

## National District Attorneys Association

# Newsclips

September 12, 2012

### Today's Clip Headlines

- Judges fear social media jeopardizing fair trials
- Lawyer challenges death reporting law
- Ore. governor appeals court's death penalty ruling
- Juvenile agency chief to rescind pay raises, reduce management ranks

### Clip Synopses and Links

*Columbus Dispatch*

#### **Judges fear social media jeopardizing fair trials**

Judges in federal, state and municipal courts always have warned jurors not to investigate a case on their own. But the instant access that cellphones and personal computers provide to the Internet makes it easier than ever for jurors to violate those instructions and imperil a defendant's Sixth Amendment right to a fair trial.

In a national survey last year, 6 percent of federal district judges said one or more jurors in their cases had used social media to communicate during a trial or deliberations.

To combat that, nearly 30 percent of judges confiscated phones and other electronic devices during jury deliberations, and 22 percent did so at the start of each day of trial, the survey found. The majority only warned jurors verbally not to use social media.

<http://www.dispatch.com/content/stories/local/2012/09/10/judges-fear-social-media-jeopardizing-fair-trials.html>

*Rapid City Journal*

#### **Lawyer challenges death reporting law**

A defense lawyer for a South Dakota woman charged under the state's new child death reporting law says it's unconstitutional because it violates his client's right against self-incrimination.

It's one of the first attempts to question the validity of the new child death reporting laws that have been passed by several state legislatures following the high-profile death of 2-

year-old Caylee Anthony in Florida.

Laurie Cournoyer and her husband, Taylor Cournoyer, 21, are charged with failing to notify police of the death of a 2-year-old girl found in a closet at their rural South Dakota home. They also face five counts of child abuse and drug charges. The Cournoyers are accused of using sleeping pills, methamphetamine and marijuana during the day and a half in July when the child's death still hadn't been reported.

[http://rapidcityjournal.com/news/state-and-regional/apnewsbreak-lawyer-challenges-death-reporting-law/article\\_7da6bb01-29a8-55a3-9d0b-5ccde74cb482.html](http://rapidcityjournal.com/news/state-and-regional/apnewsbreak-lawyer-challenges-death-reporting-law/article_7da6bb01-29a8-55a3-9d0b-5ccde74cb482.html)

*Corvallis Gazette-Times*

### **Ore. governor appeals court's death penalty ruling**

Oregon Gov. John Kitzhaber is appealing a judge's ruling that he has no authority to issue a reprieve from the death penalty for a condemned inmate who has rejected the governor's clemency.

A Kitzhaber spokesman says the governor will file a notice of appeal on Tuesday and ask the Oregon Court of Appeals to pass it up to the state Supreme Court.

A trial-court judge in Marion County ruled last month that convicted murderer Gary Haugen must accept a reprieve for it to be valid. Haugen had been scheduled to die by lethal injection last December when Kitzhaber stepped in and blocked it. Kitzhaber opposes capital punishment and said he won't allow any executions while he is governor.

[http://www.gazettetimes.com/news/state-and-regional/ore-governor-appeals-court-s-death-penalty-ruling/article\\_d39cac21-8a66-5406-9f24-584a7af9cc2a.html](http://www.gazettetimes.com/news/state-and-regional/ore-governor-appeals-court-s-death-penalty-ruling/article_d39cac21-8a66-5406-9f24-584a7af9cc2a.html)

*The Statesman*

### **Juvenile agency chief to rescind pay raises, reduce management ranks**

Continuing a shakeup of top management at Texas' troubled juvenile justice agency, the new executive director moved Tuesday to rescind pay raises awarded last spring that left legislative leaders fuming.

In addition, Mike Griffiths put the top two levels of managers at the Texas Juvenile Justice Department on notice that he plans to streamline the agency's governance and asked managers to detail their continued value at the agency. One lawmaker said he expected a 20 percent reduction in the agency's executive ranks.

<http://www.statesman.com/news/texas-politics/juvenile-agency-chief-to-rescind-pay-raises-reduce-2455884.html>



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