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JURY DUTY IN Long Beach, California is allegedly easier than in the past because you are called for only a day and if not assigned to a trial that day, excused from future obligations for at least a year. So the trick is to avoid empanelment by any means until the clock chimes 4:30 p.m., and hundreds of people scrambled for the formula.

The hapless unwilling began shuffling into the downtown courthouse at 7:45 a.m. as ordered, although nothing happened until much later. Experienced sufferers brought their knitting, reading matter, laptops, cells, and other amusements, aware that waiting and wasting time is 95 per cent of juryland. The court does provide Internet access (\$4 an hour) and a library of pulp fiction and homemaker magazines perhaps discarded by the public library next door.

A bobble-head doll with straight blond hair swaying pendulum-like took the microphone and tried her best to rally the

glum crowd with infantilizing platitudes. "Now we're going to see a fun video!" "Guess what, juror pay has been increased to \$15 a day." "Even doctors aren't exempt from jury duty any more." "You are the *good* people, the ones who responded to our summons." Humiliation abounded.

We were not good, just afraid of retribution for failure to show. There were no obvious doctors in the house. When herded downstairs to the courtroom to be grilled by the judge and attorneys, each of us had to state our occupation and most were not professional. Students, clerks, retirees, construction guys--one engineer from Boeing. African Americans were conspicuously rare in this juror pool although Long Beach has a sizable black population.

The defendant in the criminal trial was charged with a single count of burglary of occupied premises. Two years earlier, it was alleged, this white haired, 60ish, middle class looking fellow had

entered the home of another man while the guy was in the house.

The judge conceded that a long time had passed before the D.A.

brought prosecution. It wasn't clear whether anything was actually

stolen in this burglary and I had an intuition -- just a gut feeling --

that the defendant and his alleged victim were not strangers.

Estranged lovers, more likely.

Who knows? In any case the trial was expected to last four days and one by one, the potential jurors tried to squirm out of it.

All were asked a battery of questions including history of arrests or of being a crime victim, relationships with law enforcement, marital status both former and current, occupation of one's marital partner(s) and adult children, and former jury duty.

While many prospective \$15 day- workers clearly hated the idea of serving and tried every excuse to get out of it, a few nonconformists seemed to relish the prospect. Curiously, these gung-ho juror wannabes were also the candidates who themselves

had been arrested -- for DUI's, drug offenses, assault with a deadly weapon, one guy for attempted murder ("acquitted, your honor!").

A clear pattern emerged nonetheless. The prospective juror would mumble some excuse -- financial hardship, job or school or domestic responsibilities -- and be shot down by the judge or lawyers. Six hours and about 50 jurors into it, not one person had been formally declared unfit to serve.

Both the D.A., a nervous, twitchy woman in a gray suit, and the defense attorney, an obnoxious guy who belittled the candidates with challenges to their patriotism ("don't you believe in our system?" -- "on a scale of one to ten, how good are you in making a fair judgment?") seemed to pounce most heavily on people who dared to say they "had a problem with judging" a fellow human being. Most who said some variation on this theme had witnessed or experienced what they considered unfair trials or sentences.

Not one was excused from duty for such sensitive feelings, however. If you admitted to a problem with "judging others," the lawyers tore you to shreds. Did you understand the meaning of "reasonable doubt"? Did you know the difference between "fair" and "impartial"? Were you or were you not willing to do your civic duty to serve the American Way of Justice? Some people blushed, a few cried, but none escaped.

My number came up very late, after 3 p.m. and a day-long emotional turmoil in which I mentally rehearsed what I could say to end this nightmare. "I don't believe in the system, in fact. The rich can afford good liars, I mean lawyers, and get away with murder, while the jails are full of poor minorities convicted of petty crimes. You can't ever be sure of the truth in a system that rewards deceptive manipulation. I'm mentally ill and jury duty would be so stressful I'd have to go back on my medications,

which I finally kicked a year ago. I think I'm having a panic attack right now." You know, the standard rant.

Stiffly upright and focusing eye contact on the judge and attorneys, I loudly stated that I live in Signal Hill. (Pause.) This drew immediate reactions because the alleged crime happened in Signal Hill, a small (pop. 8,000) city within Long Beach, where people tend to know each other. My occupation was a self-employed freelance writer and author of books. At that, the judge stopped the standard list of questions and wanted to know exactly *what kind* of books and did I ever write about the law? I told him I wrote a "murder mystery" called *Tropical Detective Story*, published in 1972, but that was fiction. Nonetheless, he seemed determined to know as much as possible about my obscure literary career.

Marital history was fun. "I was briefly married 30 years ago *to a woman*," emphasis on the female. "For the past 24 years, I've

been with a *man*. We got married in Vancouver Canada and in California we have a registered domestic partnership. So, I consider myself married but the courts think I'm partnered."

Benign smiles from the bench. No homophobia in this courtroom. Arrest history? I sounded like Arlo Guthrie describing the Alice's Restaurant massacre. "In the 1960's I used to get arrested all the time in peace demonstrations and antiwar movement stuff. I was busted for less than an ounce of pot with four other people, but the charges were dropped. But these were all misdemeanors and I haven't been arrested since 1968." The judge wanted to know how long I'd every stayed in jail -- "never more than a night."

Still eligible to serve, I plodded on to Spouse's and Adult Children's Employment. "My *husband* is a teacher, a community college professor." (Judge: what does he teach? Any involvement with law? Etc.) "I have a 31 year old son from that first marriage

who just finished college." (Judge beams approvingly: "A late bloomer." Defense attorney wants to know, "How come he took so long?" My reply: "I don't know, we were estranged during his anarchist period.")

Despite doing my utmost to be Super Freak, I was not only still in the jury box but the object of everyone's rapt attention. All the others had given boring, monosyllabic answers while I was doing Psycho Cabaret. To the question of former jury service, I ratcheted up the tone. "I've *never* been on a jury in my life. And I couldn't convict *anyone* of *anything*."

Boom. All the smiles turned to scowls. The judge said, "Hearing you say that, I think you have no chance of being selected for this jury. But let me just clarify this. Are you saying... do you mean... that *no matter what evidence* was presented, you would not... you *will not*... deliver a verdict of guilty?" "That's correct," I said plainly.

"I'm not wasting any more time questioning you," his honor intoned. To the lawyers: "Do you agree with me this one is for cause?" Their heads nod in unison, the first time all day they've agreed on anything. "Sir, you are excused for cause. But I want you to know in 850 to 900 jury selections, this is the first time I've ever heard what you just said."

"Now you have."

"You may leave the courtroom. Thank you for your candor."

Striding manfully for the swinging leather-upholstered doors, I felt every eye in the courtroom burning through me. The Man Who Won't Convict. The only one excused for cause. And now you know what to say. Can you imagine 50 people a day saying "I couldn't convict *anyone* of *anything*"? They might think it's a movement.