

7th Grade

3rd Place

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Q: Suppose that jurors are using their cell phones to Google for background information while serving on jury duty. Should jurors in Michigan be allowed to use electronic communications during a trial?

No, jurors in Michigan should not be allowed to use electronic communications during a trial. It is a miscarriage of justice to the individual being prosecuted.

The Sixth Amendment guarantees all citizens the right to a speedy trial by an impartial jury. Equality is an important principle upon which our justice system is based. Legal equality states that all citizens should be treated as equals before the law, ensuring every citizen the right to a fair trial free of distracting press or a bias jury. The use of electronic communication can lead to potentially misleading information, thus removing the impartiality of a juror.

In the case *Sheppard v. Maxwell*, 384 U.S. 333 (1969), Samuel Sheppard was prosecuted for killing his wife. Throughout the trial, the news media aired information about Sheppard. Some of the information was not relevant to the case. The newspapers also published the names and addresses of the jurors causing them to receive letters and telephone calls about the case. The Cleveland media repeatedly played Sheppard's confession. The radio and media coverage was considered "blatant and hostile." The Supreme Court determined that the media coverage was designed, "all to so inflame the jurors' minds against Sheppard as to deny him a fair trial." The Justices also cited newspaper coverage stating, "A front-page editorial on July 30 asked: 'Why isn't Sam Sheppard in jail?' later titled 'Quit Stalling—Bring Him In.'" If a juror saw this, it would be hard to be impartial. The Supreme Court ruled that Sheppard did not receive a fair trial because of the press.

Another case, *Murphy v. Florida*, 421 US 794 (1975), examined "whether the petitioner was denied a fair trial because members of the jury had learned from news accounts about a prior felony conviction or certain facts about the crime with which he was charged". When he was arrested, he received a lot of press coverage because he was notorious for another robbery and his attitude attracted many reporters. The press made up stories about him and his wife to make him look bad. The jurors saw this, and they could not judge impartially. As a result, Murphy was convicted

In the world today, so many people have computers and cell phones. It is obvious some information might leave the courtroom by the means of Facebook, texting, Tweeting, etc. A juror, accessing this information, could formulate a biased opinion. This negates the guarantee of an impartial jury. This is a new decade; technology is rapidly advancing. People can abuse the usefulness of this technology and ruin the reputation of one person or in this case, take away the right to a fair trial. The Constitution is an elastic document and allows for modern day interpretation, however, the guiding principles and fundamental guarantees cannot be negated.

In conclusion, jurors should not be allowed to use electronic communications during a trial.