

SENATE No. 691

By Mr. Nuciforo, a petition (accompanied by bill, Senate, No. 691) of William B. Homans, Jr., and Andrea F. Nuciforo for legislation relative to the examination of jurors. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT RELATIVE TO THE EXAMINATION OF JURORS.

1 Section 28 of Chapter 234 of the General Laws as amended
2 is hereby amended by adding at the end thereof the following
3 paragraphs: —

4 For the purpose of determining whether a juror stands in-
5 different in the case, if it appears that, as a result of the
6 impact of considerations which may cause decision to be made
7 in whole or in part upon issues extraneous to the case, in
8 cluding, but not limited to, community attitudes, possible ex-
9 posure to potentially prejudicial material or possible precon-
10 ceived opinions toward the credibility of certain classes of
11 persons, the juror may not stand indifferent, the court shall,
12 or the parties or their attorneys may, under the direction of
13 the court, examine the juror specifically with respect to such
14 considerations, attitudes, exposure, opinions or any other
15 matters which may, as aforesaid, cause decision to be made
16 in whole or in part upon issues extraneous to the issues in
17 the case. Such examination shall include a brief statement
18 of the facts of the case, to the extent the facts are appropriate
19 and relevant to the issues of such examination.

20 The examination of the juror shall be conducted individually
21 and outside the presence of other persons about to be called
22 as jurors or already called.

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SECTION 24 OF CHAPTER 234 OF THE LAWS OF 1901 AS AMENDED

THE PURPOSE OF THIS ACT IS TO

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