POINTS AND AUTHORITIES

The District Attorney of Alameda County Presents a Weekly Video Surveillance of Criminal Law Approved for Credit Toward California Criminal Law Specialization: C437 -- The Alameda County District Attorney's Office is a State Bar of California Approved MCLE Provider.

Week Of	Topic	Guest	30 min General
Aug. 24, 2015	Juror Misconduct – Part II	Abby Mulvihill Kyra Taylor Angelo Villareal Steven Vong	

This P&A is a two-part presentation with our summer law clerks on examples of juror misconduct.

Jeff Rubin did an extensive P&A outline entitled "The Rogue Juror," that is available on our P&A site (8/22/2011). For anyone outside the Alameda County DA's Office who would like a copy of this outline, please contact marypat.dooley@acgov.org

This P&A handout updates selected issues in juror misconduct, relying mostly on recent California Supreme Court decisions.

I. How Juror Misconduct Gets Raised Procedurally

A. Penal Code 1098 -- at trial or during deliberations

The trial court may discharge a juror for good cause at any time, including during deliberations, if the court finds that the juror is unable to perform his or her duty. (§ 1089.)

Must an evidentiary hearing always be conducted?

- Not every incident involving a juror's conduct requires or warrants further investigation. The decision whether to investigate rests with the sound discretion of the trial court. A hearing is required only where the court possesses information which, if proven to be true, would constitute good cause to doubt a juror's ability to perform his duties and would justify his removal from the case. (*People v. Manibusan* (2013) 58 Cal.4th 40, 53.)

Must jurors being investigated for possible misconduct be advised of right to counsel?

- This question was addressed recently by the Supreme Court in *People v. Weatherton* (2014) 59 Cal.4th 589. The trial court, while conducting an evidentiary hearing as to whether four jurors

committed misconduct, advised the jurors of their right against self-incrimination and told them that attorneys were present to represent them. Three of the jurors invoked their Fifth Amendment rights and the court granted them use immunity. (*Id*. at p. 595.) The Supreme Court said this in a footnote: "We have been unable to find another instance in which a court investigating possible jury misconduct similarly advised jurors of their Fifth Amendment rights and offered to appoint an attorney. Given the speculative nature of the nascent Fifth Amendment issue in these circumstances and lacking some articulation of a crime the jurors may have committed, the court's decision to proceed in this fashion threatened to undermine its ability to acquire complete and accurate information, untainted by jurors' now-heightened concerns about their own interests. Because we reverse the judgment for prejudicial juror misconduct, however, we have no occasion to pass on the propriety of the court's decision to proceed in this manner." (*Id*. at p. 596, fn. 6.)

B. Motion for a New Trial – post verdict

After the verdict has been rendered, but before judgment entered, the defendant may bring a motion for a new trial Penal Code section 1181.

A new trial may be granted if the jury "has been guilty of any misconduct by which a fair and due consideration of the case has been prevented." (Pen. Code, § 1181, subd. (3)), or when "the jury has received any evidence out of court, other than that resulting from a view of the premises, or personal property." (Pen. Code, 1181, subd. (2).)

When a party seeks a new trial based upon jury misconduct, a court must undertake a three-step inquiry. The court must first determine whether the affidavits supporting the motion are admissible. If the evidence is admissible, the court must then consider whether the facts establish misconduct. Finally, assuming misconduct, the court must determine whether the misconduct was prejudicial.

The affidavits supporting the motion must conform to Evidence Code section 1150, subdivision (a), which distinguishes, "between proof of overt acts, objectively ascertainable, and proof of the subjective reasoning processes of the individual juror, which can be neither corroborated nor disproved." (*People v. Steele* (2002) 27 Cal.4th 1230, 1261.) The "only improper influences that may be proved under Evidence Code section 1150 to impeach a verdict, therefore, are those open to sight, hearing, and the other senses and thus subject to corroboration." (*Ibid*.) Evidence that violates section 1150(a) is inadmissible and irrelevant. (*Id*. at p. 1264.)

Must an evidentiary hearing always be conducted?

● The trial judge has the discretion to determine the truth of the allegations and to allow jurors to testify. "This does not mean, however, that a trial court must hold an evidentiary hearing in every instance of alleged jury misconduct. The hearing should not be used as a 'fishing expedition' to search for possible misconduct, but should be held only when the defense has come forward with evidence demonstrating a strong possibility that prejudicial misconduct has occurred. Even upon such a showing, an evidentiary hearing will generally be unnecessary unless the parties'

evidence presents a material conflict that can only be resolved at such a hearing." (*People v. Hedgecock* (1990) 51 Cal.3d 395, 415.)

