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June 30, 2010

Judge Keeping Very Tight Reins On Blago Trial

Time and time again Judge James Zagel has clamped down on the lawyers in the trial of former Illinois Governor, Rod Blagojevich. And some of his rulings raise a few red flags. For example, the [Chicago Tribune](#) has reported that the judge has banned questions which begin with "wouldn't you agree?"

Typically cross examination of witnesses is very free ranging. Courts have consistently held that "due process" requires that a defendant be free to effectively confront witnesses called against him. But those rules do not apply when the questions are being asked on "direct", in other words, by the prosecutor. Restricting the wording of leading questions on cross is very unusual.

Because of the high degree of interest in this case and the steady stream of revelations suggesting more involvement by Barack Obama in the selection of his replacement in the United States Senate, observers are justified in carefully exploring the actions of all involved, including the judge.

You will recall the number of questions raised about the conduct of Judge Lance Ito during the murder trial of O.J. Simpson. As more and more information is being released about the Blago trial and the potentially explosive nature of any direct evidence of involvement by Obama, rulings by the presiding judge which deny access to information about Obama are worthy of public discussion.

We will continue to follow the details and report on the case. So far the judge has denied the defense access to the FBI interviews with Obama and has shut down questioning which seeks to gain access to conversations with then President-Elect.

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