After Crime* movingly document Peagler's exemplary life behind bars, get glowing testimonials in favor of her release from the family of her murdered boyfriend/pimp Oliver Wilson, and

demonstrate the groundbreaking possibilities of a 2002 California law allowing domestic violence victims to have murder cases involving their batterers reopened.

While the wheels of justice ground ever so slowly, Peagler received more bad news in the form of a diagnosis of terminal lung cancer. Eventually the film becomes a race against time to see if a vengeful DA is able to run out the legal clock and keep Peagler from spending her final days as a free woman.

On the record

Shortly after *Crime After Crime* screened at the San Francisco Jewish Film Festival, attorney Joshua Safran explained how he had been drawn into this eight-year legal battle turned crusade about the plight of victims of domestic violence.

"Deborah described how Oliver Wilson would beat her with a bullwhip and when he was done beating her, he would tend to her wounds by taking raw meat to bring down the swelling. And I said, 'Oh, yeah isn't it ironic how raw meat heals raw meat, my stepdad used to do that with my mom,' and she gave me this look. All of a sudden we began talking like a couple of fellow travelers, we had been down a road together, it was no longer attorney/client, it was like people sharing war stories.

"When I was eight, my mom married a guy who, like Oliver Wilson, came across as a very sweet, charismatic, charming guy. He was going to help her take care of her boy because she was a single mom, and he turned out to be a raging alcoholic and would get on these binges and beat the hell out of my mom. He was very controlling, he would make me do push-ups if I misbehaved, always challenging my manhood as a nine-

year-old. Eventually I wanted to kill him, and when I was 12, I had this confrontation, and that's when he really beat me. Something about that jarred my mom's senses, and we ended up leaving in the still of the night. He was a stalker type looking for us — just like Deborah Peagler went into hiding, we went to another county, didn't have a phone, and I was training to kill him. I wanted to show him who was the man. He never found us, and it took me several years to work through the anger and humiliation. The irony was here I am representing a woman who never really wanted her batterer dead, and yet he ended up dead because he found her, and my batterer never found us."

David Lamble: So psychically, you were sort of guilty of the crime for which she was serving time.

Joshua Safran: Deborah's story was a continuation of my or my mother's stories. The same is true of my co-counsel Nadia. So in a way, it raised the stakes, and proved that domestic violence doesn't just happen to poor black women in South Central L.A. It happens everywhere: in liberal Jewish homes, in white suburban Contra Costa County, where Nadia grew up. ▼

Big Screen

'Crime After Crime': Documentary focuses on pro bono lawyers working on domestic abuse victim's murder charges

By G. Allen Johnson
CHRONICLE STAFF WRITER

You might remember Debbie Peagler, a woman who was serving a life sentence for her involvement in her boyfriend's murder — a boyfriend who was abusive and had forced her into prostitution.

Her case was widely publicized here because it was picked up pro bono by two Bay Area lawyers, Joshua Safran and Nadia Costa, after a law was passed in 2003 that allowed incarcerated women who were victims of domestic violence to introduce new evidence.

Berkeley filmmaker Yoav Potash spent years chronicling the case, and the result is the documentary "Crime After Crime," which premiered at the Sundance Film Festival, played recently at the San Francisco Jewish Film Festival and opens in theaters Friday. It has also been picked up by the Oprah Winfrey Network.

Potash, Safran and Costa sat down with The Chronicle at the SFJFF screening at the Castro Theatre.

Potash: You meet (Peagler), and you can immediately tell she'd been through hell with all the abuse she's suffered, all the injustices she's suffered, and yet she's an inspiring, uplifting person to be around. For me as a filmmaker, that was a high contrast.

Costa: We thought it would be 3 to 6 months; 7½ years later, here we sit!

Potash: There's a lot that we'd like to see in terms of domestic violence laws in America. (The laws) are an outgrowth of the women's movement, which itself is not that



Life Sentence Films

Convicted felon and domestic abuse victim Debbie Peagler (center) sits with her lawyers, Joshua Safran and Nadia Costa.