II. Recent Examples of What is and What is Not Prejudicial Jury Misconduct

● Concealment of Relevant Facts During Voir Dire

People v. Merriman (2014) 60 Cal.4th 1

1. *The bottom line*: The juror's failure to reveal information during voir dire is misconduct, but when the failure is the result of an inadvertent mistake, the presumption of prejudice is rebutted.

2. *Principles*: "It is misconduct, and therefore presumptively prejudicial, for a juror to conceal relevant facts during the jury selection process. On appellate review, "the presumption [of prejudice] is rebutted, and the verdict will not be disturbed, if a reviewing court concludes after considering the entire record, including the nature of the misconduct and its surrounding circumstances, that there is no substantial likelihood that the juror in question was actually biased against the defendant." (*Merriman,* at pp. 95.)

3. *What happened*: In this death penalty case, the juror failed to mention in her juror questionnaire or during voir dire her relationship to a deputy sheriff in the county where the trial was occurring. The juror had been asked no questions about the particular topic during voir dire. The deputy was her daughter's sister-in-law, whom the juror saw infrequently. In a hearing to investigate the issue, the deputy testified that she saw the juror maybe once a year at family gatherings. The Supreme Court agreed with the trial court that the relationship between the juror and the deputy was distant, and questioned whether the juror and the deputy could even be considered "relatives." But even if the deputy should have been included in the juror's list of relatives in law enforcement, " 'an honest mistake on voir dire cannot disturb a judgment in the absence of proof that the juror's wrong or incomplete answer hid the juror's actual bias.' " (*Id*. at p. 97.) The Supreme Court concluded that the answers given by the juror at the hearing showed the juror's failure to mention the deputy was an inadvertent omission. When asked by the court, the juror immediately told the court that she was acquainted with the deputy. Because of the very attenuated relationship, it appeared the deputy was not someone who would come to mind when the juror was asked to identify relatives in law enforcement. Nor did the court or parties ask questions of her during voir dire that would have clarified for her they types of relationships of interest to them. The Supreme Court stated that " 'good faith when answering voir dire questions is the most significant factor that there was not bias,'" and here there was no indication that the juror acted in bad faith during the voir dire. (*Id*. at p. 97.)

● Prejudging the Case

People v. Weatherton **(2014) 59 Cal.4th 589**

1. *Bottom Line*: A juror prejudged the case by repeatedly discussing the case with other jurors during trial, in a manner indicating he had made up his mind about guilt long before deliberations began. A conviction cannot stand if even one juror was impartial and biased.

2. *Principles*: A criminal defendant has a constitutional right to a trial by unbiased, impartial jurors. That means 12, not 11, impartial and unprejudiced jurors. A conviction cannot stand if even a single juror has been improperly influenced. Jurors must be admonished not to "form or express any opinion about the case until the cause is finally submitted to them." Prejudgment constitutes serious misconduct, raising a presumption of prejudice. The presumption is rebutted if the entire record indicates there is no reasonable probability of prejudice, i.e., no substantial likelihood that one or more jurors were actually biased against the defendant. (*Id*. at p. 598.)

3. *What happened*: A jury convicted the defendant of two counts of first degree murder with special circumstances and other charges, then returned a verdict of death. Because juror misconduct during the guilt phase raised a substantial likelihood of actual bias, the Supreme Court reversed the judgment. A juror identified as P.P. repeatedly talked about the case outside deliberations in defiance of the trial court's repeated admonitions. He discussed the case during his daily commute, at lunch, during cigarette breaks, in court hallways, and in elevators. He telephoned non-deliberating jurors during deliberations, reporting what was occurring in the jury room. Multiple jurors testified that, long before the prosecution rested its case, P.P. conveyed a belief in defendant's guilt. He also told jurors, both before and during deliberations, that defendant deserved the death penalty. Jurors testified that, on the first day of trial, P.P. stated that the testimony of a surviving victim in the case was dispositive on guilt. (*Id*. at p. 599.) The Supreme Court concluded that these statements demonstrate that this juror prejudged the case long before deliberations began and while a great deal more evidence had yet to be admitted. (*Ibid.)*

Additionally, the Supreme Court said that the evidence also established that P.P. abandoned the role of an impartial juror, acting instead as an advocate. He repeatedly told the other jurors that defendant was guilty, that he deserved the death penalty. The Supreme Court said that P.P.'s transformation from impartial fact finder to combative advocate before deliberations began was separate and serious misconduct. (*Id*. at p. 600.)

