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Bonds Jurors Face Ban on Texting, Tweeting About U.S. Trial Under Proposal

By Karen Gullo - Mar 16, 2011 9:01 PMPT

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Potential jurors for baseball player [Barry Bonds](#)'s March 21 perjury trial would be barred from talking or texting about the case on Facebook or Twitter or on their iPhones, according to a proposed questionnaire submitted by defense lawyers and prosecutors.

In what jury consultant Chris St. Hilaire called an unusual addition to such questionnaires, prospective jurors would agree in writing to an order forbidding them from communicating via social media, the Internet, "or any other form of electronic communication for any purpose whatsoever," according to a filing yesterday in federal court in San Francisco.

"I haven't seen it used before and it's a recognition of the new world we live in now," St. Hilaire, president of [Costa Mesa](#), California-based [Jury Impact](#), said in a telephone interview. Lawyers in the case "are trying to be specific because they know how influential social media is now."

Bonds, the Major League Baseball home-run record holder, will face a federal jury next week on charges that he lied when he told a grand jury in 2003 that he never knowingly took steroids. Bonds has pleaded not guilty.

Questionnaires that ask about work, family, and knowledge of the case are used to assist in jury selection. While they require a signature confirming truthful answers and admonish jurors not to talk about the case, asking would-be jurors to promise in writing to stay off [Facebook](#) and warning them about penalties is unusual and shows lawyers' concerns that people take the order seriously, St. Hilaire said.

'I Promise'

"This means that I promise not to converse" about the case on Facebook, MySpace, Twitter, BlackBerry messaging, iPhones, Google and Yahoo, the proposed questionnaire says. "I further understand that if I were to violate this order I could be held in contempt of court which is punishable by jail and/or monetary fine," the document says in bold.

Tweeting and Facebook postings by jurors in cases around the country have led to requests to overturn verdicts.

The questionnaire is subject to a judge's approval. It asks potential jurors their views on regulation of steroid use, knowledge of steroid use by athletes, attendance at [San Francisco](#) Giants games and opinions about Bonds. Questionnaires will be handed out to prospective jurors today; jury selection begins March 21.

U.S. District Judge [Susan Illston](#), who will preside over the trial, has ordered that the names of the jurors chosen to hear the case be kept under seal until the case is completed so they can't be contacted or harassed.

Allen Ruby, an attorney for Bonds, declined to comment. Jeff Nedrow, assistant U.S. attorney

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prosecuting the case, declined to comment.

The case is U.S. v. Bonds, 07-00732, U.S. District Court, Northern District of [California](#) (San Francisco).

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