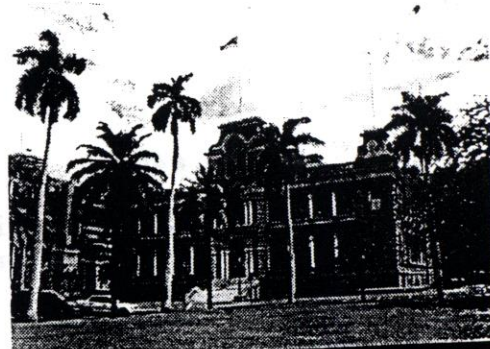


Hawaii Five-0

PATCH ME THROUGH TO...

THE IOLANI PALACE IRREGULARS



The International Appreciation Society for Hawaii Five-0

Issue #40

October 1997

LEGAL ASPECTS OF "JURY OF ONE"

by Beth A. Fox

I think that, with respect to legal procedure, this is one of the most accurate Five-O's I've seen. That does not mean I don't have a few nits to pick; I always have a few.

The questioning of McGarrett in the beginning is realistic. Manicote was correct in objecting to defense counsel's question, but the proper objection is "Objection, *argumentative*," not "Objection, *opinion*," because defense counsel was essentially arguing his case through the question. The judge correctly sustained the objection, although most judges would have stated the correct ground on which they were sustaining the objection (so the appellate record is clear.)

It was appropriate for McGarrett and Manicote to bring the issue of jury tampering to the Court's attention right away, and for the issue to be raised in chambers, outside the presence of the jury. Nice blustering by defense counsel, although he hardly has grounds for a mistrial when his client is the one who is supposedly stacking the deck.

Nice job by defense counsel in the jail: "And if you do know how the juror is being threatened, don't tell me." <paraphrasing> This is something the attorney *really* does not want to know. If I were that attorney, I'd be worried about my license to practice law, not to mention a felony conviction.

The judge did a fine job with the first suspected juror, telling him only that "there is some question as to whether the jury can reach a verdict in this case." Anything more would have tainted him. Nonetheless, even if that juror had not been hospitalized, the prosecution would probably have wanted him *off the case*. After having been accused by McGarrett and questioned by the judge, who knows how the juror might vote?

Interesting discussions in the jury room. When I first saw the two votes for "not guilty," I assumed that the criminal had threatened two jurors, not one. That actually would have been the safe thing for him to do; not only would it have provided better

"insurance" against a guilty verdict, but if there were a 10-2 split, the other jurors would have been a lot less suspicious of Sprague.

One person in the newsgroup mentioned that there should have been a mistrial at the end, because Sprague changed his vote at the last minute. At the end of the episode, defense counsel (for the second time) moved for a mistrial. The judge denied this motion, ruling that with the child returned, Sprague could vote fairly. If I were the judge, I would not have accepted the last minute "verdict." A verdict must be the determination of a unanimous jury; a verdict of 11, with one joining later, is not proper. Moreover, it is clear that Sprague could not have rendered a fair verdict at all -- while the crooks held his child he would, of course, vote "not guilty," but when Sprague's child was freed he would be inclined to convict the man who had kidnapped his child, *WHETHER HE HONESTLY BELIEVED HIM TO BE GUILTY OR NOT*. Thus, before the verdict was read, the judge should have removed Sprague from the jury and replaced him with an alternate. Nonetheless, the appellate court will probably find a way to uphold the verdict anyway, because the crook brought this problem upon himself.

Beth Fox is an attorney practicing in Los Angeles. This commentary was originally posted on the Usenet newsgroup alt.fan.hawaii-five-o and is reprinted by permission.

Aloha Shirt Chic

In an article in the Frederick (MD) *News-Post*, submitted by member Deb Moen, we find this historical trivia bit:

The trend toward "dress-down" day on Fridays (observed in many private-sector offices and in many federal, state, and local government offices) started in Hawaii! We are told in the article by Francine Parkes of the Associated Press, "'Around the late 60s, one of the managers of the Bank of Hawaii helped to start the trend,' according to Bart Silberman, national sales manager for Reyn Spooner, a Hawaiian shirtmaker at Kamuela on the Big Island.

"'Eventually . . . members of the state legislature began wearing their Hawaiian shirts rather than coats and ties when they convened on Fridays. And then the legislature made it official. It was the true predecessor of Casual Friday.'"

Prices on shirts today are quoted in the article at anywhere from \$13 for a cotton shirt at Target, through a \$24 rayon number at Mervyn's, to more chic items by Gant and Nautica at anywhere from \$56 to \$79. However, these are knock-offs. To my mind, the only real Hawaiian aloha shirt is one on which the label says "Made in Hawaii."

