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SHEPPARD V. MAXWELL

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Term: 1960-1969 **1965**

Location: Southern District Court of Ohio Eastern Division

Facts of the Case

After suffering a trial court conviction of second-degree murder for the bludgeoning death of his pregnant wife, Samuel Sheppard challenged the verdict as the product of an unfair trial. Sheppard, who maintained his innocence of the crime, alleged that the trial judge failed to protect him from the massive, widespread, and prejudicial publicity that attended his prosecution. On appeal from an Ohio district court ruling supporting his claim, the Sixth Circuit Court of Appeals reversed. When Sheppard appealed again, the Supreme Court granted certiorari.

Question

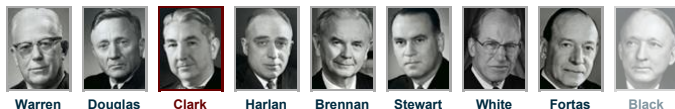
What threshold must be crossed before a trial is said to be so prejudicial, due to context and publicity, as to interfere with a defendant's Fifth Amendment due process right to a fair trial?

Conclusion

Decision: 8 votes for Sheppard, 1 vote(s) against

Legal provision: Amendment 6: Other Sixth Amendment Provisions

In an 8-to-1 decision the Court found that Sheppard did not receive a fair trial. Noting that although freedom of expression should be given great latitude, the Court held that it must not be so broad as to divert the trial away from its primary purpose: adjudicating both criminal and civil matters in an objective, calm, and solemn courtroom setting. The Cleveland television media's repeated broadcasts of Sheppard confessing in detail to crimes he was later charged with, the blatant and hostile trial coverage by Cleveland's radio and print media, and the physical arrangement of the courtroom itself - which facilitated collaboration between the prosecution and present media - all combined to so inflame the jurors' minds against Sheppard as to deny him a fair trial. The Court concluded that the trial judge should have either postponed the proceedings or transferred them to a different venue.



Case Basics

Docket No.

490

Petitioner

Sheppard

Respondent

Maxwell

Decided By

Warren Court (1965-1967)

Opinion

384 U.S. 333 (1966)

Argued

Monday, February 28, 1966

Decided

Monday, June 6, 1966

Advocates

John T. Corrigan

(Argued the cause for the respondent)

Bernard A. Berkman

(Argued the cause for the American Civil Liberties Union et al., as amici curiae, urging reversal)

F. Lee Bailey

(Argued the cause for the petitioner)

William B. Saxbe

(Argued the cause for the respondent)

Tags

Criminal Procedure Extra-Legal Jury Influences

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<http://www.oyez.org/cases/1960-1969/1965/1965_490>.