Note: The Supreme Court in a footnote stated: "We do not imply that jurors who argue forcefully for an outcome once deliberations begin act improperly." (*Id*. at p. 600, fn. 14.)

● Prejudging the Case Did <u>Not</u> Occur

People v. Allen **(2011) 53 Cal.4th 60**

1. *Bottom line*: The fact that juror may reach a different conclusion from that espoused by

other jurors, and does so forcefully, is not necessarily evidence of prejudgment or failure to deliberate.

2. *Principles*: "The requirement of a unanimous criminal verdict . . . rests on the premise that each individual juror must exercise his or her own judgment in evaluating the case." (*Id*. at p. 71.) The fact that a juror is unimpressed by the strength of the evidence and unpersuaded by colleague's assertions during deliberations does not amount to prejudgment of the case. (*Id.* at p. 76.)

3. *What happened*: During deliberations, the juror said words to the effect, "When the prosecution rested, she didn't have a case." The foreperson reported the juror's words to the court, after which an evidentiary hearing was held. The juror admitted making the statement, but denied that he had made up his mind before deliberations. The trial court, over the defendant's objection, discharged the juror for having prejudged the case. The Supreme Court concluded that, based on the record in the case, the trial court erred, and the Supreme Court reversed the guilt and penalty phase verdicts. The juror's comment, however phrased, was subject to some interpretation. But the juror's statement was made on the second day of deliberation, not during the presentation of evidence. The record does not demonstrate that the juror refused to listen to all of the evidence, began deliberations with a closed mind, or declined to deliberate. Indeed, other evidence indicates that he was participating. He held a strong opinion about the prosecutor's case, which may have annoyed other jurors, but that is not dispositive evidence that he prejudged the case. (*Id*. at pp. 73-74.)

The Supreme Court said this: "The reality that a juror may hold an opinion at the outset of deliberations is, as we have noted, reflective of human nature. It is certainly not unheard of that a foreperson may actually take a vote as deliberations begin to acquire an early sense of how jurors are leaning. We cannot reasonably expect a juror to enter deliberations as a *tabula rasa*, only allowed to form ideas as conversations continue. What we can, and do, require is that each juror maintain an open mind, consider all the evidence, and subject any preliminary opinion to rational and collegial scrutiny before coming to a final determination." (*Id*. at p. 75.)

● Discussing Trial Issue with Non-Juror

People v. Hensley **(2014) 59 Cal.4th 788**

Bottom line: Juror committed prejudicial misconduct by consulting with a nonjuror on an issue he had to decide in deliberations.

Principles: An impartial jury is one in which no member has been improperly influenced and every member is capable and willing to decide the case solely on the evidence before it. If the appellate court finds a substantial likelihood that a juror was actually biased, it must set aside the verdict, no matter how convinced the court might be that an unbiased jury would have reached the same verdict, because a biased juror is one of the few structural trial defects that compel reversal without application of a harmless error standard. Regardless of how weighty the evidence may be, a defendant is entitled to 12, not 11, impartial jurors.

What happened: During the penalty deliberations in death penalty case, the juror asked the foreperson to request further guidance from the court on how to resolve instructions that the juror viewed as conflicting. Before the trial court had the opportunity to respond, the juror consulted with his pastor. The juror and pastor spoke for about 15-20 minutes on the topic of mercy and the death penalty. The record shows that the pastor told the juror, in effect, that mercy, sympathy and grace are inconsistent with the law of the land, and that persons who kill must themselves be killed. (*Id*. at pp. 826-827, 828.)

After this conversation, the juror told the foreperson his questions had been resolved, and the jury returned a verdict of death less than half an hour after deliberations resumed. The juror committed misconduct. Although instructed not to discuss the case except during deliberations, the juror called his pastor for spiritual advice in making a decision on the death penalty, the very decision under deliberation. The Supreme Court concluded the totality of the circumstances demonstrated a substantial likelihood that the juror was influenced or actually biased against defendant by his improper conversation with his pastor, and that his vote to impose the death penalty was not based solely on the evidence and the jury instructions. Therefore the Supreme Court reversed the judgment of death. (*Id*. at p. 828.)