Starts Fri. at Bay Area theaters.

old of a phenomenon. California is the only state that has this particular law that allows incarcerated survivors of domestic violence to present their evidence to the court proactively. New York state has a similar resolution that's been proposed; hopefully that will be passed, and with California and New York the models, other states will follow suit. So what we're engaged in is a nonprofit project called "Debbie's Campaign," where we're using the film to help reduce domestic violence, to reduce unlawful incarceration and to support full and fair consideration of those kinds of laws.

Costa: Abuse against women and

children today exist because as a society we want to look away. As long as we do that, it will continue.

Safran: I flew to Toronto to promote this film, and I sat next to an executive at a major corporation, a woman, who asked what the film was about, and I told her, and there was this deep gulp, and she discloses the abuse she had with her first husband, how he stalked her, and told me that this was the first time she'd told someone outside a loved one in her family. I feel that's part of the power of this movie, that it can break one of these last taboos. I hope Debbie becomes the Rosa Parks of domestic violence in America.

E-mail G. Allen Johnson at ajohnson@sfgate.com

More movie reviews:
 » denverpost.com/movies

FOCUS

Real-life crime tale tops fiction

By Lisa Kennedy
 Denver Post Film Critic

If you're hungering for a legal yarn that has the twists of a John Grisham novel and the David-versus-Goliath agonies of "A Civil Action," don't head to the multiplex.

Instead, go to the Denver Film-Center/Colfax, where Yoav Potash's "Crime After Crime" opens today.

Did we mention it's a documentary? Though rife with talking-head interviews and straightforwardly shot, the movie is quietly riveting and cumulatively galling.

In 1983, Deborah Peagler was sentenced to 25-to-life for the first-degree murder of Oliver Wilson. The California woman escaped the death penalty in a plea deal.

Wilson was a handsome man who became the teenage Peagler's boyfriend.

"My brother was the most charismatic person walking the Earth," Wilson's sister Zabrina recalls. "But he

★★★★ Documentary. Not rated. 1 hour, 33 minutes. At the Denver Film-Center/Colfax

thought, I'll be right back.' Because he'd still be talking about himself."

was the kind of person who if you said, 'Tell me something about yourself,' about an hour and half later, you'd say to him, 'Hold that

He was also the son of an abuser, and "Crime After Crime" poses vexing questions about cycles of cruelty

Soon after Wilson and Peagler became a couple, he metamorphosed into her pimp, her abuser and worse in relation to Peagler's oldest daughter, Tikisha. The pair had another daughter together, Natasha. Both Tikisha and Natasha play powerful roles here. So do members of Wilson's family, some of whom supported Peagler during her many failed parole board hearings.

While "Crime After Crime" unfolds with the kind of plot turns that would be spoilers if recounted, the documentary is not a whodunit.

Peagler did it. Or rather, two Los Angeles gang members whom her mother knew killed Wilson. What was missing from her case at the time was evidence of years of physical abuse by Wilson.

In 2002, California became the first state to pass a law that allows victims of domestic violence to introduce evidence of that abuse into fresh proceedings if it wasn't available or used in their initial case. Facts of domestic violence in Peagler's case turned out to have been available at the start.

In order to pursue a case fueled by zeal about rampant gang violence, the prosecution ignored if not actively suppressed them.

Hollywood's best casting agents could not hope to top Peagler's real-life lawyers, Joshua Safran and Nadia Costa, who took the case pro bono in 2002.

Bearded, curly-haired Safran is father to a young daughter. His love for her, along with his Orthodox Judaism, helped guide his dogged defense of Peagler. He's also the son of a mother whose abuse he could not prevent as a scared and ashamed 9-year-old.

Costa, a parent too, has blazing blue eyes, a focused demeanor and the tenacity of an ultra-marathoner, which she is. Peagler recounts their first meeting with wistful awe: "She's looking at me like I'm a human."

Then there is Peagler herself. The film captures her going gray and growing more thoughtful in prison. She never presents herself as a victim of a daunting bureaucracy (though Franz Kafka might beg to differ).

In focusing so tautly and passionately on Peagler, "Crime After Crime" raises broader questions that linger long after the film's sweet and bitter conclusion.



