

Court screwups ruining case against Kobe

Eagle County clerks obviously need computer lessons

By Michael Ventre

NBCSports.com contributor

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I think we all understand how difficult it is sometimes to operate a computer. I'm looking at my keyboard right now and I marvel at how I'm able to make sense of it. Fortunately, there are short cuts available. For instance, I just hit two keys that instantly transformed my single-spaced copy into double-spaced. That provided ease and comfort, and saved me some time. It's important to remember these short cuts. I've found that labeling the keyboard sometimes helps.

I assume the court personnel in Eagle, Colo., have also made this discovery. For instance, clerks there probably have a short cut labeled "Spill the Beans." Whenever a vitally important and highly classified document is in the system, they just hit "Spill the Beans" and the data is distributed to thousands of people who have no business looking at it. I'm sure they have labeled other short cuts as well, including "Spoon-feed the Media," "Make Us Look Like Fools" and the ever-popular "Destroy the Case."

On Wednesday, a court clerk allowed a judge's order to be posted online that contained the last name of Kobe Bryant's accuser as well as sensitive evidence involving DNA and cotton swabs. Since it was put up on the court's website, that means all of us computer users can access it. Because this is the third time that sealed information from the case has been made public, it only stands to reason that computer users everywhere can set up a short cut to receive this stuff. I'm labeling mine "What Have the Jackasses Done Now?"

Courts, especially in small towns and cities, are fiefdoms with their own unique sets of rules and procedures. In Eagle, it's more like a Fife-dom, as in Barney. It appears to be the kind of legal environment where jailers leave the giant ring of keys within the grasp of prisoners, in case they have to let themselves out to go to the bathroom. There is only one bullet, and police officers draw straws to see who gets it. The operating system on their computers is probably older than the customer support people they speak to on the phone when a problem arises. And the guess here is that problems arise regularly.

It is into this world that Kobe Bryant stepped last summer, when he was accused of sexually assaulting a 19-year-old woman at a resort hotel. Because he is one of the NBA's top stars, the case has received massive amounts of publicity worldwide. Even the most sophisticated legal system in one of our nation's largest metropolitan areas would be burdened by such a case. The fact that it fell onto the shoulders of tiny Eagle is just the luck of the draw.

Judge Terry Ruckriegle is presiding. He seems like a smart guy. When he hands down an order, it sounds fair enough. Yet the problems lie in the execution. The gaffe on Wednesday could benefit Bryant, some experts say. Medical swabs taken from the Lakers' star revealed the presence of his own DNA and that of the woman, but they did not contain anything from an unidentified man whose semen was detected on swabs taken from the alleged victim. The absence of another man's DNA could boost the defense's claim that the accuser had sex with someone after her incident with Bryant.

Of course, all of that information would come out during the trial anyway. But the document containing this was released because, according to a court spokeswoman, a "critical safeguard was omitted." Sources tell me that the critical safeguard in question involved reading it.

Previously, on September 16th of last year, the accuser's name was disclosed on a document posted on the court's website. It seems the only reason the court clerks in Eagle haven't dedicated an entire web site to the accuser with bio, photo gallery, contact information and links to related sites is because they haven't yet stumbled upon how to do it by accident.

Also, on June 24 of this year, transcripts from a closed hearing were distributed to seven news organizations via e-mail. The most significant development here is that all of the news organizations that didn't receive it are upset and are demanding to be included in any future inadvertent e-mails. Certainly it is the responsibility of Ruckriegle, a fair and professional jurist who understands the importance of the First Amendment, to make sure that everyone in the media gets an equal opportunity to make his court look incompetent.

How this all will impact the case is still unclear. John Clune, the alleged victim's private attorney, has complained that the court's computer errors are making life much more difficult for his client. Said Clune: "It is inconceivable how this court can explain its continual pattern of re-victimizing this 20-year-old girl." Karen Salaz, the court spokeswoman given the chore of explaining what happened, said there was a new procedure in place, but apparently a clerk selected the wrong document for posting. "The court administrator intends to apologize to the alleged victim and her family and is considering what action may be appropriate for the staff," she said.

In my opinion, all the staff really needs is a computer seminar to brush up on the latest developments in technology. Most of your local computer retailers hold such classes. Some popular ones in Eagle might be, "Wrong Button, Idiot!" or "Undermining the Prosecution's Case and Wasting Taxpayers' Money for Dummies." If nothing else, the clerks can learn some new short cuts.

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