

Chapter 1 : Trial By Jury | Definition of Trial By Jury by Merriam-Webster

A jury trial, or trial by jury, is a lawful proceeding in which a jury makes a decision or findings of fact. It is distinguished from a bench trial in which a judge or panel of judges makes all decisions.

By Mike Puccinelli October 4, at 1: Van Dyke is charged with shooting and killing black year-old Laquan McDonald, who was walking away from police down a street holding a knife. The verdict is likely to spark strong emotions across the city. After they were first sent back to begin deliberations, jurors were twice called back to the courtroom as Judge Vincent Gaughan gave them additional instructions, after consulting with prosecutors and defense attorneys. Jurors could convict on second-degree murder if they determine the defense showed Van Dyke believed the shooting was justified, but that his belief was not reasonable. In addition to the two murder chargesâ€”which Van Dyke had pleaded not guilty toâ€”the Chicago police officer is also charged with aggravated battery with a firearm and official misconduct. Four additional murder charges were dropped. The prosecution has rested its case against Chicago police officer Jason Van Dyke after giving the jury the option to deliberate a second degree murder charge. The second-degree murder conviction allows the jury the option to convict on a lesser charge if they determine the defense showed Van Dyke believed the shooting was justified, but that his belief was not reasonable. To demonstrate how simple it would have been for McDonald to drop the knife in the moments of the shooting, Herbert dropped the actual knife McDonald was carrying the night he was fatally shot. Not guilty of first degree murder 2. Guilty of first degree murder, or 3. If Van Dyke waited for the taser to arrive, he could have avoided shooting McDonald: What was necessary to accomplish the arrest is an ambulance and a really good surgeon. Judge Vincent Gaughan has called a minute recess. The prosecution instead brought a different doctor to the witness stand. He also dramatically threw a knife to the ground saying that is all Laquan McDonald had to do to end the situation before shots were fired. The defense is now showing the video again, this time pointing out where they say Laquan McDonald flipped open the knife. Prosecution rests The prosecution claims McDonald had made up his mind to shoot McDonald before he had even arrived at the scene of where the teenager was killed. Each separate shot is a crime," special prosecutor Jody Gleason says as she discusses the aggravated battery charges against Jason Van Dyke. Crowd control and violence-suppression efforts will be similar to tactics used during the NATO protests and past Chicago Bulls championship celebrations. Tactical officers and special operations units will be heavily armored, police said.

Chapter 2 : Trial by Jury - Wikipedia

A trial jury, also known as a petit jury, decides whether the defendant committed the crime as charged in a criminal case, or whether the defendant injured the plaintiff in a civil case. Consists of people.

For normal cases, the courts were made up of dikastai of up to citizens. In such large juries, the unanimity rule would be unrealistic, and verdicts were reached by majority. Juries were appointed by lot. Jurists cast a ceramic disk with an axle in its middle: Thus the way they voted was kept secret because the jurists would hold their disk by the axle by thumb and forefinger, thus hiding whether its axle was hollow or solid. The institution of trial by jury was ritually depicted by Aeschylus in the *Eumenides*, the third and final play of his *Oresteia* trilogy. In the play, the innovation is brought about by the goddess Athena, who summons twelve citizens to sit as jury. The god Apollo takes part in the trial as the advocate for the defendant Orestes and the Furies as prosecutors for the slain Clytaemnestra. In the event the jury is split six to six, and Athena dictates that in such a case, the verdict should henceforth be for acquittal.

Rome[edit] From the beginning of the republic and in the majority of civil cases towards the end of the empire, there were tribunals with the characteristics of the jury, the Roman judges being civilian, lay and not professional. Capital trials were held in front of juries composed of hundreds or thousands of people in the *comitias* or *centuries*, the same as in Roman trials. High government officials and their relatives were barred from acting as judges, due to conflicts of interest. Those previously found guilty of serious crimes felonies were also barred as were gladiators for hire, who likely were hired to resolve disputes through trial by combat. The law was as follows: An draft on criminal procedure produced by the Prussian Ministry of Justice proposed to abolish the jury and replace it with the mixed system, causing a significant political debate.