People v. Linton **(2013) 56 Cal. 4th 1146**

1. *Bottom line*: Juror's "venting" to her husband that she was confused about something in the case, while unwise, did not amount to misconduct.

2. *Principles*: It is misconduct for a juror to discuss a case with a nonjuror during the course of a trial. It is misconduct for a juror to even inadvertently receive information about a party or the case from a nonparty. It is misconduct for a juror to communicate with anyone associated with the case. (*Id*. at p. 1194.)

3. *What happened*: The foreperson alerted the trial court that while the jury was discussing the reaction of the victim to an event in the case, the juror stated that she had discussed "the issue" with her husband. The court examined the juror. The juror stated that she did not disclose any facts or events in the case with her husband, but "simply told him she did not understand something that was going on and that she was confused because if this happened to her, she would react differently." (*Id*. at p. 1192.) Her husband did not respond. She told the court she had warned her husband that she might need to vent during the trial, but "he was not to ask questions or let her continue." (*Id*. at p. 1193.) The court said that although the juror's conduct was "on the edge of propriety," it appeared the juror had vented, but had not discussed the case. The court denied the defendant's motion to discharge the juror. The Supreme Court agreed that the juror did not commit misconduct. The comment to her husband did not expose her to extraneous facts, information or opinion from him.

People v. Nunez **(2013) 57 Cal.4th 1**

1. *Bottom line:* Discharge of juror is proper where juror discusses details of the deliberation with non-juror.

2. *Principles*: "A judge may reasonably conclude that a juror who has violated instructions to refrain from discussing the case cannot be counted on to follow instructions in the future and is unable to perform her duty as a juror." (*Id*. at p. 55.)

3. *What happened:* During penalty deliberations in death penalty case, the juror admitted telling her close friend that the jury would return a verdict the next morning (although in fact the jury did not do so.) The juror told her friend the nature of the verdict and her unease with it. After the juror's statements, her friend expressed her views on the death penalty, the very decision the jurors had to make in the case. The juror committed misconduct and the trial court had good cause to discharge her. (*Id*. at p. 55.)

● Jurors Discussing Failure of Defendant to Testify

People v. Lavender **(2014) 60 Cal.4th 679**

1. *Bottom line*: Foreperson's reminder of the court's instruction to disregard the defendant decision not to testify may be sufficient to rebut any presumption of misconduct

2. *Principles*: Jurors are instructed not to "consider for any reason at all, the fact that the defendant did not testify,' or "let it influence you in any way." A violation of this instruction is misconduct, which in turn gives rise to presumption of prejudice. But that presumption may be rebutted. California Supreme Court case law "indicates that a reminder to the jury of the court's instructions to disregard a defendant's decision not to testify is, in the absence of objective evidence establishing a basis to question the effectiveness of the reminder (see Evid.Code, § 1150), strong evidence that prejudice does not exist." (*Lavender*, at p. 687.)

3. *What happened*: The defendant filed a motion for a new trial supported by declarations stating that several jurors discussed the fact that the defendants did not testify in the case. The prosecution submitted a declaration from the foreperson stating that only one juror mentioned the issue and that he admonished this juror that the defendant's failure to testify could not be considered. The trial court found the presumption of prejudice rebutted by the foreperson's admonition, but the Court of Appeal reversed. The Supreme Court reversed the judgment of the Court of Appeal. The Court of Appeal erred in finding the presumption of prejudice could not be rebutted even if the foreperson had reminded the jury of the court's instructions not to consider that issue and no objective evidence indicated the reminder would have been ineffective. However, the Supreme Court remanded the matter to the trial court for further proceedings. The Supreme Court said, "After all, whether the presumption of prejudice from jury misconduct has been rebutted is not only an objective inquiry, it 'is a pragmatic one, mindful of the day-to-day realities of courtroom life' and of society's strong competing interest in the stability of criminal verdicts." (*Id*. at p. 688, internal citations omitted.)

