



ETHICAL ISSUES

Getting Out of Jury Duty

It is common to hear of someone receiving a jury summons scheming to get out of *voir dire*. Maybe that someone is you. So common is this behavior that there are websites advising how to avoid jury duty. Tips include not responding to the summons, being very verbal, claiming biases, stating the same crime happened to your cousin's ex-boyfriend, or informing the court that you are mentally ill.

Will these acts work? Maybe. But keep in mind that lying under oath during *voir dire* is **perjury**, as was learned by Susan Cole of Denver, Colorado. Cole pleaded guilty to attempting to influence a public servant and second-degree perjury after lying under oath during *voir dire* in a Denver district courtroom. She appeared in court purposively disheveled while acting bizarrely. When asked, she told the judge she had mental issues and was promptly dismissed. Cole then bragged about her cleverness on a call-in radio show. What she did not realize was that the judge was listening to the radio station and remembered her. Charges were filed and eventually Cole pleaded guilty. Beginning in 2011, she began serving a 2-year deferred judgment on one count and 2 years of probation on a second count. She was also ordered to perform 40 hours of community service.

Think About It

The duty to serve, and disdain for doing so, raises many important policy questions.

1. **Serving on a jury is an opportunity, an entitlement, and an obligation to engage directly in our democracy. Why, then, do so many shun this opportunity and privilege?**
2. **Are people who get out of jury duty through nefarious means undermining our democracy?**
3. **Do they give up their right to complain about jury verdicts they hear about and dislike? Are they willing to let the government alone decide the fate of citizens in trials?**
4. **What happens to our country and citizens should no one serve on a jury? What does this mean for democracy and settling criminal disputes?**
5. **How would you feel if you were the defendant and no one was willing to serve on your jury?**
6. **If you were a policymaker, what policy would you implement to encourage widespread participation on juries?**
7. **Should websites be allowed to inform people how to get out of their civic duty?**
8. **Should greater monetary reward be given to jurors for serving? As a taxpayer, are you willing to pay more in taxes for that?**
9. **Should those who engage in unethical behavior like Susan Cole be routinely convicted of crimes, as she was?**
10. **Should the jury system be abolished in lieu of having criminal disputes settled by panels of judges or professional jurors?**