

Central Office of Jury Management Holds Orientation for 250 Prospective Jurors



Prospective jurors at the orientation program

Pursuant to the New Jury Law, the Central Office of the Jury Management at the Judiciary has concluded a one-day orientation program for prospective jurors as part of preparatory plans for the opening of the November A. D. 2022 Term of the First Judicial Circuit Court Criminal Assizes for Montserrat County.

The law requires mandatory orientation of prospective jurors ahead of each term of court opening to ensure that jurors are made aware of their functions and duties.

The orientation program which took place on Friday, October 29, 2022 at the grounds of the Temple of Justice brought together two hundred fifty (250) prospective jurors from both the public and private sectors.

His Honor Ousman F. Feika Resident Circuit Judge, 5th Judicial Circuit Grand Cape Mount County delivering the keynote address on the topic: “Jury Tampering and its Effect on the Rule of Law”, said the right to trial by jury is a fundamental feature of the country’s criminal justice system. Hence, it is very important to underscore the effects jury tempering would have on the rule of law.

Judge Feika explained further that the right to trial by jury is a very fundamental constitutional right guaranteed to every citizen and those living within the borders of Liberia.

“It is therefore important to give a synopsis of what jury tampering is, the effects of jury tempering on the rule of law, penalty of jury tampering and a few recommendations as we make honest attempts to stamp out jury tampering from our system.” Judge Feika stated,

Jury tampering, he said, is what is referred to in common law jurisdiction as the attempt to influence a juror corruptly to give their verdict in favor of one side or the other in a trial. This may be by promise, persuasions, entreaties, money, entertainments and the like.

An example of jury tampering may include providing outside information to a juror and bribing, threatening or intimidating a juror to influence the verdict. Both lawyers and jurors themselves can be involved in jury tampering.

According to him, there is no doubt that jury tampering poses a huge challenge to the justice system. When a jury is tampered with and that conduct is not brought to the attention of the judge for investigation and subsequent legal action, there are two key things that happen: (1) either that verdict is returned in favor of the wrong person, or (2) that the wrong person is convicted for a crime he/she did not commit.

“These kinds of miscarriages of justice affect the integrity of the justice system so much that people lose confidence and hope, and in some cases, they might just resort to mob justice,” Judge Feika noted.

The Judge said it is imperative that the judiciary, through the National Jury Management Office, always and at all times ensures that jurors are carefully selected, and as they go into their room of deliberation to discuss and reach a verdict, they must do so without the slightest iota of bias, outside influence(s), bribery and intimidation.

Quoting Section 18.5 of the Judiciary Law, and as well as Section 12.50 of the Penal Law, the Judge asserted that jurors are forbidden to receive bribe, present or promised or reward which the performance of their duties might be influenced. Under the Penal Law bribery and intimidation is a second degree felony. This means that once investigated and found guilty you may be fined in an amount of US\$200 or be sent to prison for up to five (5) years or both as penalty for jury tampering.

Judge Feika at the same time proffered several recommendations to help in mitigating the issue of jury tampering. He said, “in order to protect the integrity of the Judiciary, especially the jury system, emphasis needs to be placed on jury sequestration”.

Jury sequestration is the isolation of a jury to avoid accidental or deliberate tainting of the jury by exposing them to outside influence or information. Once the jury is sequestered under tight security to deliberate and return a verdict in a case, it is expected that the verdict would be credible and reliable because they (jury) would not have been tampered with, interfered with or influenced by any means.

Secondly, when sequestered, the use of all communication gadgets including telephone, microchips, headphones and other electronic devices should be disallowed in the room of deliberation of the jury during the entire period of sequestration. In this way, the rule of law would be enhanced, jury tampering eradicated, and credibility and integrity improved in the judiciary.

Cllr. William B. Kollie Assistant Court Administrator in remarks reminded the jurors that as they have converged for the orientation in preparation for the opening of the November A. D. 2022 Term of Court, their work in the jury service is a civic duty.

“I urge you to be good citizens of the Republic who come forward to serve your country diligently, honestly and patriotically. You would be returning verdicts in cases that border on life and death. Therefore, take your role very seriously as jurors who would be deciding cases based on the facts presented to you,” He stated.

Cllr. Kollie recounted that attributes of a juror include impartiality, independence, integrity, sense of justice and respect for the principle of confidentiality among others.