● Jury Experiments

People v. Calles **(2012) 309 Cal.App.4th 1200**

1. *Bottom line:* Juror using watch to measure passage of time does not conduct an improper experiment

2. *Principles:* "Not every jury experiment constitutes misconduct. Improper experiments are those that allow the jury to discover new evidence by delving into areas not examined during trial. The distinction between proper and improper jury conduct turns on this difference. The jury may weigh and evaluate the evidence it has received. It is entitled to scrutinize that evidence, subjecting it to careful consideration by testing all reasonable inferences. It may reexamine the evidence in a slightly different context as long as that evaluation is within the scope and purview of the evidence. What the jury cannot do is conduct a new investigation going beyond the evidence admitted." (*People v. Collins* (2010) 49 Cal.4th 175.)

3. *What happened*: The defendant was convicted of, among other charges, second degree murder after a horrific car accident in which he struck and killed two pedestrians and injured others. The victim of the second degree murder count was trapped under the defendant's car when he stopped. Ignoring her screams, the defendant then backed his car over the victim in order to flee, dragging her. Because the tires of his car had been blown out, the tires rims were exposed. In closing argument, defense counsel argued that the 30 seconds between the initial impact and the defendant's backing up was not enough time for defendant to act in conscious disregard for life. In the jury room, the jury did a demonstration which consisted of one juror looking at his analog watch and timing 30 seconds. The other jurors remained silent in an attempt to simulate the passing of 30 seconds. The defense contended jurors' timing "experiment" included new elements that were not part of the incident -- the calmness and quietness of the jury room and the lack of a head injury which the defendant had suffered in the accident -- and thereby introduced new evidence into the deliberation room. Nor did the jury's "experiment" take into account the condition of the defendant's vehicle. The Court of Appeal, affirming the trial court, stated that the passage of time is not dependent on the conditions at the time of the accident. The "so-called timing experiment" did not go beyond the admitted evidence.

People v. Cook **(2015) 236 Cal.App.4th 341**

1. *Bottom line*: A Jurors effort to visualize the auto accident by use of toy cars was not an attempt to discover new evidence.

2. *What happened*: Defense counsel contended that he supplied good cause for release of juror information to support a new trial motion. In this vehicular manslaughter case, the defendant precipitated a multi car accident by her reckless driving. in chain of events during which she was being tailgated by another car. Defense counsel said that he had been informed by one of the jurors than another juror purchased toy cars to re-enact the accident. The trial court said the

jurors' actions were no different than using post-it notes to visualize the position of the cars. The Court of Appeal agreed that the defendant did not make a showing of good cause for release of juror information. The jurors' actions was not an investigation that went beyond the evidence presented at trial. Rather, the jurors were simply trying to reenact the versions of the collision adduced at trial. There was no showing that the jurors attempted to discover new evidence by their experiment. "It is difficult to imagine how they could have done so with such an experiment." (*Id*. at p. 346.)

● Use of the Internet and Social Media

Pen. Code Sec. 1122, subdivision (a) provides that the trial court "shall clearly explain" that as part of the admonishment not to converse, conduct research or disseminate information on any subject connected with the trial, this prohibition applies to "all forms of electronic and wireless communication."

CALCRIM No. 101 provides in part: "Do not share information about the case in writing, by email, by telephone, on the Internet, or by any other means of communication." "Do not use the Internet in any way in connection with this case, either on your own or as a group." "I want to emphasize that you may not use any form of research or communication, including electronic or wireless research or communication, to research, share, communicate, or allow someone else to communicate with you regarding any subject of the trial. [If you violate this rule, you may be subject to jail time, a fine, or other punishment.]"

Code of Civil Procedure section 1209(a)(6) states that the following act is punishable as contempt of court: "Willful disobedience by a juror of a court admonishment related to the prohibition on any form of communication or research about the case, including all forms of electronic or wireless communication or research."

***Juror Number One v. Superior Court* (2012) 206 Cal.App.4th 854**

1. *The bottom line*: Juror who committed misconduct by posting on Facebook during the trial was ordered to execute a consent form authorizing Facebook to release for in camera review all items the juror posted during the trial.

2. *What happened*: After the jury returned a verdict in a criminal trial in Sacramento County, a juror submitted a declaration stating that Juror Number One had "posted comments about the evidence as it was being presented during the trial on his 'Facebook Wall,' inviting his 'friends' who have access to his 'Facebook' page to respond." The trial court conducted a hearing. Four jurors were examined, including Juror Number One and the reporting juror. The reporting juror testified that she did not learn about the Facebook postings until after the trial. Juror Number One had invited her to be a Facebook "friend," thus giving her access to his postings on Facebook, including those during the trial. She then saw the post mentioned in her declaration. According to the reporting juror, one person had responded to the post that he or she liked

what Juror Number One had said.

