

**CASE INFORMATION: *PEOPLE V. WHITE***

On August 9, 2006, John White's son, Aaron, attended a party where he was one of few African-Americans present. He chose not to drink and decided instead to mingle instead. Daniel Cicciaro told Aaron that he was not welcome and told him to leave the party. Another young woman told Cicciaro and her brother that Aaron placed a statement on MySpace about how he wanted to rape her and do terrible things to her. Although the statement turned out to be false, Aaron left the party anyway.<sup>16</sup> However, on his way home, he received a threatening phone call from Cicciaro stating he was coming to Aaron's house to "f\*\*\* him up." As Aaron entered his house, he received another phone call from Cicciaro, detailing how he was going to attack and kill him.

At this point, Aaron awoke his parents and put the calls on speakerphone, and they all heard Cicciaro threatening him.<sup>17</sup> White then told his wife to call 911. Seeing the boys walk up the driveway, he went to his garage, pulled out an unregistered Beretta, and went outside.<sup>18</sup> White and Aaron continued to exchange words until White pulled Aaron out of the way and fired a single shot from the unregistered Beretta, which pierced Cicciaro in the jaw.

Mr. White stated that the shooting occurred accidentally after he began to head back into his home when Cicciaro lunged at the gun.<sup>19</sup> Cicciaro's friends put him in the back of his car and drove away. When the police arrived, White and his son were arrested and taken into custody.

At trial, White's attorney, Fred Brewington, focused on the racial undertones of the case, defending White on the theory that Cicciaro and his friends were a "modern-day lynch mob" coming after White and his family.<sup>20</sup> The prosecution instead argued that the case had nothing to do with race, but was rather the act of a man who, rather than calm the boys, rushed out with a Beretta to confront them.<sup>21</sup>

The Suffolk County jury found White guilty of manslaughter on December 22, 2007. The case is currently on appeal.

---

<sup>16</sup> Corey Kilgannon, *Jury Convicts Man Who Shot Teenager During Driveway Confrontation*, N.Y. TIMES, Dec. 23, 2007, available at 2007 WLNR 26196645.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> Kilgannon, *supra*, note 16.

<sup>21</sup> *Id.*