

BORDERLINE

BORDERLINE will air on PBS in 2005



Documentary Description

BORDERLINE is a 52-minute documentary that tells the story of Eunice Baker, a borderline mentally retarded woman who was sentenced to 15 years to life in prison for murdering a young child, despite evidence that the death was accidental. After nearly five years in prison, The New York State Appellate Court recently reduced Eunice's sentence to criminally negligent homicide, and she was released on time served.

When she was first brought in for questioning, Eunice, who did not understand her Miranda rights, signed a false confession. The document states that while babysitting young Charlotte Kurtz, Eunice intentionally killed the child by locking her in her bedroom and turning the thermostat up to 90 degrees on a hot June day. The defense in her trial claims that a short in the thermostat's circuitry caused the sweltering heat inside the home, a fact that is confirmed by the sworn testimony of an electrical expert. Eunice's lawyer also asserts that his client, due to her limited cognitive capacity (her IQ is between 65 and 78), did not realize that the heat posed a severe threat to the three-year-old child.



From day one, Eunice was tried in the media and found guilty. Not until the midst of the trial were any articles printed that were sympathetic to her, though evidence supporting her innocence had surfaced. With no audio or video recording of Eunice's confession, jurors were forced to decide whether or not she possessed the intelligence to have understood her Miranda rights or realized that Charlotte was in danger.

By following this controversy as it unfolds in the rural upstate New York courtroom of Judge Vincent Squeglia, **BORDERLINE** draws attention to the problem of how mentally handicapped individuals are treated by the legal system across the nation, especially in rural communities and small towns. With more than 4% of the national prison population considered mentally retarded, this issue, which has been overlooked for decades, is only now gaining the national recognition it deserves.

According to Scott Miller, Eunice Baker's lawyer, mentally retarded people have little protection as they often waive their Miranda rights without understanding what they are doing. Since people with mental retardation tend to provide more incriminating evidence to prosecutors than other defendants, they are also generally less successful at plea-bargaining. When they go to trial, their testimony may be viewed as less credible

because aggressive prosecutors can make them appear unreliable. Using Eunice Baker's case as an example, ***BORDERLINE*** raises the question of whether the legal system, which presupposes a mentally competent defendant, is prepared and able to protect the rights of mentally disabled people.

The lives of both Charlotte Kurtz and Eunice Baker were tragic. Charlotte's mother, Nikki Sherman, was 16 when she became pregnant. After being taken away by social services, Charlotte changed foster parents seven times. Eunice was the victim of repeated sexual abuse at the hands of her stepfather. By delving deep into their troubled backgrounds, this film seeks to explain the non-legal issues and complexities leading up to the fateful night, attempting to help viewers understand how such a tragedy could come to pass.

BORDERLINE unfolds chronologically, emerging as a poignant story of one family's struggle for justice in the context of a small, economically depressed rural town. As Eunice's case progresses, the audience is forced to grapple with challenging questions about how often individuals with limited cognitive capacity sign false confessions and whether these confessions, which are neither video nor audio taped, are enough to warrant prosecution. The film focuses on the Baker family in order to paint a more complete picture of Eunice's handicap, but viewers are reminded by interviews with the victim's mother and foster parents of the pain caused by the child's death.



Following Eunice's story from her initial trial to her ultimate release, and focusing on her family's struggle to defend her despite poverty and their own mental disabilities, ***BORDERLINE*** draws attention to the way mentally handicapped individuals are treated by the legal system, especially in rural communities and small towns. Ultimately, the film proves that the legal system, while seriously flawed, has the potential to right itself and correct injustice.

BORDERLINE Production Staff

Slawomir Grunberg, Producer/Director

Slawomir Grünberg is an Emmy Award-winning documentary producer, director, cameraman, and editor, born in Lublin, Poland. He is a graduate of the Polish Film School in Lodz, where he studied cinematography and directing. He emigrated from Poland to the U.S. in 1981, and has since directed and produced over 40 television documentaries.

School Prayer: A Community at War premiered on PBS in the 1999 POV season, received an Emmy Award, and won many film festivals around the world. It also won The Jan Karski Competition, a competition designed to recognize and award outstanding television documentaries produced on the theme of moral courage. **School Prayer** was produced by Log In Productions in association with The Independent Television Service, with additional support provided by the New York State Council on the Arts and the Soros Documentary Fund.

Grunberg's most recent film **Fenceline: A Company Town Divided** premiered on PBS in the POV season of 2002 and received, among others, an award at the 2002 San Francisco International Film Festival and Vermont International Film Festival. **Fenceline: A Company Town Divided** also received a 2003 Environmental Media Association Award. This award was the first ever given in the documentary feature category. The EMA Awards honor film and television productions that increase public awareness of environmental problems and inspire personal action on these problems.

A recipient of Guggenheim, New York Foundation for the Arts (NYFA), and Soros Justice Media Fellowships, Grunberg has received multiple grants from the National Endowment for the Arts (NEA), the New York State Council on the Arts (NYSCA), and National Endowment for the Humanities (NEH).

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Log In Productions, a professional film and video production company, was founded by Slawomir Grünberg in 1987. Based in Ithaca, NY, Log In Productions, with its state-of-the-art equipment and experienced personnel, has attracted television networks worldwide, including PBS (USA), HBO (USA), TVP (Poland), NHK (Japan), SWR (Germany), NOS (Holland) and Planete Cable (France). Log In has participated in such major television series as Frontline, NOVA, American Masters, The AIDS Quarterly with Peter Jennings, Inside Gorbachev's USSR with Hedrick Smith, The People's Century, and Lifetime's Intimate Portrait.

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