England and Wales[edit] Main article: They had no professional lawyers, but many of their farmer-warriors, like Njal, the truth-teller, were learned in folk custom and in its intricate judicial procedure. These juries differed from the modern sort by being self-informing; instead of getting information through a trial, the jurors were required to investigate the case themselves. Henry II set up a system to resolve land disputes using juries. A jury of twelve free men were assigned to arbitrate in these disputes. As with the Saxon system, these men were charged with uncovering the facts of the case on their own rather than listening to arguments in court. Henry II also introduced what is now known as the " grand jury " through his Assize of Clarendon. Under the assize, a jury of free men was charged with reporting any crimes that they knew of in their hundred to a "justice in eyre", a judge who moved between hundreds on a circuit. A criminal accused by this jury was given a trial by ordeal. The Church banned participation of clergy in trial by ordeal in Without the legitimacy of religion, trial by ordeal collapsed. The juries under the assizes began deciding guilt as well as providing accusations. The same year, trial by jury became an explicit right in one of the most influential clauses of Magna Carta. Article 39 of the Magna Carta read: Nullus liber homo capiatur, vel imprisonetur, aut desseisetur de libero tenemento, vel libertatibus, vel liberis consuetudinibus suis, sut utlagetur, aut exuletur, aut aliquo modo destruat, nec super eum ibimus, nec super eum mittemus, nisi per legale iudicium parium suorum, vel per legem terrae. According to some sources, in the time of Edward III, by the law of the land had been substituted by due process of law, which in those times was a trial by twelve peers. The Magna Carta of [13] further secured trial by jury by stating that For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood. In the same way, a merchant shall be spared his merchandise, and a husbandman the implements of his husbandry, if they fall upon the mercy of a royal court. None of these fines shall be imposed except by the assessment on oath of reputable men of the neighbourhood. Earls and barons shall be fined only by their equals, and in proportion to the gravity of their offence. To any man whom we have deprived or dispossessed of lands, castles, liberties, or rights, without the lawful judgement of his equals, we will at once restore these. If we have deprived or dispossessed any Welshmen of lands, liberties, or anything else in England or in Wales, without the lawful judgement of their equals, these are at once to be returned to them. A dispute on this point shall be determined in the Marches by the judgement of equals. English law shall apply to holdings of land in England, Welsh law

