

NYTimes • MAY 18 1974  
The Mitchell/Stans Trial:  
Postscripts to an Acquittal

To the Editor:

What a sad commentary, how frightening to all of us who are middle-class or poor, that our legal system has now another extension of "acquittal for the rich, conviction for the poor." I am referring to the fact that John Mitchell's prestigious law firm had a market-research organization do a survey to determine the "profile of a juror" who would find the defendants innocent.

How fortunate is the wealthy individual, the large corporation, the government itself, when it has the money to hire the best attorneys and the most sophisticated methods of our electronic age to make a further mockery of our legal system. Now we are no longer tried by a jury of our peers selected by an attorney's human judgment at the time but rather by peers carefully researched and scientifically evaluated. The middle-class and poor are even deprived of this one last vestige of a chance for justice in our legal system.

How tragic that that which our Founding Fathers fought and died for—justice and equality for all—is now a farce. What a waste of a revolution. How ironic as we approach our bicentennial.

Market research and computerized aids in the selection of a jury—immoral? Maybe. Unethical? Unquestionably. Legal—probably yes.

I am disheartened and disillusioned when I realize that justice within the law is only for the rich and advantaged. I am frightened should ever I be a defendant in a court of law in my own country. We, the majority, cannot afford to remain silent a moment longer.

EVELYN C. GERBER  
Bronx, May 9, 1974

To the Editor:

One has waited in vain for some reaction to the startling report published on your front page of May 5 concerning the nature of the deliberations of the jury in the Mitchell/Stans trial. Certainly there are serious matters of ethics here, if not of law or legal procedure.

Your account makes it clear that one of the jurors, who ultimately carried significant influence with the others, obtained services for the jury through his employer, a very large bank. Among the services provided were a screening room and film showing, a place from which to view a parade and the loan of some baseball bats. It was further mentioned that this juror also paid for some jury expenses out of his own pocket, being later reimbursed.

If a "take-charge" personality can distribute such favors, or arrange their distribution, to his fellow-jurors, is this not in violation of the whole principle of the sequestered jury, designed to protect the jurors against any sort of bias or prejudicial action during their deliberations?

The matter appears to call for comment, at least, from authorities on the jury system.

FRITZ SILBER  
Leonia, N. J., May 9, 1974