



Proposition for the Implementation of Jury Trials

A proposition for the implementation of jury trials in the 21st Florida Circuit Court on charges of 1st and 2nd degree murder (and other high crimes).

For the purpose of gameplay fluidity, it is recommended that jury trials only occur (with the exception of murder) when the defendant exercises their Sixth Amendment right to a jury trial. This means that only the defense can lengthen their trial if they so wish.

This report attempts to identify the benefits and implications of implementing juries in criminal courts of Vice City County, as well as how such proposal be implemented.

Implementation

The implementation of this proposition would include the following points:

- Jury selection process to be similar to its real life counterpart
 - Written questionnaire intended to reject potentially biased jurors
 - Followed by *voir dire* questioning at a pre-trial hearing, intended to disqualify jurors who have already predetermined their stance (i.e. reluctant to vote based on evidence, but rather emotions);
- Jurors would be sworn in at the beginning of the case, and would be compelled to only decide based on admissible evidence presented to them during trial;
- Jurors should have a chat-room (either voice or text) for deliberations until they come to a solid unanimous decision presented by the foreperson to the clerk and judge.
- Jurors would be paid for their service an amount determined by statute and length of their service.

Findings

Benefits of having a Florida standard 6-person jury:

- In compliance to the Sixth Amendment, the defendant would be judged by an impartial jury representing the society, and thus a fair trial;
- Florida law dictates that 1st degree murder is subject to capital punishment. The death sentence should only be given through a unanimous decision of a jury;
- Ability for civilian roleplayers to exercise power and input in prosecuting criminals;
- More variety in criminal procedure, with the possibility of hung juries, jury misdirection and other miscarriages of justice.

Disadvantages or implications of the implementation of jury trials:

- Jury selection process can be a lengthy one;
- Stealth jurors, whose only intentions of joining a jury are to sabotage a trial, will cause obstructions in administering justice (this includes trolls);
- Impartial jurors may be hard to find;
- Lengthy trials may arise due to absence of jurors;
- There may be a shortage of players willing to do jury service.



■ Conclusion

I find that the implementation of jury trials is a difficult one indeed, however it certainly enriches the roleplay environment of the community and emboldens the rule of law and justice in criminal proceedings. Although the disadvantages outnumber the advantages, I do argue that if there is ever a time when the implementation of jury trials be possible, it is certainly worth the experiment to identify whether the idea is sustainable. There is no urgency in establishing the implementation at this (very early) stage of the server's reopening and establishing the judiciary faction.