In Honolulu you may find aloha shirts advertised in stores anywhere from \$80 or more in the more trendy shops, to \$40 to \$60 even in a Woolworth's on Kalakaua! You can shop around; at a shop (not a booth) in the International Market Place for \$23 each, and

they're very good quality 100% cotton shirts, better for those who live in hot and humid climates.

Vintage aloha shirts from the 1940s or 1950s cost a little bit more. Some of them fetch upwards of \$1000 from collectors. That's a LOT of aloha!

LITERATE FIVE-O

All the King's Horses (#33) -- The title, of course, comes from the nursery rhyme:

Humpty-Dumpty sat on a wall.
Humpty-Dumpty had a great fall.
All the King's horses
And all the King's men
Couldn't put Humpty back together again.

According to William S. and Ceil Baring-Gould in *The Annotated Mother Goose*, this rhyme was originally a riddle. The answer, of course, was "an egg." In the original version, published in *Gammer Gurton's Garland* in 1810, horses weren't even mentioned:

"Threescore men and threescore more/Cannot place Humpty-Dumpty as he was before." At the end of the episode, the dying Mike Finney (James Gregory) says to McGarrett, "All the king's horses and all the king's men can't put Mike Finney back together again."

McGarrett meets with the governor and Senator Oishi (Keye Luke). The Senator remarks that McGarrett has "a lot of friends, and a lot of enemies." McGarrett replies, "Well, my old man used to say the way to avoid criticism is to say nothing, do nothing, and to be nothing." In the September/October 1980 issue of *ALOHA - The Magazine of Hawaii*, Rita Witherwax interviewed Jack Lord. She mentions in the article a file of sayings and poems he keeps, one of which is attributed to Earl Keith: "Criticism is something you can avoid by saying nothing, doing nothing, and being nothing." While I can't positively identify the author of this saying, 'Earl Keith' may refer to George Keith, the Fifth Earl of Marischal (1553? - 1623), whose family motto was "They say. What say they? Let them say." That, too sounds like something both McGarrett and Jack Lord would appreciate.

HAWAII FIVE-O GUEST CAST DIRECTORY, part 15

Each entry lists the actor's name (with nicknames or alternative names in parentheses), then the character and the episode(s) for each appearance. Alternative character names, where appropriate, are in brackets.

NAAUAO, ROLAND--Officer Olena, The Bomber and Mrs. Moroney; Cop, The Finishing Touch; HPD Sergeant, Assault on the Palace; Lt. Matusu, Requiem for a Saddle Bronc Rider; HPD Officer, See How She Runs
NAIL, JOANNE--Luana, Head to Head

NAKAHARA, RONALD (Ron)--Dive Shop Owner, The Capsule Kidnapping; Pete, A Sentence to Steal; Officer Ming, Target--A Cop; Kenji Tatsumo, Tsunami; Sammy, Head to Head; Dave, The Pagoda Factor

NAKANO, NANA--Iso's little girl, Ready, Aim...

NAKOA, RANDOLPH B.--Louie, We Hang Our Own

NALUAI, ALAN--Tommy Tommy, And They Painted Daisies on His Coffin; Oliver, The Payoff; Charlie Moka, A Study in Rage; Zono, The Waterfront Steal; Sam Wailua, Man in a Steel Frame; Looloo, Tall on the Wave

NALUAI, CLAYTON--Linkoa, No Blue Skies; 1st Kidnapper, The Gunrunner; Frankie Apollo, Blood Money is Hard to Wash

NAPEAHI, ROBERT--Servant, We Hang Our Own

NAPUELUA, LILWAI, JR.--Kalani, A Hawaiian Nightmare

NARDINI, TOM--Ramon, Savage Sunday

NATWICK, MILDRED--Millicent Shand, Frozen Assets, The Spirit is Willie

NEDDELS, CHRISTERPHER--George Fine, A Long Time Ago; Anderson, The Exeuction File; Al Larkin, The Flight of the Jewels; Jack Smith, The Moroville Covenant

NELSON, GENEVIEVE ANN--Officer Cathy Miller, R&R--&R; Vera Stricklin, The Young Assassins

NELSON, ROBERT (Bob)--Assassin No. 1 [Chow Lee Chong], The Ninety-Second War, The Jinn Who Clears the Way, Presenting...In the Center Ring...Murder, Murder--Eyes Only, Nine Dragons