Debbie Peagler at the Central California Women's Facility prison in Chowchilla. Provided by LS Films

Potash's 'Crime' sets out to right a wrong

When "Crime After Crime" opens on Friday in the Bay Area, it will mark the six-year anniversary of the day Oakland filmmaker Yoav



BARRY CAINE
COMING ATTRACTIONS

Potash met Debbie Peagler, the subject of his documentary.

A battered woman victimized by the criminal justice system, Peagler had been imprisoned since 1983 for her connection to the murder of her abusive ex-boyfriend. She was brought to Potash's attention by Joshua Safran, a lawyer who had previously appeared in

Potash's film "Minute Matrimony" and was one of two Walnut Creek land-use attorneys — Nadia Costa was the other — volunteering to work on freeing Peagler.

"When you're a filmmaker, people come to you all the time saying you should make a film about blankety-blank," Potash, 38, says in a recent phone interview. "But when I heard about Debbie, the fact that she was serving a life sentence, and the fact she might be on the verge of being released from prison, it made me feel at least I should meet her — and once I met her (at the Central California Women's

See **COMING**, Page 17

Coming

From Page 13

Facility in Chowchilla), I was hooked."

Next thing he knew, Potash had spent 5½ years making "Crime After Crime." Like Safran and Costa, he's a UC Berkeley graduate, but school ties had nothing to do with his commitment. Asked why he was drawn to Peagler, Potash says, "I think (because) she remains so upbeat and such an inspiration to everyone around her despite being subjected to things many of us couldn't imagine."

Peagler became his cause celebre, representing "something more than herself," Potash says. "As the case got bumped from court to court and parole board to parole board to parole board, the stakes just kept getting higher." Her story was picked up by news media in Los Angeles and the Bay Area, using borrowed footage from Potash's work-in-progress, he says, to update her plight. To reveal the outcome would be a crime.

Potash and the attorneys will take part in Q-and-A's after select screenings at the Elmwood in Berkeley (9:30 p.m. Saturday and 5 and 7:15 p.m. Sunday) as well as at the Roxie in San Francisco and the Rafael in San Rafael. Visit <http://crimeaftercrime.com> for a schedule and details.

Why go?

"As unique a person as Debbie Peagler is, the circumstances of her case are not unique," Potash says. "And there are thousands and thousands of victims of domestic violence who have been revictimized by our courts, our police ... and our prisons."

Asked what he wants viewers to take away from his picture, the filmmaker says, "I want them to feel inspired that, as horrible a problem as life can throw at us, it's important to try to maintain as upbeat an attitude as we can, and hopefully the film gives people a sense that we all have a calling and that we will rise to the occasion."

People rose to the occasion earlier this year when the documentary premiered at the Sundance Film Festival. Reportedly, "Crime After Crime" received standing ovations at all six of its screenings.

Perhaps more importantly, the film moved Oprah, whose Oprah Winfrey Network picked it up (for a November showing) and is pushing it for an Oscar.

Contact Barry Caine at bcaine@bayareanewsgroup.com.



LIFE SENTENCE FILMS

Inmate Deborah Peagler leads a gospel choir of other prisoners in "Crime After Crime."

“THIS FILM DELIVERS AN EMOTIONAL WALLOP.”

San Francisco Chronicle

“Crime After Crime” Review

David Lewis, Chronicle Staff Writer

Documentary. Directed by Yoav Potash. With Debbie Peagler, Joshua Safran, Nadia Costa. (Not rated. 93 minutes. At Bay Area theaters.)



"Crime After Crime," the unforgettable story of a battered woman trapped in a not-so-just criminal justice system, isn't a visual masterpiece, but this emotionally affecting documentary will move you like few films this year, thanks to a luminous heroine and an unlikely but appealing trio who work tirelessly to release her from prison.

Director Yoav Potash's labor of love chronicles the fate of Debbie Peagler, a Los Angeles-area woman who was incarcerated in 1983 (after being threatened by prosecutors with the death penalty) for her somewhat vague connection to the murder of ex-boyfriend Oliver Wilson, who had repeatedly beaten her, forced her into prostitution and sexually abused their daughter.

