

What Are High Profile Cases?

High profile police cases often occur when:

- * Police are being investigated or tried for particular activity
- * Parts of the community question the action police have taken
- * The community and the media are monitoring the progress of the case

High Profile Police Cases are Increasing

Possible causes may include:

- * Greater community awareness
- * The use and power of social media
- * Proliferation of smart phones with cameras that allow citizens to capture police action in real time, or other reasons.

The important point is that courts remain prepared to effectively manage high profile cases.

Objectives

- * Insure public trust in system by presenting a fair trial
- * Impartial and Bias Free or Bias Conscious Judges
- * Educate Citizens (Jurors) on the role of Courts
- * Keep the Peace

Approach: Be Public, Transparent, and Clear. Advance planning is essential for community security.

Common Impacts of High Profile Police Cases

- * Families of involved people and stakeholders want/need to be heard
- * Families announce plans to file civil rights and wrongful death lawsuits
- * Students and community activists march and protest
- * Parents want assurances their children are safe
- * Citizens want a controlled police force that also ensures safety
- * Community and civic leaders communicate reassurances using social media

Public Safety

Concern: Peaceful demonstrations may turn to violence

Solutions: A standard response - city and county officials hunker down in silos, prepare for the expected acquittal, and hope the security measures in place will keep the peace

Alternate approach - local officials use a high-profile trial as an opportunity to engage the public

Community Forums – Inform of Court Basics

- * Have respected and diverse community organizations hold forums where media and community members can learn the basics of the work of the grand jury, petit jury service, burden of proof, jury instructions on excessive force, giving everyone a basic introduction on these important issues when they were truly ready to use that knowledge
- * Engage all minority bars to lead these forums – they have credibility and a reputation for “telling it like it is”

Jury Selection Issues

Concerns: Selecting a fair and impartial jury

- * Minorities appear to be underrepresented on jury

Solutions:

- * Bias conscious judges
- * Judicial training
- * Informing the media of the importance of jury service
- * Voter participation

Community Security

Concern: Community Security During Trial given the expectation of vigorous protests and peaceful daily protests at the courthouse during trial

Solutions:

- * Good relations with court security
- * Better training for court security and how to interact with public, for example, the government leader/city manager develops a regional listserve devoted to the trial to give daily neutral updates on events at trial and on protest activity

Potential Hung Jury

Concern: Hung Jury

Solutions:

- * Prepare public for the possibility
- * Avoid surprises – prepare for all possible outcomes
- * Instruct jury at least twice to strive for a verdict

Juror Concerns

Concern: Jury Safety – Jurors have refused to enter courtroom if they fear questionnaire would be released

Solutions:

- * Deny press access to juror questionnaires, even in redacted form until after the trial
- * Jurors not shown on television
- * Shield jury from press and public inquiries during trial
- * Advise the jurors about the rules and what can and cannot be released to the public about them
- * Public and media requests for juror questionnaires result in side litigation that may delay the process and influence the public perception of a fair trial in a negative way.

Overflow Courtrooms – Granting Access

Concern: Courtroom Access In high profile cases – frequently, many people want to attend and view the trial. Equally common is that courts do not have room to accommodate the number of people wishing to view the trial.

Solutions: Create Overflow Courtrooms; Establish overflow courtroom near trial courtroom; Provide real-time video feed in overflow courtrooms; Stream trial live on television, if allowed, for everyone to see what is said.

Attorneys and Parties Leaking Information

Concern: Attorneys and Parties influence jury through public statements.

Solution: Issue carefully crafted gag order to the attorneys and parties.

Recognize that people with knowledge of the event will be outside the jurisdiction of the gag order.

Resolving Civil Rights Cases

Concern: Courts have limited ability to craft civil rights cases and resolution can be untimely

Solution: Encourage ADR to allow much more than money. For example, in Cincinnati in a high profile police case, two days of ADR resulted in a written, formal apology, compensation of 4.8 million, free tuition for the children, public memorial designed by family, participation by family in police reform efforts, honored deceased with dignity and contributed to efforts to reduce police violence. Federal Court hosted a qualified settlement fund (QSF) to aid family, while probate court decided on distribution among family, which eliminated jurisdiction from picture, ready availability of funds encouraged resolution among stakeholders.

Community Collaborative Precedent

Where jurisdictions have a precedent of community collaboration, they may have developed the experience and tools to better inform the community and manage high profile cases.

- * Engage the community with court representation at town hall meetings and other community events
- * Allow community to hold events at the local courthouse, where space available and where appropriate