NETTLETON, LOIS--Chelsea Merriman, Sing a Song of Suspense

NICKOLAS, NICK--Oren, And a Time to Die...; Jake, A Matter of Mutual Concern; Willie, I'm a Family Crook--Don't Shoot

NIEDZIELSKI, HENRY--Dr. Schumacher, Woe to Wo Fat

NIELSEN, LESLIE--Brent, original pilot movie; Col. Farraday, We Hang Our Own

NIELSON, GAYE--Linda Rynak, Chain of Events

NIP, ROLAND--Cloud, See How She Runs; Leader of Toy Lis, The Pagoda Factor

NISHIMURA, JAMES J.--Captain Ohano, We Hang Our Own

NISHIMURA, THOMAS (Tom)--Watch Supervisor, Death's Name is Sam; Bartender, The Ninth Step; Cashier, Small Potatoes

NOBRIGA, TED F.--Surgeon, Fools Die Twice; Judge Keona, Small Witness, Large Crime

NOLAN, JEANETTE--Aunt Martha Gordlow, One for the Money

NORDLUM, JOHN BOLEY--Howard Crystal, The Two-Faced Corpse (and Jack Lord's stunt double for the entire series)

NORRIS, KAREN--Mary Travers, Samurai

NORTH, SHEREE--Doris Brown, A Hawaiian Nightmare

NORTON, THOMAS (Tom)--University President, Samurai; Clark Sloan, Force of Waves; Carter, The Ninety-Second War; Colonel, Fools Die Twice

NOVACK, SHELLY--Officer Oliver MacDougall, Sing a Song of Suspense

NOVI, ENRIQUE--Kimo Hameo, Angel in Blue

NUYEN, FRANCE--Sirone Mondrago, Highest Castle, Deepest Grave; Frances Chai, Small Witness, Large Crime; Iso Toguchi, Ready, Aim...

OAKLAND, SIMON--Benny Kalua, Strangers in Our Own Land; Frank Epstein, The Reunion; Shako Vidalgo, Engaged to be Buried; Martin Mauritany, Didn't We Meet at a Murder?; Jose Mendoza, The Waterfront Steal

O'BRIEN, KENNETH--Deke, The Guarnerius Caper; Oscar, Turkey Shoot at Makapuu

O'BRIEN, TRICIA--Lisa/Christine, Labyrinth

O'CONNELL, SUSAN--Eadie Hastings, Up Tight

O'CONNOR, KEVIN--Charlie Hazard, The Bells Toll at Noon; Brooks, The Meighan Conspiracy; Lab Technician, Use a Gun, Go to Hell

