

Consultants help Kevorkian attorneys select jury

By PAT MURPHY
STAFF WRITER

Religious background may have been off limits for the lawyers of Dr. Jack Kevorkian, as they screened jurors in Oakland Circuit Court.

But that didn't mean attorneys Geoffrey N. Fieger and Michael A. Schwartz couldn't try to delve into the conscience and psyche of prospective jurors for hints of convictions — religious or otherwise — that might interfere with objectivity.

Sixteen jurors — eight men and eight women — were empaneled Thursday for Kevorkian's felony trial that begins Tuesday before Judge Jessica R. Cooper, who also denied a motion to sequester the jury.

Jurors were selected from a pool of 60 people selected at random. More than

two dozen prospective jurors were excused, some for cause, and some on so-called pre-emptory challenges requiring no reason or explanation.

"I used my last pre-emptory on that 'Nazi,'" Fieger said Friday, referring to a juror who said he considered suffering to be a "badge of honor."

"I didn't want anyone like that sitting in judgment of Jack Kevorkian," said the flummoyant attorney, who has emphasized that his client helped patients terminate the pain.

During jury selection, Kevorkian's attorneys were accompanied by three consultants, Louis Geneviev from New York and Ruth Holmes and Susan Oliver of Pence, Inc., in Bloomfield Hills.

Fieger declined to elaborate about Geneviev's expertise except to classified him as a "jury expert." Holmes, who

lives in Bloomfield Hills, and Oliver, who lives in West Bloomfield, are handwriting examiners.

"This is the first time I've used handwriting experts," said Fieger, who declined to talk about what Holmes and Oliver might have told him based on handwriting samples of the jurors.

Jury selection is a critical consideration in a high-profile case like Kevorkian's, according to Larry Dublin, professor of law at the University of Detroit-Mercy. "That's because many people are already predisposed on an issue like assisted suicide."

Nobody has a constitutional right to jury consultants, said Dublin, "but their increasingly popular, especially when there are important issues involved" and the client has some resources.

"Jury consulting is not an exact science," cautioned Dublin, a Birmingham resident. "And some lawyers prefer not to use them. But they (jury consultants) can provide valuable information."

In her instructions, Judge Cooper said it was okay for prospective jurors to have religious convictions or strong opinions about suicide, assisted suicide, Kevorkian or other particulars involved in the case.

"But you must be able to listen with both ears," admonished the judge. "You must be able to put aside your beliefs and render a fair and impartial decision based on the facts and the law."

Prior to the case, Oakland Prosecutor Richard Thompson said the prosecution will have a difficult chance of convicting Kevorkian given public opinion polls

suggesting that a majority of people favor legalizing assisted suicide. The strategy, he said, would be to demonstrate that assisting in a suicide was illegal under what was then Michigan law.

In 1993, the state legislature passed the law — aimed specifically at Kevorkian — making assisting in a suicide a felony carrying a maximum penalty of four years in prison. The law expired 18 months later with the legislature unable, or unwilling, to continue it or enact a replacement.

Assistant prosecutor John Skrzynski cautioned jurors to put aside any personal beliefs on assisted suicide and base their decision on the law as it existed from February, 1993 until it lapsed a year and one-half later.

POLICE/FIRE CALLS

Listed below are some of the Farmington-area police incidents, fire calls and court cases reported during the past week.

CAR FIRES
Farmington Hills firefighters from Station 2 put out an engine fire in a 1974 Chevrolet on Orchard Lake at 1:54 p.m. Feb. 12. The owner said he had started the car to warm it up and returned in a few minutes to find it on fire. Damage to the car was \$1,000 (total).

THEFTS
A \$250 cellular phone was stolen from a green 1996 Mercury Sable parked on Ashley in Farmington Hills Feb. 12-13.
Scaffolding (\$1,750) was stolen from the Sears Hardware store on Middlebelt in Farmington Hills Feb. 10-13.
A black walnut tree (\$1,200) was stolen from a residence on Vacri in Farmington Hills between Jan. 29 and Feb. 3.
A \$300 AM/FM cassette stereo

was stolen from a 1989 Ford Mustang at the Collision Shop on Eight Mile, causing \$1,500 in damage to the dash and console Feb. 12-13.
A \$150 pair of black, blue and white Anfernee Hardaway basketball shoes, a \$14 Nike cap and a \$60 Michael Jordan North Carolina basketball jersey were stolen from the YMCA on Farmington Road in Farmington Hills Feb. 13.
An \$850 snow blower, \$800 generator and \$350 power washer were stolen from a residence on Ramble Hills between Jan. 20 and Feb. 13.
The driver's door lock was broken (\$400) on a 1988 BMW parked on Montclair in Farmington Hills and a \$300 cellular phone, \$50 brief case and \$100 Texas Instruments calculator were stolen Feb. 13-14.
A \$500 snow blower was stolen from a garage at a residence on Aspen in Farmington Hills be-

tween Nov. 30, 1995 and Feb. 14, 1996.
A \$2,600 IBM lap top computer and Northwest Airlines tickets to Atlanta (\$300) were among items stolen from a garage on Pipers Lane in Farmington Hills Feb. 14-15.
A \$200 cellular phone and two remote controls for a garage opener (\$50) were stolen from a white 1995 Ford LTD parked on Greythorn in Farmington Hills Feb. 14-15.
Tools (\$1,100) were stolen from a 1982 Chevy van parked at Mack's Plumbing on Hathaway in Farmington Hills Feb. 13-15.
Forty-eight pair of earrings (\$20,380) were stolen from a residence on Willow Court in Farmington Hills Jan. 23.
Four chrome wheel covers (\$160) were stolen from a 1991 Buick Century parked in the lot of the U.S. Post Office on 12 Mile

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