

# Jury selection called 'superficial'

NEW BRUNSWICK — A peek at supposedly closed jury selection proceedings was offered in the U.S. District Court suit filed yesterday by attorneys for JoAnne Chesimard.

The complaint, which seeks to remove her murder trial to the federal court, claims the jury selection procedure of Superior Court Judge Theodore Appleby is "superficial."

Jury selection, however, is only in its initial phase and more extensive quizzing of prospective jurors is anticipated once those with hardship reasons and predeter-

minations about the case are excused.

The federal court action was filed by attorney William Kunstler, who has had frequent successes in the federal courts; Stuart Ball; and Lewis Myers, all members of the defense team.

The petition contends that one of the screened jurors referred to the Black Liberation Army, of which Mrs. Chesimard is a member, as "radical and opposed to Democratic ideals." Another termed the BLA "a radical and an affront to the community."

A third juror told the closed gathering

that she had read all the newspaper coverage of the case but never heard of Kunstler.

The defense attack on the court claims that Mrs. Chesimard's lawyers have been "deterred, inhibited and prevented . . . from discussing details of the case publicly while state authorities have been permitted to leak extensive damaging information."

Other defense claims about the jury selection process are that permitting those excused panelists to return to the general panel will contaminate it. Judge Appleby

is also criticized for "failing to explore media exposure" with the prospective jurors.

The transfer to the federal court is asked "so a grave miscarriage of justice can be averted."

Defense lawyers also contend that the refusal of a change of venue has prejudiced their case. They contend there is "an appalling attitude of prejudice against the defendant in Middlesex County."

They also claim that a survey by the National Jury Project revealed "an abiding pretrial belief in her guilt" by county residents.

The News Tribune, Woodbridge, N.J. — Thurs. Jan. 20, 1977