O'CONNOR, TIM--Sheldon Orwell, Ten Thousand Diamonds and a Heart; Jonathan Kaye, The Ninety-Second War
O'DONNELL, WILLIAM--Sen. Amos Bolin, Dear Enemy
OGILVIE, WILLIAM P.--Thaler, Angel in Blue; Beck, The Meighan Conspiracy
OH, SOON-TAIK [Soon-Teck]--Wo Fat's lab assistant, Original Pilot Movie [Cocoon]; Lewis Shen, Face of the Dragon; Lao, Sweet Terror; Vic Tanaka, Wednesday, Ladies Free; Tom Wong, The Jinn Who Clears the Way; Chaing Li, The Defector; David Chung, The Silk Trap; Kwon, Image of Fear
OHAI, LAOLA--Tour Guide, The Grandstand Play
O'HERLIHY, DAN--Harry Wells, Termination With Extreme Prejudice
OHTA, BENNETT--Yuhio Muromoto, When Does a War End?
OKAWA, ALLEN--Dealer, Percentage; Sammy Kulu, How to Steal a Submarine
O'KELLEY, TIM--Dan Williams, original pilot movie
OLMOS, EDWARD JAMES--Dancer, Ready, Aim...
O'LOUGHLIN, GERALD S.--Carl [Charlie] Swanson, The Box; Sam Kavanaugh, And a Time to Die...; Carl Swanson, "Six Kilos"
OLSON, JAMES--Bart Mariss, Bait Once, Bait Twice; Bernie Brown, A Hawaiian Nightmare; Travis Marshall, Honor is an Unmarked Grave; Stoner, A Distant Thunder; Dr. Kenneth Ames, Labyrinth
O'MALLEY, DAVID P.--Ellington Aide, School for Assassins
OMARI, FRANCES--Diana Loo, I'll Kill 'Em Again
O'NEIL, TRICIA--Dilys Conover, The Bark and the Bite
OPATOSHU, DAVID--Shen Yu-Lan, Face of the Dragon; Li Wing, A Matter of Mutual Concern
OPPENHEIMER, ALAN--Bernie Fryer, The Friends of Joey Kalima
OPSAHL, CORINNE--Ruth Warden, One for the Money
ORCHARD, JOHN--Joe Quillian, Murder With a Golden Touch
ORLANDI, FELICE--Vince Bonner, A Hawaiian Nightmare
ORNELLAS, DONNA--Joanie, Oldest Profession--Latest Price; Girl, A Short Walk on the Long Shore
O'ROURKE, KATHLEEN--Stewardess, Time and Memories
OSHIRO, GEORGE--Nathaniel, Here Today, Gone Tonight; Mystery Man, Death's Name is Sam; Mr. Funai, Deadly Doubles
OSHIRO, MICHAEL H.--Head Cashier, Hara Kiri: Murder
O'TOOLE, ANNETTE--Sue Shem, ...And I Want Some Candy and a Gun That Shoots
OUMANSKY, PEGGY--Mrs. Spencer, F.O.B. Honolulu; Mrs. Crenshaw, Retire in Sunny Hawaii--Forever; Old Woman, Though the Heavens Fall
OVER, DONALD "Lance" (Don)--Judge, For a Million...Why Not?; Atwood, 30,000 Rooms and I Have the Key; Judge, Loose Ends Get Hit; Judge Phillips, Jury of One
OVER, JOSEPHINE (Josie)--Celeste Caro, The Ways of Love; Lilo, The One With the Gun; Horton's Girl, The Grandstand Play; Luella, Nine, Ten--You're Dead; Doris Brown, Didn't We Meet at a Murder?; Jewelry Clerk, Banzai Pipeline; Anna, Little Girl Blue; Marge Lyman, Right Grave, Wrong Body; Connie Honaka, A Study in Rage; Malinda Grant, Wooden Model of a Rat; Dr. Amanda Maitland, A Killer Grows Wings; Lab Assistant [Charlie], You Don't See Many Pirates These Days; Kia Chieu, The Cop on the Cover; Liani, Good Help is Hard to Find
OWENS, JOHN--Easy Jim, Tricks are Not Treats
OXFORD, WAYNE--Tripp, Ten Thousand Diamonds and a Heart; Desk Clerk, Murder--Eyes Only; Dolby, Man on Fire; Husband, A Capitol Crime; Dr. Abicoff, The Sleeper; Clarence Firth, A Bird in Hand...

DANNO'S WILD SPANISH OMELET

Recipe by Beth A. Fox

Beth says of this recipe, "It's now been road-tested and taste-tested and it's certifiably delicious. And fast. And wild."

Even bachelors who live on Chinese take-out food have to be able to whip up an omelet now and then, if only to impress an overnight guest, or to comfort a friend who's just murdered his wife. Dan Williams is no exception. In fact, he's developed a dish that he calls a 'Wild Spanish Omelet.'

Danno tells me that the omelet is Spanish because it includes the usual Spanish omelet ingredients -- tomatoes, green peppers and onions. It is Hawaiian because it uses Maui onions and pineapples. I then asked him, 'In what sense can a mere omelet be deemed "wild"?' Danno replied that his omelet is wild because it has an unexpected taste -- both hot and sweet -- that makes it immeasurably better than the typical Spanish omelet. Danno added that it takes only about 15 to 20 minutes to cook. At that point, I just had to get the recipe and share it with Five-O fans. Here it is (substitutions are footnoted):

Ingredients (serves two, or Kono)

(For Filling)

vegetable oil

1/2 large Maui onion*

1/2 green pepper

2 chile de Arbol**

3 large fresh mushrooms

1 very large tomato (or 2 medium size tomatoes)

2 slices fresh pineapple***

(For omelet)

3 eggs

1 tbsp butter

Make the filling first. Coarsely chop the Maui onion, green pepper, mushrooms, tomato, and pineapple, keeping the ingredients separate. Slice each chile into thirds. Heat approximately 3 tbsp of oil in a large frying pan. Add the onion, green pepper, and chiles and fry for about 5 minutes. Reduce heat and add the mushrooms and cook for about 3 more minutes, continuing to stir. Finally, add the tomato and pineapple, and cook for about five more minutes, continuing to stir. Turn off the heat, drain excess liquid, and remove the 6 pieces of chile (you don't want to bite into these, they've done their job.) Leave the filling in the pan while you cook the omelet.

Now make the omelet. (You don't need to read this part if you already know how to make an omelet.) Beat the eggs thoroughly. When the eggs have been thoroughly beaten, turn the burner on under a frying pan. When the pan is hot (water sizzles and disappears when it's dropped in), add one tbsp. butter.

