

## The Juror

“So, is our guy still in?” Viola peered at me above her bifocal spectacles. After 30 plus years, I had grown to expect the question, knew when we ran into each other, she would ask.

“As far as I know,” I answered shortly. He was not someone I like to talk about and had done my best to forget what had happened so many years ago that it seemed like a different lifetime - one I was not a part of. However, Viola had never gotten past her fear of him hunting her down. She never would.

Every time we spoke of it, I fought with my mind to not go back there - didn't want to go back. This time I lost and the 30-year-old memories began to play. It was the late 1980's, perhaps 1989 ...

My eyes were fixed on the man in the orange jumpsuit who only the day before stood before us wearing a suit and tie. He sat between a sheriff and a deputy - handcuffed. My mind was in a whirlwind as I tried to listen to the black lady on the witness stand who was spinning a tale of drug deals gone badly and the violence that had ensued. She looked at Johnny with contempt as if she was thrilled he was destined for prison. I looked at him and wondered why he had ever decided to act as his own attorney.

I have to admit, I didn't know a thing about dealing drugs or even using them for that matter. I was in my late thirties, the mother of two teenagers and perhaps a little too trusting, ready to believe the best about people. Naïve, that's what I had been called before - it fit. I didn't want to be on this jury - had tried to get off, but lacked a good enough reason. Being between jobs left me wide open to be used.

“Why, I bought drugs from ‘im myself!” the witness boasted. “Everybody know’d ‘bout Johnny dealin’!”

I felt the tension coming from the other eleven seated in the jury box with me. How could I have misjudged them? How could I have known we lacked the same perspective? But Johnny knew. I watched yesterday as he stood before us dressed in a nice black suit with a gray tie. He could have passed for the prosecutor; except he was the defendant. I thought he was doing a pretty good job and, in my inexperience, wanted to tell him he had nothing to worry about because he would be found not guilty. After all, he was not charged with dealing drugs, he was facing life in prison without parole for murder.

He paced calmly in front of us presenting his defense as he had been doing for several days. I didn’t see the frustration building inside him because, like I said, I thought he was doing pretty well considering the circumstances. He had been through cross examining of the state’s witnesses - some of whom had called him a liar and sneered at him rudely. I was intently listening as he was offering information to the jury. He continually asserted his innocence reminding us and the court that it was self-defense. It was then that I detected a change in his demeanor. In sheer desperation, he lost control and began to grow angry at us - the jury.

He ranted and raved, crying out “I ain’t murdered no one. Self-defense!” he screamed. He darted to the jury box and stood directly in front of me, got in my face. I looked him in the eye and saw fear, but in despair he was slinging out angry words. I wasn’t afraid - maybe I should have been, but I wasn’t. When the deputies wrestled him to the ground and handcuffed him, I wanted to tell him it was okay, that we knew he wasn’t a murderer. But it wasn’t okay - not at all. I didn’t find that out until we entered the deliberating room to decide Johnny’s fate.

The evidence - two handguns protruding over the top of a little box - sat on the table. Twelve chairs filled with individuals, mostly from different towns and occupations, surrounded the long, old, wooden, rectangle table. I stared at the center of the table where the evidence stood - solemn and tiny in the middle of that huge table. The guns had both been fired, we knew that. One belonged to Johnny and the other was found at the crime scene along with the dead body. To me, this backed up Johnny's claim of self-defense. When it is either you or the other guy, isn't that self-defense?

"He's a blasted drug dealer!" one juror declared autocratically.

"Lock him away for life!" chimed in another.

"Guilty!" several others declared.

"Just like the rest of his kind!" I looked to see who said that, but it didn't matter where it came from because they were all of the same mindset.

Once again, it occurred to me to ponder the question of why on earth Johnny had ever decided to represent himself at this trial. Perhaps if he had an attorney, even a court appointed one, they would have made sure the jury contained members who were not all white - because Johnny was a black man. I hadn't thought much about it before because it didn't make a difference to me, but now hearing the comments from some of the other jurors, I realized I was face to face with prejudice. If Johnny had a different skin color would he have stood a better chance of a fair trial? I would never find that out.

