

Jussie Smollett's testimony was 'unparalleled disaster,' jury will see through 'ruse' and convict him: experts

BY JULIOUS YOUNG | Fox News.

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Closing statements in former 'Empire' actor's trial are set to begin Wednesday



Brothers Olabinjo Osundairo, right, and Abimbola Osundairo testified against Jussie Smollett in court that the former "Empire" actor paid them to carry out a fake hate crime attack against him. (AP Photo/Charles Rex Arbogast, File)

[Jussie Smollett](#) made the conscientious decision to testify in his own defense against allegations from prosecutors in Chicago that the actor staged a vile hate crime against himself with the assistance of his associates, brothers Abimbola and Olabinjo Osundairo, who allege he paid them to carry out the fake hate crime attack against him in 2019.

While the former "Empire" performer gave a whirlwind testimony over the course of two days that saw Smollett vehemently state in no uncertain terms that the allegations are "100% false" despite what the Osundairo brothers previously testified, some legal

experts believe Smollett did himself no favors and likely hurt his defense by taking the stand.

"Smollett testifying in his own defense is one of two things, or maybe both: a narcissistic criminal defendant who is doubling down on his charged lies to law enforcement or defense attorneys who know they are way behind and are throwing a low probability Hail Mary to try to get their client off," former U.S. attorney Neema Rahmani, who is not involved with Smollett's case, told Fox News Digital.

Rahmani added: "Either way, Smollett's story was a bizarre attempt at forcing a square peg into a round hole by offering every possible explanation for the state's digital evidence except the most obvious one: that he is guilty. In the unlikely event he is acquitted, Smollett's decision was a genius move. But it is far more likely that the jury sees through his ruse and Smollett is convicted. If so, the judge may sentence him to prison time for obstructing justice and perjury on the witness stand."

James White, a high-powered attorney in Michigan who is also not involved in the Smollett case, echoed Rahmani's comments that the actor's testimony was nothing more than "an unparalleled disaster." White noted that he believes Smollett not only "hurt his case" but also "went beyond and made the prosecutor's case" in the process.

"His story is so unbelievable and in the face of the evidence that no reasonable jury is ever going to buy it," White said of Smollett's time on the stand in which he admitted to doing drugs with Bola Osundairo and mentioned other personal anecdotes that White believes "[weren't] relevant" to Smollett's defense.

"I think that he absolutely buried himself to the extent he wasn't already buried," White pressed.

Although White acknowledged closing arguments have yet to be made and the jury is yet to deliver a verdict, he said Smollett's testimony "was almost indecipherable trying to make sense of it, and I just don't see how any reasonable jury is going to find any truth in anything he said."

The litigator also contended that Smollett should not have taken the stand at all.

"The real issue of the real story here is why was he even up there taking the stand?" questioned White. "So for me, the million-dollar question, which really hasn't played out during the course of the trial to the extent that I've seen is, did his attorneys try to stop this? Or were they a part of this plan? Because if it's the latter, that's a problem."

Added White: "To go up in international media coverage and do what he did if it was sanctioned by his counsel, that's concerning to me. I don't think that it's anything that will reverse convictions or anything to that degree, but it's concerning."

However, Peter M. Walzer, who is ranked as one of the [best family law attorneys](#) in California and a founding partner at Los Angeles-based Walzer Melcher [top family law firm](#), who is also not involved in the case, explained to Fox News Digital that in his estimation, Smollett's entire business model in this instance is rooted in "persuasion," and seeing as though the jury is weighing Smollett's word against that of the Osundairo brothers, Smollett "is the only one who can refute the allegations made against him."

Closing statements in Smollett's trial are set to begin Wednesday before jurors are dismissed for deliberation.

Smollett is charged with six counts of felony disorderly conduct for lying to police by filing a false police report about the alleged attack — one count for each time he gave a report — to three different officers.

The class 4 felony carries a prison sentence of up to three years, but experts have said if Smollett is convicted he likely would be placed on probation and ordered to perform

Fox News' Jessica Napoli contributed to this report