



THE BLOG

We, the Libby Jury

By Marty Kaplan

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Q: Do you have feelings or opinions about the Bush Administration or any of its policies or actions, whether positive or negative, that might affect your ability to give a former member of the Bush Administration a fair trial?

A: You mean, feelings like, it really pisses me off that they broke the law by wiretapping without FISA warrants, and then attacked the reporters who told us about it, and said Democrats were wussy traitors for opposing it, and now Gonzales is flip-flopping because Senate Democrats finally have subpoena power - you mean feelings like that?

Q: Your honor?

Judge: The juror is excused.

Q: Would the fact that former or present members of the Bush Administration will be witnesses in the case impair your ability to be a totally fair and impartial juror?

A: Well, when I found out this week that the Justice Department is firing federal prosecutors who're going after corrupt Republicans in Congress, and that they're putting in new prosecutors, like Karl Rove's oppo research attack dog, who don't have to be confirmed, thanks to a secret loophole in the Patriot Act, I didn't think that was totally fair and impartial.

J: The juror is excused.

Q: Would you have any difficulty fairly judging the believability of former or present members of the Bush Administration?

A: Like, when I read in the news that Interior Department officials lied about undercharging oil companies for billions of dollars' worth of leases, or when I saw that there actually were all these pictures of Bush and Jack Abramoff after all — do you mean, would that have any bearing on my ability to be a fair judge of the believability of Administration officials?

Q: Your honor?

J: Next prospective juror, please.

Q: Do you have any feelings or opinions about Vice President Cheney, whether positive or negative, that might affect your ability to be fair in this case or that might affect your ability to fairly judge Vice President Cheney's believability?

A: Lemme see. He said Saddam was in cahoots with Al Qaeda, which he wasn't, and that Iraq was behind 9/11, which it wasn't, and then he said he never said that, which he had, and then he said it again. He said we'd be welcomed as liberators, which we weren't, and that the war wouldn't cost us anything, which it did, and that Halliburton —

J: The juror is excused.

Q: Several witnesses who will testify in this case are members of the news media. Would any of you have any difficulty fairly judging the believability of a person who is a member of the news media?

A: Hmmm. Like, a member of the news media who'd give Scooter Libby anonymity so he could leak a bogus National Intelligence Estimate about Iraq's WMD that relied on double agents like Chalabi and lying drunks like that informer, Curveball? Or the believability of a member of the news media who'd tell Karl Rove what kind of questions the Special Prosecutor was asking, or who'd talk about the case on TV without revealing his own role in it, or who'd —

J: Thank you. Excused.

Q: Juror candidate #73, have you ever participated in any type of anti-crime activity, such as a neighborhood watch?

A: Does reading Murray Waas's columns in National Journal count as an anti-crime activity?

J: Excused.

Q: Juror #82, have you ever participated in any efforts to either increase or lessen the punishment of individuals who are convicted of criminal offenses?

A: Well, when the Iraqis decapitated Saddam's half-brother, I told my wife I thought that was going a little too far.

Q: Juror #91, have you, close friends, or close relatives ever been the victim of a crime, a witness to a crime, or someone charged with a crime, regardless of what may have happened in the case?

A: I think my nephew may have downloaded a talk-radio hate speech clip from YouTube that Disney didn't want him to...

Q: Juror #107, do you have any religious, moral or philosophical beliefs that would affect your ability to sit as a juror in a criminal case and be fair and impartial to both the government and the defendant?

A: Let me put it this way. My parents taught me to tell the truth, and that if I did something wrong, I was going to be punished for it, and that no one was above the law. Is that the kind of belief you mean?

Q: Your honor?

J: Excused.

Q: I anticipate there will be a fair amount of news and other media coverage about this case. One of the things you will have to do if you are selected as a juror in this case is to avoid all contact with the news or other media coverage in this case. Therefore, throughout the trial, if you are a member of the jury, you will not be able to read the newspaper

before it is screened by court staff and you will have to avoid watching or listening to the news and any other media programs. Is there anyone who thinks they would be unable to do these things if you were selected as a juror?

A: You mean, like, give up O'Reilly?

Q: No objection, your honor.

[All voir dire questions can be accessed at i.a.cnn.net/cnn/2007/images/01/16/voir.dire.questions.pdf]

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