

WORKING

The \$30 a Day Job

That's right.
Jury duty.

By Haidee E. Allerton

Sooner or later, you're likely to be called to serve. If you're registered to vote or have a driver's license, they'll find you. Typically, you're paid \$30 a day if your employer suspends your salary while you're out or you are unemployed or self-employed. Where I live, Washington, D.C., we're served notice for jury duty every two years. You can't believe how fast that two years passes.

I have been called four times. The system here is that you serve one day or one trial. That is, you show up at the courthouse and report to the Juror's

Lounge and wait. And wait. And wait. "Lounge" is an exaggeration, but they do show DVDs, such as Ken Burns's series "Baseball." It was very entertaining, though I didn't get to finish it.

If your number isn't called by the end of the day, you're done—at least, for two years. If your number *is* called, you proceed with the selected first pool to a courtroom, where *voir dire* takes place. That's when the defense attorney, prosecutor, and judge take you through final jury selection. You fill out a questionnaire with such inquiries as Have you

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ever committed a felony? Is there any reason that would prevent you from serving on a jury? Then they call you up to the bench to explain your answers.

I know what you're thinking. You figure if you answer "yes" to either of those questions, you're home free. Not so. I've never committed a felony, but I do confess to trying to get out of jury duty once by giving what I thought might be disqualifying answers. It didn't work. I was picked. I sat through three days of the trial and then learned I was one of the alternate jurors. None of the jury had to drop out, so I didn't get to deliberate. A few years ago, I served on a murder trial that resulted in a hung jury. That was frustrating because I—and most of the jurors—believed the defendant was guilty.

This last time I was called to serve, just a few weeks ago, I left the questionnaire blank. No reason I couldn't sit; I was prepared to. But I did try to keep a low profile. Picked.

The case was about a young man who broke another man's jaw. The defendant and the victim lived in the same neighborhood and had known each other for years. In fact, when the victim testified, he said, "Me and Jason (the defendant) are still friends."

It made one wonder why this even went to trial. Among the prosecution's witnesses were a convicted marijuana dealer and a woman who was obviously under the influence of a powerful narcotic. They both were also good friends of the victim and the defendant. Neither saw the actual assault. After she haltingly gave some pretty lame testimony—"I was on my porch, and they was wrastlin' or somethin'. I dunno. We was all drinkin' . . ."—she went to sit down in the back of the court and promptly fell asleep. As an editor, I was thinking of convicting of bad grammar.

It was scary, comedic, pathetic. And that was just the jury! Oh, yes, 12 strangers shut up in a windowless room for hours and forced to eat together during deliberation in the no-star courthouse cafeteria are not happy campers. We could not agree on the charges: aggravated assault or simple assault, and assault with a deadly weapon—a "shod foot." The defendant was accused of kicking the victim. Though no one saw that, there was no dispute that the victim suffered a broken jaw and most likely, due to circumstantial evidence, from action precipitated by the defendant.

Actually, I was surprised that this jury didn't just throw up its hands and let the defendant off scot-free, considering the weakness of the prosecution's case and the fact that none of the involved parties seemed to care. Nor did we convict the defendant off-hand just to be out of there. We took our task seriously, perhaps more seriously than it merited, but it made me feel proud of ourselves and reconfirmed some faith in human beings. The value of justice seems to be alive and well in people's hearts and minds despite the injustices we see all around us.

We spent two days dissecting and debating the issues of the case and finally settled on a verdict of guilty of simple assault, not guilty on the deadly weapon charge. It took time—and a degree of compromise and willingness to see past our own to others' reasoning—to come to consensus for the good of the whole.

We did our duty. They got their \$30 worth and then some.