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Newsroom: "ProJo: Horwitz on Ferguson"

Roger Williams University School of Law

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Newsroom

ProJo: Horwitz on Ferguson

Professor Andrew Horwitz spoke to the ProJo about Ferguson, Mo., grand jury decision not to indict a white police officer in fatal shooting of an unarmed black teenager.

From the PROVIDENCE JOURNAL: “Trial would have value in Ferguson” by Edward Fitzpatrick, Journal Columnist



November 30, 2014: When it comes to race and justice in the United States, it seems we never fail to fail. [...]

Usually, prosecutors “present evidence selectively in a way that is designed to achieve their goal,” **Roger Williams University School of Law professor Andrew Horwitz said**. But in this case, the prosecutor presented all the evidence to the grand jury, including contradictory evidence, and made no recommendation about whether it amounted to “probable cause” to justify a charge. [...]



Horwitz said the public would likely have had more confidence in the outcome if the matter had gone to trial. “With daily coverage of a trial, everyone could look at and listen to the actual evidence in the case and make their own determination about whether the process seemed fair,” **he said**. By contrast, the grand jury process “is conducted in secret, and people have to have faith — or not — that the outcome is justice.”

Not only is a grand jury secret, it's also "an unregulated environment, run entirely by the prosecution — a one-sided affair," **Horwitz said**. By contrast, a trial is overseen by a judge who can make rulings on evidence, and it's an adversarial process, in which attorneys can cross-examine witnesses, he said.

Horwitz, director of the law school's Criminal Defense Clinic, said the grand jury process usually "plays out poorly for the defendant." But in this case, the grand jury voted against bringing any charges against the officer.

For full story, click [here](#).