**A.O.W. #4 Due: Friday! Name: Hour:**

1. Chunk the article into manageable (2 paragraphs max.) pieces. Number them. Don’t forget the title/opening!
2. Highlight at least three words you are not familiar with or that are important and define them on the graphic organizer.
3. Show evidence of a close reading. Mark up the left side of the text (each chunk) with questions and/or comments that demonstrate interacting with the text. You may also include any confusion you have.
4. Complete the attached graphic organizer to analyze author’s craft.

 **The color of law: Can white jurors fairly decide fate of black defendants?**

By Star Tribune (Minneapolis), adapted by Newsela staff 5/18/2016

MINNEAPOLIS, Minn. — Before a terrorism trial last week, a young high school teacher who was a potential juror took a look at the people who had already been chosen. The group, he said, was “steeped in whiteness.”

He wasn’t the only one to note the wide gap between the all-white jury and the three defendants — Muslim, black and born into a refugee community. The three men are on trial in Minnesota for allegedly trying to join the Islamic State (IS), an extremist group attempting to set up its own country governed by Islamic law. It has also been called Islamic State of Iraq and the Levant (ISIL) and Islamic State of Iraq and Syria (ISIS). The group's fighters have captured parts of Syria and some of northern and western Iraq.

**Question Is Not Black And White**

The impact of race on jury fairness has been studied for decades, but the question is anything but black and white.

“I think it would be a challenge to get a jury that considers all the factors when the jury is all white,” said attorney Larry Leventhal, who is not involved in the trial. But, he added, “that does not mean a white jury cannot render a fair verdict.”

U.S. District Judge John Tunheim said he couldn’t discuss the current terrorism case but observed: “Overall, my experience is Minnesota juries … take their responsibilities very seriously, and they carefully evaluate the evidence and reach fair verdicts.” He said there are many cases where minority defendants were found innocent by all-white juries.

The issue of objectivity was clearly on the mind of Judge Michael Davis, who is overseeing the trial. Davis aggressively questioned some 100 possible jurors last week, seeking to determine whether anyone was biased. Davis, the state’s first black federal judge and a veteran of previous terrorism trials, has a reputation for pushing for more diversity in court.

**Judge Dismissed Those Who Said They Couldn't Be Unbiased**

“Have you come in contact with minority groups?” he asked the prospective jurors. “Any negative experiences with African-Americans or people from another country, like say, Somalia, East Africa, Ethiopia and Kenya?”

Davis wound up excusing 10 jurors on the first day who said they couldn’t be fair on terrorism charges. One white woman said she was uncomfortable even being in the room with the defendants. Another white woman was dismissed after she recalled an experience where a person of color “spoke bad” to her and added she had strong feelings about terrorism. A young African-American woman was excused after a private meeting with Davis and attorneys from both sides.

At the same time, Davis told potential jurors: “You’re not a bad person if you have strong feelings one way or another.”

Ex-prosecutors said they believe all-white juries can be fair in trials with minority defendants.

“I know Judge Davis is very focused on those issues, and I know if Judge Davis had any doubt of that, he would have dealt with it,” said former U.S. Attorney Tom Heffelfinger. “I am also confident that the defense lawyers, if they had any doubts, would have raised the issues."

**Somali-Americans Question Fairness Without Diversity**

Some defense lawyers — and some members of Minneapolis’ Somali-American community — were more doubtful.

“We wish the jury would have some diversity,” said Ayan Farah, mother of Mohamed Farah, one of the defendants. To have no juror of color, she said, raised the question of what “kind of justice the family can expect. But we are hoping these jurors will see some of ... (the defendants) could be their brothers and sisters.”

Kamal Hassan, founder of the Somali Human Rights Commission, said he is also worried. “That concerns me a lot that this jury ... (is) all white … but I hope the truth to be let out,” he said.

Dan Scott, former chief federal public defender, said a key issue is not simply race. It is also important for the jury to understand what was in the defendants’ minds.

He said that when a jury is drawn from the suburbs or farms, it's difficult for them to figure out a defendant from a completely different background.

“You’re dealing with a group of young men who are first-generation Americans caught between two worlds,” Scott added. “Maybe these kids are dedicated revolutionaries, maybe they are just confused and we don’t know that, and the jurors have no feel for it.”

**No Requirements About Racial Guidelines**

Scott said he represented a Somali woman in a previous terrorism trial where a jury of no blacks and one Asian found her guilty. In another trial, a jury with two blacks convicted a Somali man, said defense attorney Jon Hopeman.

Federal case law on the issue is quite clear. Juries must be fairly drawn from the community, but there is no requirement that the racial makeup of the jury must reflect the community.

If you define fair as following the law, "the answer is yes, they can get a fair trial,” said Joseph Daly. He is a retired professor at Mitchell Hamline School of Law. “If you define fair as decision-making by people who look like you and (are) culturally similar to you, the answer is no."

Daly added, "But the standard we are using is the U.S. Constitution" and that is enough.

1. Author’s claim (what he/she wants us to believe—OPINION + REASON)):

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2. Text Evidence for claim with MLA: \*\*TE= proof: stats, facts, examples \*\*MLA= author’s last name in parenthesis at the end of each piece of TE: “Blah-blah-blah” (Author’s LAST name).

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
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**(inform, persuade, give opinion, etc.)**

3. The author’s purpose is to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and he/she achieves the purpose through the following three techniques/devices: a. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_b. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ c. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(Be specific)**

4. The author’s main audience is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ because\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. The author establishes a \_\_\_\_\_\_\_\_\_\_\_\_\_ tone (look at word choice) through the following words/phrases a.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, b. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and c.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. The author uses the following text structure/organization: (Include the structure choice and an example). The article begins with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, develops with, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and concludes with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

7. 3 words I didn’t know (or are ESSENTIAL words) WITH DEFINITIONS

a.

b.

c.