

Samuel Sheppard Murder Trial Press Coverage - Introduction

(This case was prepared by University of Georgia journalism student Umarah Alit for JOUR 5170, Advanced Studies in Journalism, based on secondary sources cited below.)

Media coverage of the Samuel Sheppard trial in 1954, as well as the consequent Supreme Court ruling, is essential in understanding fair journalistic practices while covering events flooded with bias and public opinion. The case is especially relevant for journalists who cover court cases, particularly those with high profile figures, and contains fundamental issues of journalistic credibility and courage despite having occurred over 50 years ago. While independence and minimizing harm are important factors in any aspect of journalism, they are especially pertinent in legal situations where the media is at risk for becoming involved in the story itself.

Samuel Sheppard Murder Trial Press Coverage - Part A

Samuel Holmes Sheppard, an American osteopathic physician, found his pregnant wife, Marilyn Reese Sheppard, murdered in their Bay Village, Ohio home on the morning of July 4, 1954. Sheppard claimed he awoke to his wife screaming upstairs, and when he entered the room, saw a "bushy-haired intruder" strangling her. He struggled with the man until Sheppard lost consciousness, and when he awoke he saw his wife had been killed.

Sheppard was questioned by police and investigators shortly after the incident, but maintained his innocence. The public, however, believed that Sheppard was getting away with murder because of his status and wealth. The Cleveland Press and other Cleveland newspapers published numerous front page and editorialized articles with unusually large headlines and enormous photos for editorials on the situation.

The articles had titles such as, "Why Isn't Sam Sheppard in Jail," "Somebody is Getting Away with Murder," and "Get That Killer," each imploring authorities to arrest Sheppard for the alleged murder of his wife.

On the night of July 30, 1954, "Quit Stalling - Bring Him In" was published. The article emphasized a belief that Sheppard was receiving special treatment and was not being investigated thoroughly.

"What the people of Cuyahoga County cannot understand, and The Press cannot understand, is why you are showing Sam Sheppard so much more consideration as a murder suspect than any other person who has ever before been suspected in a murder case," the article stated.

Sheppard was arrested on murder charges that night.

Discussion: Was The Cleveland Press practicing journalistic courage, credibility and minimizing harm with its stories? Should the paper have continued publishing elaborate stories on the case when there was no clear evidence? Did the media succumb to social gossip, instead of focusing on independent news?

Samuel Sheppard Murder Trial Press Coverage - Part B

Louis Seltzer, the editor of the Cleveland Press at the time, was both criticized and praised for his decision to publish editorialized articles about the Sheppard case during the investigation.

According to his autobiography, *The Years Were Good*, Seltzer believed it was necessary to risk The Press by reporting on the event so pervasively, in what he claims to be in the best interest of the public.

"The question confronting The Press was: shall we permit a protective wall to shield a solution to this murder, by doing nothing, or: shall we move in with all of our editorial artillery in an effort to bring the wall down, and make it possible for law enforcement authorities to act in their normal way? There were risks both ways. We chose the risk to ourselves. As Editor of The Press I would do the same thing over again," Seltzer said.

Discuss: Was Seltzer actually protecting the public and making the job of authorities easier? Is it an act of journalistic courage for the media take on a role in helping authorities? Would doing so extend beyond the responsibilities of a journalist?

Samuel Sheppard Murder Trial Press Coverage - Part C

Over three weeks before trial, the newspapers published the names and addresses of prospective jurors, causing them to receive letters and phone calls about the case. Press coverage intensified on a local and national level as the nine week Sheppard murder trial began. Twenty reporters were assigned seats by the court in close proximity to both the jury and counsel, disallowing even Sheppard a private moment with his attorneys. A broadcast news station was also assigned a space next to the jury room. The movement of the reporters in the courtroom caused frequent confusion and disrupted the trial, and media personnel were also allowed to roam freely around the courthouse.

The jurors were not sequestered, therefore academics cited the possibility of an objective jury pool as "almost laughable," given that it was assumed that the popular media coverage had to have been at least viewed, if not absorbed, by jurors during the trial.

Coverage of the trial was pervasive and covered several unnecessary details, including, in one story, the fashion of the female jurors. When it was later discovered that Sheppard also previously had an affair, The Press began fabricating and speculating on the subject further, suggesting it could have been his motive for killing his wife.

After five days and four nights of deliberations, Sheppard was convicted of second-degree murder and sentenced to life in prison on December 21, 1954.

Despite his awareness of the excessive pretrial publicity, the trial judge neither took effective measures against the massive publicity that continued throughout the trial, nor tried to control the media and conduct of the trial.

Discuss: Even though they were allowed by the courts, should the media have been in such close proximity to jurors and the counsel during the trial? Was The Press practicing journalistic credibility by listing the names and addresses of prospective jurors beforehand? Was the media independent in its reporting? Even though the overzealous reporting on the case was becoming a national trend, could The Press have had more journalistic courage by remaining unbiased in its reporting?

Samuel Sheppard Murder Trial Press Coverage - Epilogue

Sheppard and his counsel filed a habeas corpus petition contending that he did not receive a fair trial. The District Court granted the writ, and the Court of Appeals reversed. The case, *Sheppard v. Maxwell*, was then sent to the U.S. Supreme Court.

Justice Tom Clark of the U.S. Supreme Court stated in a 29-page ruling that Sheppard had been deprived of a fair trial "because of the trial judge's failure to protect Sheppard sufficiently from the massive, pervasive, and prejudicial publicity that attended his prosecution."

The Court also referred to the trial a "carnival atmosphere" because of the media.

After the ruling, the State of Ohio retried Sheppard and found him not guilty in 1966. He died of liver failure in 1970.

The immersion style reporting conducted by The Cleveland Press severely compromised the rights of Sam Sheppard; his guilt or innocence is irrelevant for journalists to presuppose, but rather true and unbiased reporting should have been sought after.

This opinion has been cited nearly 2,000 times by other courts by the 1990s, including serving as precedence for the O.J. Simpson trial and others.

Discuss: How has reporting on high-profile trials in recent history been affected by this ruling? Are journalists still practicing credibility and courage by ignoring the public's interest in gossip and instead reporting on news with only facts and independence?

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