About two decades later, as Peagler still languishes at Chowchilla, land-use attorneys Joshua Safran and Nadia Costa (galvanized by a new state law that factors domestic abuse into appeals) take up her case pro bono, with the help of private investigator Bobby Buechler.

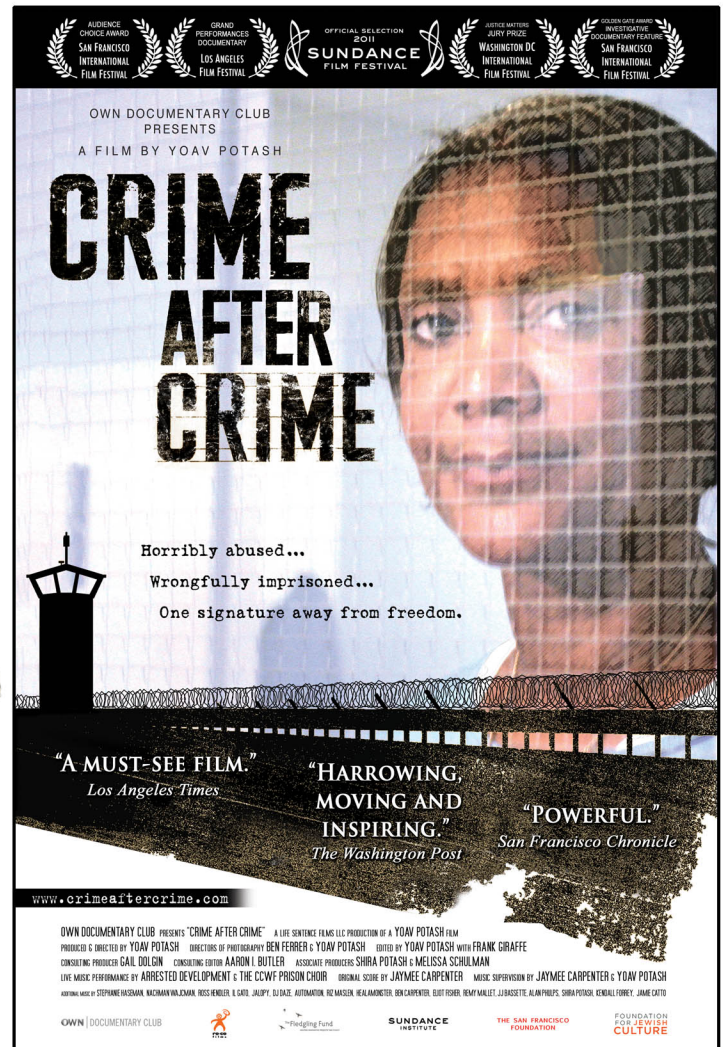
The numerous twists and turns that follow never fail to be engrossing, whether it's the astonishing revelations of wrongdoing in the justice system, or the personal stories of those fighting against it.

Throughout the film, Peagler is a model of grace, restraint and heartbreaking inspiration.

My only beef is that Potash doesn't have adequate footage to support the beginning of the story, which makes the details of Peagler's upbringing - and the original crime itself - a bit jumbled. It's the only time his (wise) decision not to use narration works against him.

But in the end, these are quibbles. This film delivers an emotional wallop, and it's hard to argue against that. Don't miss it.

E-mail David Lewis at davidlewis@sfchronicle.com.



Crime After Crime

Yoav Potash, director

Potash documents the heart-wrenching legal battle of Deborah Peagler, sentenced to 25 years to life in prison for her role in the 1982 murder of an abusive boyfriend who had forced her into prostitution and molested her daughters. She and California women like her gained hope of release in 2002, when the state said that the battered women's syndrome defense could be applied retroactively. In an investigation that drew global attention, two unstoppable lawyers from The Habeas Project spent seven years uncovering evidence of perjury and misconduct by the Los Angeles district attorney's office. The director filmed five of those years, during which Peagler weathers Job-like twists of fate while teaching illiterate inmates to read, leading the prison gospel choir, earning two college degrees and fighting cancer, all from behind bars. Available from www.crimeaftercrime.com.

—HOLLY DERR