to those in Wales, and the law of the Marches to those in the Marches. The Welsh shall treat us and ours in the same way. During the midth Century, persons who had sat on the Presenting Jury i. Medieval juries were self-informing, in that individuals were chosen as jurors because they either knew the parties and the facts, or they had the duty to discover them. This spared the government the cost of fact-finding. Jurors remained free to investigate cases on their own until the 17th century. The Magna Carta being forgotten after a succession of benevolent reigns or, more probably, reigns limited by the jury and the barons, and only under the rule of laws that the juries and barons found acceptable, the kings, through the royal judges, began to extend their control over the jury and the kingdom. One of the most ancient and most established instruments of power was the court of Star Chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment, and whose jurisdiction extended to all sorts of offenses, contempts, and disorders, that lay not within reach of the common law. The members of this court consisted of the privy council and the judges; men who all of them enjoyed their offices during pleasure: And when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government, to put an end to all regular, legal, and exact plans of liberty. For who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of freedom, while exposed to so arbitrary a jurisdiction? I much question, whether any of the absolute monarchies in Europe contain, at present, so illegal and despotic a tribunal. While so many terrors hung over the people, no jury durst have acquitted a man, when the court was resolved to have him condemned. The practice also, of not confronting witnesses to the prisoner, gave the crown lawyers all imaginable advantage against him. And, indeed, there scarcely occurs an instance, during all these reigns, that the sovereign, or the ministers, were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown. And as the practice was anciently common of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges; it is obvious, that juries were then no manner of security to the liberty of the subject. The first paragraph of the Act that abolished the Star Chamber repeats the clause on the right of a citizen to be judged by his peers: Abolition of the Star Chamber July 5, An act for the regulating of the privy council, and for taking away the court commonly called the star-chamber. WHEREAS by the great charter many times confirmed in parliament, it is enacted, That no freeman shall be taken or imprisoned, or disseised of his freehold or liberties, or free customs, or be outlawed or exiled or otherwise destroyed, and that the King will not pass upon him, or condemn him; but by lawful judgment of his peers, or by the law of the land. In two Quakers charged with unlawful assembly, William Penn and William Mead, were found not guilty by a jury. The judge then fined the jury for contempt of court for returning a verdict contrary to their own findings of fact and removed them to prison until the fine was paid. Edward Bushel, a member of the jury, nonetheless refused to pay the fine. Bushel petitioned the Court of Common Pleas for a writ of habeas corpus. Many British colonies, including the United States, adopted the English common law system in which trial by jury is an important part. Jury trials in criminal cases were a protected right in the original United States Constitution and the Fifth, Sixth, and Seventh Amendments of the U. Constitution extend the rights to trial by jury to include the right to jury trial for both criminal and civil matters and a grand jury for serious cases. Role[edit] In most common law jurisdictions, the jury is responsible for finding the facts of the case, while the judge determines the law. These "peers of the accused" are responsible for listening to a dispute, evaluating the evidence presented, deciding on the facts, and making a decision in accordance with the rules of law and their jury instructions. Typically, the jury only judges guilt or a verdict of not guilty, but the actual penalty is set by the judge. An interesting innovation was introduced in Russia in the judicial reform of Alexander II: In France and some countries organized in the same fashion, the jury and several professional judges sit together to determine guilt first. Then, if guilt is determined, they decide the appropriate penalty. Jury trials tend to occur only when a crime is considered serious. In some jurisdictions, such as France and Brazil, jury trials are reserved, and compulsory, for the most severe crimes and are not available for civil cases. In Brazil, for example, trials by jury are applied in cases of voluntary crimes against life, such as first and second degree murder, forced abortion and instigation of suicide, even if only attempted.

In others, such as the United Kingdom, jury trials are only available for criminal cases and very specific civil cases malicious prosecution, civil fraud and false imprisonment. In the United States, jury trials are available in both civil and criminal cases. In Canada, an individual charged with an indictable offence may elect to be tried by a judge alone in a provincial court, by judge alone in a superior court, or by judge and jury in a superior court; summary offences cannot be tried by jury. In the United States, because jury trials tend to be high profile, the general public tends to overestimate the frequency of jury trials. Approximately, jury trials are conducted in state courts annually, [16] and an additional 5, jury trials are conducted in federal courts. Two-thirds of jury trials are criminal trials, while one-third are civil and "other" e. Nevertheless, the vast majority of criminal cases are settled by plea bargain, [17] [18] which removes the need for a jury trial. Some commentators contend that the guilty-plea system unfairly coerces defendants into relinquishing their right to a jury trial. Please help improve it by rewriting it in an encyclopedic style. June Learn how and when to remove this template message In countries where jury trials are common, juries are often seen as an important check against state power. Other common assertions about the benefits of trial by jury is that it provides a means of interjecting community norms and values into judicial proceedings and that it legitimizes the law by providing opportunities for citizens to validate criminal statutes in their application to specific trials. Alexis de Tocqueville also claimed that jury trials educate citizens about self-government. This last point may be disputed. For example, in highly emotional cases, such as child rape, the jury may be tempted to convict based on personal feelings rather than on conviction beyond reasonable doubt. Another issue with jury trials is the potential for jurors to be swayed by prejudice, including racial considerations. Infamous cases include the Scottsboro Boys, a group of nine African American teenagers accused of raping two White American women on a train in, for which they were indicted by an all-white jury, the acquittal of two white men Roy Bryant and J. Milan by an all-white jury for the murder of 14 year old Emmett Till in they admitted killing him in a magazine interview a year later, and the trial in the Rodney King case in California, in which white police officers were acquitted of excessive force in the violent beating of a black man by a jury consisting mostly of whites without any black jurors. Consider Japan, for instance, which used to have optional jury trials for capital or other serious crimes between and The defendant could freely choose whether to have a jury or trial by judges, and the decisions of the jury were non-binding. Jury trials in multi-cultural countries with a history of ethnic tensions may be problematic, and lead to juries being unduly biased and partial. A major issue in jury trials is the secretive nature of the process. While proponents may say that secrecy allows the jury to remain impartial by protecting it from undue pressure or attention, opponents contend that this prevents there from being a transparent trial. The fact that juries do not often have to give a reason for their verdict is also criticized, since opponents argue it is unfair for a person to be deprived of life, liberty or property without being told why it is being done so. In contrast where there is a decision by a judge or judges, they are required to provide often detailed reasons of both fact and law as to why their decision was made. One issue that has been raised is the ability of a jury to fully understand statistical or scientific evidence.