Immediately after the butter melts and coats the pan (don't let it burn), pour in the beaten eggs. Holding the pan's handle with your left hand, move the pan back and forth while, at the same time, with a fork in your right hand, pushing the eggs away from the side. As soon as the eggs are firm on the bottom but still runny on top, put the fork down, grab a large spatula and flip the omelet over. Cook for about 10 seconds, then pour half the filling onto half the omelet. Roll the other half of the omelet over the filling and cook for about 15 seconds more. Remove the omelet from the pan, set on a plate, and pour the remaining filling over the omelet.

Substitutions:

*Danno has easy access to Maui onions, but (unless you live in Hawaii or California) you probably don't. Use Vidalia onions instead or, if you prefer, a plain yellow onion will do the job.

**Can't find de Arbol chiles in Ohio? You can use jalapeno or serrano chiles instead. Can't find any chiles? Use Tabasco sauce.

***No fresh pineapple? Although this will alter the texture, you can use 1/4 to 1/3 cup of Dole canned crushed pineapple (packed in its own juice only.)"

Software, Bruddah! And otha' things da kine. . .

Would you like to have a stock of Hawaiian clip art to dress up your letters? How about graphics of classic tapa-cloth patterns? Or how about a Hawaiian alphabet in different fonts for your word processor, including all the proper diacritical markings that we can't make with Word Perfect or Microsoft Word? These products come on CD-ROM, for Mac or Windows (3.1 or higher).

To the rescue: Guava Graphics, P. O. Box 88143, Honolulu, HI 96830-8143. Write to them for a free brochure.

New member Judy Diss sends a British newspaper clipping from the Daily Mail of January 24, 1997. Seems an English tourist in Hawaii got mugged. As the police rounded up her assailants and led them away, she hollered, "Book 'em, Danno!"

Also in this package was a clipping from Wayne Harada's Show Biz column in the Honolulu papers (no date given), which indicates that Jack Lord's anti-smoking zeal that was reflected in later Five-O episodes such as "The Defector" (when McGarrett tells Dr. Grant Ormsbee not to pollute his airspace) was that of a reformed ex-smoker. It says: "WHEE, the People: Loretta Swit, in town for "Shirley Valentine" show tomorrow at the Hawaii Theatre Center . . . hopes to connect with Richard Chamberlain and Jack Lord. Swit recalled the time she did a Hawaii Five-O, when Jack and his wife Marie were observing a wedding anniversary. 'He said he wated to give Marie whatever she wanted, and Marie told him, "I want you to give up smoking." He was so touched, he took his pack (of cigarettes), crinkled it, and threw it on the floor. "I figure I didn't have to smoke to play a macho character," he said . . . " Good for Marie!

AND NOW THE BAD NEWS

It is with much regret that I have to announce that the Iolani Palace Irregulars will cease to exist on April 1, 1998. The action becomes necessary for several reasons:

1. My health has gotten worse over the last few years and I just can't keep up the pace anymore, as evidenced by the increasingly uneven appearance of the newsletters.
2. I've been receiving paying writing assignments, and would like to devote more time to writing, as I'd like to attempt fiction, in addition to the other assignments. For that reason, I can no longer spare the time that the fan organization requires.
3. My husband will be looking for a new job as of the end of the year, and while we hope he will find something local that will be suitable, we are entertaining the possibility we may have to move. And I would like to spend more time with home and family.

There will be a successor organization, to be headed by IPI member and Pau Hana writer Teresa L. Conaway. We will be meeting in December, and will begin the transition from the Irregulars to the new group. I will be giving Terry my file of newsletter items, forms, other materials, and the mailing list. Anyone who would rather not become a member of the new organization or who would rather I didn't hand over their name and address, drop me a line. If you do want to become a member of the new organization, you need do nothing. It'll become automatic as of April 1. Terry will notify everyone of dues requirements, etc.

Those who paid dues for multiple years will receive refunds. I will still edit and publish Pau Hana as an independent venture.

I had hoped to be able to continue with this for a bit longer, but that isn't to be. I want to thank all of you for being great Five-O fans and great people. I particularly want to thank Mike Nicholson, who has done a great job with the layout of the newsletter (don't blame him for these last issues; they're my fault); Terry, Maryann Gallant, Deb Doran, Pat Walker, Pat Toler, Gina Martin, and everyone else who contributed stories for Pau Hana; Reg Jones for his terrific episode summaries which appeared in the newsletter; all the members who, over the years, have contributed masses of information for the newsletter.

Aloha and mahalo!