Juror Number One admitted that he posted items on his Facebook account about the trial while it was in progress. However, he said those posts contained nothing about the case or the evidence but were merely indications that he was still on jury duty. Juror Number One acknowledged that on one occasion he posted that the case had been bored, and almost fell asleep. Juror Number One testified that he posted something every other day on his Facebook account and that he later tried to delete some of his posts. He denied reading any responses he received from his "friends" to these postings.

At the end of the hearing, the court concluded there had been "clear misconduct" by Juror Number One, but the degree of the misconduct was at issue. The trial court issued an order requiring Juror Number One to execute a consent form to release to the trial court for in camera review all items he posted during trial. Juror Number One sought a writ of prohibition seeking to bar the trial court from enforcing its order, but the Court of Appeal denied the writ. Among its reasons for doing so, the Court of Appeal disagreed with Juror Number One that the trial court had completed its investigation when it finished interviewing the questioned jurors. The Court of Appeal noted Juror Number One equivocated during the hearing as to how often and when he posted to Facebook during the trial, thus there was still some question about the content of the Facebook posts themselves. "It must be remembered that those posts are not just potential evidence of misconduct. They *are* the misconduct." (*Id*. at p. 867.) The Court of Appeal rejected Juror Number One's various theories of privacy in the Facebook posts, but said that even if Juror Number One has such a privacy interest, it is not absolute and must be balanced against the rights of the defendants to a fair trial. (*Id*. at p. 865.)

Obtaining information from the Internet

People v. White **(2015) 237 Cal.App.4th 1087**

1. *Bottom line:* Going online to look up information was misconduct, but not prejudicial in circumstances of this case.

2. *What happened*: The defendant was convicted of rape of an intoxicated person. The victim knew the victim from a local bar that he frequented were the victim was a bartender. After the verdict, the defense moved for a new trial based on juror misconduct. Following the verdicts but before oral pronouncement of the verdict, a juror admitted to going online to read about the bar where the victim worked. The juror told the court that the research had nothing to do with the deliberations. The defense filed a motion for a new trial based on the juror's alleged misconduct, but the trial court denied the motion. On appeal, the People conceded that the juror's actions, while brief, were misconduct. The Court of Appeal presumed the misconduct was prejudicial and then considered whether the prejudice was rebutted. Prejudice can be rebutted when, by examining the entire record there is no substantial likelihood the complaining party suffered actual harm. (*Id*. at p. 1109.)

The Court of Appeal here applied the well-established rules for determining whether there was a substantial likelihood the juror was biased by the information obtained from the Internet.

"When juror misconduct involves the receipt of information from extraneous sources, a substantial likelihood of juror bias can appear in two different ways. First, we will find bias if the extraneous material, judged objectively, is inherently and substantially likely to have influenced the juror. Second, we look to the nature of the misconduct and the surrounding circumstances to determine whether it is substantially likely the juror was actually biased against the defendant. In an extraneous-information case, the entire record logically bearing on a circumstantial finding of likely bias includes the nature of the juror's conduct, the circumstances under which the information was obtained, the instructions the jury received, the nature of the evidence and issues at trial, and the strength of the evidence against the defendant." (*People v. Thomas* (2012) 53 Cal.4th 771, 819 [internal citations omitted.)

The Court here concluded here that from the entire record there was no substantial likelihood the defendant was harmed when the juror went online briefly to read reviews of the bar. The reviews were irrelevant to the issues in this rape case. Moreover, much of the information the jurors obtained about the bar was in evidence already.

Nor was there any evidence the juror was *actually* biased. Actual bias occurs when a juror is unable to put aside his or her impressions or opinions based on extrajudicial information he or she received, and render a verdict based solely on the evidence at trial. (*White*, *supra*, at p.1110.)

NEXT WEEK: Jeff Rubin is our guest. He'll be interviewed by Greg Dolge, discussing CA Supreme Court's ***Brady*** decision ***in People v. Superior Court*** (***Johnson***)

Suggestions for future shows, ideas on how to improve P&A, and other comments or criticisms should be directed to Mary Pat Dooley at (510) 272-6249Technical questions should be addressed to Gilbert Leung at (510) 272-6327. Participatory students: MCLE Evaluation sheets are available on location and certificates of attendance are constructively maintained in your possession in the Ala. Co. Dist.Atty computer banks.