Chapter 3 : Los Angeles Times - We are currently unavailable in your region

A grand jury determines whether charges should be brought against a suspect, while trial juries give a decision about whose facts they believe in the trial itself. What Is a Grand Jury? A grand jury helps the prosecutor decide whether to bring criminal charges against a suspect in a crime.

Who is El Chapo? That will be a major challenge during jury selection, which began Monday for Mexican cartel boss Joaquin "El Chapo" Guzman. The international scope of an alleged criminal enterprise that spanned continents "makes it an outlier among even the biggest drug prosecutions to date," Cogan wrote last week. The jury will be anonymous and partly sequestered. The year-old Guzman has pleaded not guilty. If convicted of international drug trafficking, conspiring to murder rivals, gun charges and money laundering, he faces a sentence of life in prison. The names, addresses and places of employment of prospective jurors will be kept secret for the duration of a trial that could last four months. Defendants so threatening their juries were anonymous. Jurors will even be transported to and from the courthouse by armed US marshals. Guzman is guilty and dangerous. On Monday, the selection of the men and women who will decide his fate began under a veil of secrecy. Guzman sat in the courtroom, dressed casually: He wore a white collared shirt -- with two top buttons open -- a navy blazer, and a brown belt and shoes. There were about 10 US Marshals in courtroom. About potential jurors from the that returned the questionnaire were summoned to the court. They were brought into the courtroom in groups of 20 and will only be identified by a number throughout the trial. They came face to face with Guzman, although the judge instructed the first group of potential jurors not to look at him. The jury will ultimately consist of 12 principal jurors and six alternates. The courtroom will be closed to the public during jury selection. Opening statements are scheduled for November. Before then, prosecutors and defense lawyers will question potential jurors about politically charged topics that include federal narcotics policy and law enforcement relations between the United States and Mexico. Potential jury members are also expected to be queried during voir dire about their views on the legalization of narcotics as well as their experiences with substance abuse and violent crime.

Hide Caption 1 of 12 Photos: Russia offered him asylum in

Hide Caption 2 of 12 Photos: Famous US extradition cases For years, WikiLeaks founder Julian Assange has been fighting efforts to extradite him to Sweden, where he faces rape allegations. Assange, who denies the allegations and has never been charged, has been living inside the Ecuadorian Embassy in London since

Hide Caption 3 of 12 Photos: In , a U.

Hide Caption 4 of 12 Photos: In , the United Kingdom blocked his extradition.

Hide Caption 5 of 12 Photos: Famous US extradition cases Filmmaker Roman Polanski pleaded guilty to unlawful sex with a minor in , but he fled the United States before he was sentenced. This year, prosecutors in Poland said they were reviving efforts to extradite the year-old filmmaker.

Hide Caption 6 of 12 Photos: US lawmakers have called for Cuba to extradite her.

Hide Caption 7 of 12 Photos: Famous US extradition cases Thailand extradited arms dealer Viktor Bout to the United States in , drawing swift criticism from his native Russia, which called the extradition illegal. In , Bout was sentenced to 25 years behind bars "for agreeing to provide a staggering number of military-grade weapons to an avowed terrorist organization committed to killing Americans," prosecutors said at the time. Bout, who some have dubbed the "merchant of death," denied any wrongdoing.

