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## Editorials

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### Editorial: Race in jury selections

The Washington Supreme Court has begun a needed conversation on racial diversity in criminal juries.

Seattle Times Editorial

THE Washington Supreme Court made an important finding of fact and call to action Thursday about racism in the state's criminal-justice system.

In *State v. Saintcalle*, the court said prosecutors have been using peremptory challenges to purge jury pools of black jurors. Each side in a criminal case gets six peremptory challenges in which the attorney does not have to give a reason. But under *Batson v. Kentucky*, a 1986 ruling of the U.S. Supreme Court, if the judge finds that the real objection to the juror is race, the judge can keep the juror in the pool.

In the trial here, the prosecution used peremptory challenges against the lone Mexican American and the lone African American in the jury pool.

The trial judge had declared it discriminatory in the first instance but not the second, which involved a juror who was troubled because her friend had been murdered two weeks earlier. The trial proceeded, and Kirk Saintcalle of Auburn was convicted of the first-degree murder of Anthony Manzo Johnson.

A majority of the justices were not willing to order a new trial, and they were probably right. Nor were they willing to follow Justice Stephen González, who argued for an end to peremptory challenges altogether.

It is useful that he has stated his argument, but it would have been jumping the gun for the court to agree with him without hearing from all sides. As Justice Debra Stephens wrote of the issue of racism and justice, "It is easier to name the problem than to solve it."

Just so. But the court does need to address it. The exclusion of jurors by race, whether by intention or mere effect, is not tolerable. It is an injury to defendants of the same race and is an assault on the dignity of the juror.

Meanwhile, King County Prosecutor Dan Satterberg says the word to his staff is that, "Juries should reflect the makeup of the community," and that any challenge to a minority juror "is a dangerous thing to do, so you'd better be ready to have your reasons questioned."