

## News Roundup

**Author :** Jeff Welty

**Categories :** [Uncategorized](#)

**Tagged as :** [news](#), [sexting](#)

**Date :** March 31, 2009

Several newsworthy items have cropped up lately, so I wanted to take a day to highlight some of them. First and foremost, the News and Observer has a troubling front-page story, [here](#), about the SBI's investigation into allegedly fraudulent dismissals of DWI cases in Johnston County. Not the sort of publicity the court system needs.

Also in the newspapers today, the New York Times has an editorial, [here](#), about Virginia Senator Jim Webb's proposal to re-examine the criminal justice system, and in particular, to assess whether the system relies too much on incarceration. Senator Webb's proposal appears to be motivated by some of the same concerns raised by the Pew Center on the States in the report that I previously blogged about [here](#). The fiscal crisis likely makes the Senator's proposal more palatable than it would be otherwise.

Returning to a subject I've written about before, a federal judge in Philadelphia just issued a temporary restraining order, prohibiting a state prosecutor from filing child pornography charges against three female teenagers who sent pictures of themselves in their undergarments via cell phone. For the news story, see [here](#); for my previous post on so-called sexting, see [here](#).

I'll be writing soon about a couple of United States Supreme Court decisions, but I wanted to take a moment to mention that the Court just ordered briefing, in connection with a pending case, about whether it should overrule *Michigan v. Jackson*, 475 U.S. 625 (1986), which held that once a defendant requests his "Sixth Amendment lawyer" in court, the police may not initiate uncounseled interrogation. The briefing order is available [here](#).

Finally, the General Assembly is in session. There are a thousand bills pending that would, if passed, have significant impacts on the criminal justice system. (Okay, maybe a hundred, but you get the point.) I plan to blog soon about HB 848, [here](#), which would have magistrates appoint counsel. HB 786, [here](#), would create an Office of Prosecution Services to replace the existing Conference of District Attorneys. SB 788, [here](#), would significantly broaden our expungement provisions. And there are literally dozens of other pending bills, addressing everything from probation to physicians' participation in executions to disturbing roadside vegetation. Some, obviously, are more significant than others, and my experience with the General Assembly is limited enough that I won't hazard a guess as to which are likely to pass. Stay tuned for further legislative developments, and feel free to leave a comment if you feel strongly about any of the bills summarized above.