Hide Caption 8 of 12 Photos: Two years later, she was convicted of attempting to kill Americans in Afghanistan and sentenced to 86 years in prison. Prosecutors said Siddiqui shot at FBI agents and military officials while she was being held at an Afghan facility.

Hide Caption 9 of 12 Photos: Germany tried him instead, convicting him of murder, hostage-taking, assault and hijacking. He was sentenced to life, but he was released in and returned to Beirut.

Hide Caption 10 of 12 Photos: Famous US extradition cases Ira Einhorn, a well-known hippie, environmentalist and anti-war activist, jumped bail and fled the United States after investigators accused him of murdering his girlfriend and stuffing her remains in a trunk. French authorities arrested him in and extradited him in. The next year, a Philadelphia court found Einhorn guilty and sentenced him to life behind bars.

Hide Caption 11 of 12 Photos: He died in a shootout with security forces in. But during his reign as the head of the Medellin cartel, forcing the Colombian government to stop extraditions to the United States was a rallying cry. Escobar used to form alliances with

other criminal organizations. Escobar famously said he preferred the grave in Colombia to a US prison cell. Hide Caption 12 of 12 "It is critical that prospective jurors be forthcoming about their views on these topics, as well as any preconceived notions they might have about defendant," Cogan wrote. Prosecutors will attempt to show that Guzman allegedly killed or ordered the deaths of dozens of rivals and law enforcement officers. In August, Trump decried those who testify against former confidants to ease legal troubles, bemoaning the longstanding practice. That does present an unusual environment for a criminal trial like this. He has been held in solitary confinement in a cold, small cell at a federal lockup in Manhattan while awaiting trial, which has already been delayed twice. They will also understand what that means -- that the world is watching them.

Chapter 4 : El Chapo trial: Jury selection has begun -- but it won't be easy - CNN

Trial by Jury is a comic opera in one act, with music by Arthur Sullivan and libretto by W. S. calendrierdelascience.com was first produced on 25 March , at London's Royalty Theatre, where it initially ran for performances and was considered a hit, receiving critical praise and outrunning its popular companion piece, Jacques Offenbach's La PÃ©richole.

Chicago police officer facing murder charges The city, meanwhile, braced for possible demonstrations in a sensational case that already sparked protests. The panel of eight women and four men -- seven of them white, one black, three Hispanic and one Asian -- will be sequestered during deliberations. They began deliberating Thursday after closing arguments and ended the day without a verdict. Van Dyke faces two counts of first-degree murder, 16 counts of aggravated battery and one count of official misconduct for the shooting and killing of the black teenager. The white officer faces up to life in prison if convicted. Read More Two alternate jurors who were dismissed Thursday said they would have convicted him of murder. Closing arguments A prosecutor claimed Van Dyke showed no regard for the life of the black teenager while the defense portrayed him as a police veteran ensnared in a tragedy but not a murder. Gleason told the jury Thursday, "We know the defendant contemplated the decision to shoot Laquan before he even got out of his vehicle. And he never adjusted that mindset. A police officer cannot use deadly force merely because a person "will not bow to their authority," she said. A tragedy but not a murder case Defense attorney Daniel Herbert, in his closing, sought to discount a piece of evidence at the center of the case: He added, "The state wants to watch the last two minutes of this movie without knowing the context. No premeditation," he said. You can determine what is a murder. Jurors were instructed Thursday that they could also consider a second-degree murder charge. Van Dyke is the first Chicago police officer to be charged with first-degree murder since Standing about 10 to 15 feet away, McDonald "turned his torso towards me," the officer testified. The officer told jurors he then shot McDonald. Still, McDonald refused his repeated commands to drop the knife, even as he lay wounded, Van Dyke said. McDonald appeared to be trying to get up after the officer stopped shooting, so Van Dyke reloaded -- as he was trained to do -- and fired at the knife, he said. I see his left shoulder start to come up. I still see him holding that knife with his right hand, not letting go of it," Van Dyke said. His face has got no expression on it. I just wanted him to get rid of that knife. The prosecution said Van Dyke fired unnecessarily within six seconds after arriving at the scene, striking McDonald 16 times. Dashcam video The shooting was captured on a grainy police dashcam video. Van Dyke said he fired in self-defense after McDonald lunged at him with the knife. But the dashcam video -- which a judge ordered the city to release 13 months after the shooting -- showed McDonald walking away from police, rather than charging at them. Have you ever seen Laquan McDonald do that on one of those videos?

