



EDITORIAL

Secret jurors

Criminal trials are a public exercise, so why should the names of those who sit in judgment be protected?

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EVEN BEFORE opening arguments began Wednesday in the Phil Spector murder trial, blogs were buzzing with the name of one of the jurors. An enterprising observer combined the biographical data released by the court with some personal knowledge and came up with what he said was the identity of one of the 12 people impaneled.

But posting one juror's name on the Internet raises the question — why are names suppressed in the first place? Criminal trials have long been among the most public exercises of government. Jury proceedings have traditionally been deemed less subject to tampering because the public knew which of their neighbors were sitting in judgment. A juror's reputation was riding on his performance. The same principle should apply today.

Withholding names makes sense when the jurors' safety or the trial's integrity is at stake, such as when the judge suspects that a gang defendant has associates who might try to intimidate members of the panel. But especially after the media circus surrounding the O.J. Simpson case, courts increasingly keep jurors' names secret even when the only danger is to decorum. That appears to be the case with the Spector trial.

Prosecutors maintain that the famous and eccentric record producer shot actress Lana Clarkson to death in 2003. But there is no indication that Spector heads a gang of thugs who will threaten the panelists if they do not acquit. If the worry is instead that reporters will tamper with identified jurors, that's already a crime. If there is some other asserted reason to keep the names under wraps, the court should make clear what they are. As it is, the Los Angeles County Superior Court has no written protocol for determining when to suppress juror identities.

Much of the Spector trial has been a model of openness, demonstrating considerable progress since the courtroom clampdown of the post-Simpson era. The trial is televised, for example. A request to prevent the faces of witnesses from being televised was rejected. Juror names, as always, will be released after the panel is dismissed. It's unfortunate that a court that in many ways is mindful of its role in being a public tribunal is so quick to prevent the public from knowing who is deciding the defendant's fate.