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Local News

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# Grant trial stalled by jury picks

Selection continues today

By Jameson Cook  
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Stephen Grant

Macomb Daily staff photo by David Dalton

The Stephen Grant jury selection continues today in Macomb County Circuit Court as the estimated first day of trial proceedings has been pushed back to late this week.

Attorneys from the defense and prosecution this morning are scheduled to resume peppering possible jurors with questions about their potential bias revolving around the highly publicized murder case.

Jury selection in the downtown Mount Clemens courthouse has taken much longer than Judge Diane Druzinski and other court officials expected as nearly every potential juror has heard media reports or talk about the case.

Less than half of the 371 potential jurors have gone through the first step of the two-phase process. Of 159 people considered by attorneys and prosecutors so far, 79 have been selected to return for a second interview, a virtual 50-50 split; 212 people still must be considered this week.

The length of the process doesn't surprise Lawrence Dubin, a law professor at University of Detroit-Mercy. He said some judges would have asked the questions themselves, but he worried that it could have affected the outcome of



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the case.

"I commend the judge for letting the lawyers conduct the questioning," Dubin said. "The jury selection process in this case is extremely important to assure that the defendant gets a fair trial.

"There is a need for the lawyers to carefully delve into the jurors' minds and backgrounds, increasing the number of fair jurors in the jury pool."

The jury selection process began last Tuesday and was expected to take a week, with a jury seated by this Tuesday.

The trial is expected to last two weeks.

Each interview last week on average took about 10 minutes as both the prosecuting and defense attorneys asked jurors several questions about their exposure to the case through the media and discussions, and their possible deep-seated bias.

Much of the questioning by Prosecutor Eric Smith and assistant Macomb prosecutor Therese Tobin and defense attorneys Stephen Rabaut and Gail Pamukov includes a review of the tenets of the judicial system. Attorneys have talked about a defendant being presumed innocent, the burden of proof falling on the prosecution and not the defense, and separating prior knowledge from the facts presented in trial.

Many of the potential jurors have struggled with whether they can be fair or not, and the attorneys involved in the case understand that. People are being asked to predict their reaction to a future circumstance, the attorneys have noted.

"You're asking me what I might do," one juror lamented.

Attorneys and the judge have often reduced the issue to whether a juror in his or her "heart of hearts" believe they can remain objective.

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In general, those who know more about the case and read Grant's confession tend to admit they cannot be fair, whereas those with limited exposure indicate they can be unbiased.

Grant, 37, is charged with first-degree premeditated murder and dismemberment of a corpse for the Feb. 9 strangulation of his wife, Tara, 34, in their Washington Township home, and cutting up of her body in his family's Mount Clemens machine shop. Tara Grant is survived by two children, a 7-year-old girl and 5-year-old boy. Grant was arrested March 4 in northern Michigan after fleeing Macomb County.

The case garnered an extreme amount of local and national publicity. Druzinski issued a gag order for those involved in the case and is allowing only live-to-tape video coverage to prevent potential jury tainting.

Grant has been present for jury selection but his family and the family of Tara have not been present because family members may be witnesses in the trial.

Attorneys also have been asking if jurors may be negatively influenced if graphic evidence is presented, such as in the form of photographs or video.

While many jurors have indicated that graphic images would upset them, very few have said it would affect their judgment of Grant.

Attorneys and Judge Druzinski may be able to pick up the pace today as officials decided Friday to start dismissing potential jurors who both the prosecution and defense agree are too biased to serve, based on a 130-question, 22-page questionnaire completed by each prospective juror.

Attorneys have had a chance to review all of the questionnaires over the weekend and could agree on a chunk of dismissals today.

Still, the second interviews remain. Based on the current rate, 185 people will be brought back.

The first round of questioning involves eliminating people with explicit potential bias, while the second round will feature attorneys trying to decipher who will be most favorable to their position, Dubin said.

"They (attorneys) will be sizing them up," Dubin said. "The defense will try to determine who will look at things in a black-and-white way and who will look at things they way they want, in a more nuanced manner."

Attorneys will ask about potential jurors' backgrounds, relationships, employment and prior jury service to see who they want on the panel.

Each side will be able to dismiss up to 18 people for no reason, although the prosecution likely will only use a handful of those dismissals, according to lawyer Charlie Langton, who has attended the proceedings.

Both sides have an unlimited number of potential jurors they can ask Judge Druzinski to dismiss "for cause."

The selection process also is the time for the attorneys to build trust with potential jury members and try to communicate some of their case, Dubin said. After all, the job of each attorney is to try to persuade the jury to accept their theory of the case, he said.

The persuasion, he said, "begins with jury selection and continues into closing arguments."

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