Chapter 5 : Van Dyke trial: Jury deliberations begin - CNN

Finding a panel of jurors who haven't heard of Mexican cartel boss Joaquin "El Ghapo" Guzman will be a major challenge as his trial gets underway Monday. Then again, everything is extraordinary in.

And turned out "Trial by Jury. The opening night audience was also delighted by the piece, preferring it even to the Offenbach work: On the contrary, it may fairly be said to have borne away the palm. Sullivan, whose blending of official dignity, condescension, and, at the right moment, extravagant humour, made the character of the Judge stand out with all requisite prominence, and added much to the interest of the piece. Fisher the Defendant, John Hollingsworth the Counsel and others were also praised for their acting. Walbrook similarly wrote in The piece is a riot of laughter. In none of the operas is the genius of Gilbert as an inventor of "comic business" more daringly and irresistibly exhibited. One can see the piece again and again and discover fresh strokes of comicality. The court of law had become the scene of humor and frivolity; the learned judge had shown himself to be as fickle as the defendant, and the justice system turned out to be flawed by human frailty. And Sullivan had grasped the joke From the first chords The historian Reginald Allen sums up the historical import of the opera: Some will maintain that there is no single date of comparable importance in the history of the modern lyric theatre than this occasion which first brought together the triumvirate of W. The next twenty-five years witnessed the spectacular, worldwide success of this collaboration: Gilbert without spoken dialogue. For example, all except The Yeomen of the Guard begin with a chorus number. As Gilbert scholar Andrew Crowther explains, Gilbert combines his criticisms with comic entertainment, which renders them more palatable, while at the same time underlining their truth: In most earlier operas, burlesques, and comedies, the chorus had very little impact on the plot and served mainly as "noise or ornament". At this moment it seems difficult to realise that the idea of the chorus being anything more than a sort of stage audience was, at that time, a tremendous novelty. Robertson, was that the costumes and sets were made as realistic as possible: Pinafore, Gilbert and Sullivan visited Portsmouth to inspect ships. Gilbert made sketches of H. St Vincent and created a model set for the carpenters to work from. In others, such as Thespis, some songs are relatively disconnected from both the story and characterisation, such as "I once knew a chap" or "Little maid of Arcadee", which simply convey a moral lesson. It was concise, modern and satirical without being impossibly whimsical. Having no spoken dialogue it was perforce tightly constructed and allowed of no interpolation or alteration. Except for incidental music for productions of Shakespeare, he had not written any music for the stage since Thespis. From, costumes were by Percy Anderson, and a new touring set was designed by Peter Goffin in

Chapter 6 : Van Dyke Trial: Jury Begins Deliberations Â« CBS Chicago

The right to trial by jury in a criminal case resides in both Article III, Section 2 of the federal Constitution ("The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury") and the Sixth Amendment ("In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury"). But.

Chapter 7 : Types of Juries | United States Courts

Overview Trial jurors who have been impaneled sit and hear evidence on a single case, evaluate that evidence during deliberations with their fellow jurors, and make a decision on that case.

Chapter 8 : Trial By Jury | Trial By Jury: A Case of Deportation

Comments on trial by jury. What made you want to look up trial by jury? Please tell us where you read or heard it (including the quote, if possible).

Chapter 9 : Trial by Jury: calendrierdelascience.com

The trial has thrust into the spotlight the flaws in the way economic development is done in New York. But it's up to this jury to decide whether these men were just playing by the rules or if.