Unease surrounded me as I feared I was in the midst of a mob. "But shouldn't we discuss this?" I asked quietly, ignoring the racial bias.

"We need to get him off the streets!" the foreman glared at me as if I had lost my mind.

"He's not on trial for drugs," I reminded them. "The charge against him is murder 1."

“Well, he did kill someone,” a mild-manner elderly lady offered.

“Self-defense?” I countered. “There’s two guns, both have been fired”.

“Doesn’t mean a thing to me!” the autocratic juror inserted indignantly.

“Scum! That’s what he is!” the foreman agreed.

“Can’t we consider the evidence and make a decision on the murder charge?” I asked desperately. “Maybe, he is a drug dealer, but he’s not on trial for that.”

Perhaps to pacify me, a couple of other jurors agreed we should talk about the charges put before us. I had some hope until we took our first vote. Ten to two was the verdict for guilty as charged. Because of the charge against Johnny, we had to get a unanimous vote. Deliberations continued and tempers rose. Soon, I was the lone holdout. I was cussed at, reprimanded, and reminded that I had kids that he could sell dope to. I wanted to remind them that Johnny wasn’t much older than my kids. Over and over I heard them refer to the color of his skin and how “they’re all the same”. I excused myself to the restroom because I needed a break - plus I was truly afraid that they might string me up! It was that bad.

Over twenty years after the civil rights movement and the death of Martin Luther King, were we still struggling with this racial issue? I never understood what difference the color of someone’s skin made – but it was real and I was experiencing it firsthand. I wished there was a window in the bathroom; I might have escaped through it rather than return to the unruly pack waiting to devour me. Even if it had a window, it wouldn’t have mattered. Every window in this old, rock courthouse had bars on them. Just the same, if it had a window maybe I could have looked outside and seen a wild bird that hadn’t flown south for the winter or perhaps, spied another human being – one that wasn’t waiting to pounce on me.

When did I become the one on trial? I bowed my head in silent prayer for the Lord's protection and asked for guidance. I refused to cry; I was a grown woman and would not bow to fear. Was I wrong? Were they right? Maybe he was a drug dealer, but didn't we have to follow the instructions and decide whether he was guilty of murder? Would they see things in a different light if he was white? I would love to help get a drug dealer off the street but I had to vote my conscience on the charge before us.

The past week flashed before me as I remained locked away in my sanctuary. I glanced around the bathroom and the ancient fixtures. This court house had been standing for 75 years – about 50 years longer than Johnny had been alive. He was young and had his life before him – surely, he deserved a chance to reform. Even before Johnny was taken away in handcuffs, every evening when we went home, we were escorted to our cars by deputies for our protection. I lived 40 miles away and shared a ride with Viola, a middle-aged widow with a nervous personality, who lived in the same town. She was not all that bright having depended on her husband way too much when he was alive and now, she was terrified.

“They read my address right out loud,” she claimed. (They didn't, but I kept my mouth shut). “He knows where I live and can come and kill me.”

She wanted to discuss the case and talk about his guilt, but I changed the subject. Hadn't the judge just instructed us to not discuss it outside of the court? It occurred to me that she wasn't the only one who would be talking about it - ignoring our instructions. I had never been afraid not once during the trial, not one time as this lady expressed her fear day after day, not one time as the deputies continued their nightly duty of escorting us. I was never afraid, not one time - until now!

Eleven angry jurors glowered at me when I emerged from my hiding place. I refused to look at any of them, but took my seat in silence. I had an idea that might give us a compromise - maybe - if the judge would agree. I had searched my heart and conscious, cowering behind the locked door in the musty sanctuary. It would give the mob what they wanted - get a drug dealer off the streets and I would be able to live with myself.

“Any point taking another vote?” the foreman asked in exasperation.

“Is she gonna do the right thing?” Autocratic juror snapped.

“Manslaughter,” I offered, my voice barely above a whisper.

“What?” the foreman acted like he misunderstood me.

“Maybe, we could convict him of manslaughter,” I carefully submitted. “I could do that because he did kill someone.”

“No!” the autocrat yelled. “Give him the maximum!”

“There’s no indication of premeditation required for murder 1,” I argued. If they executed me so be it. My mind was made up.

“He’ll be out in no time with manslaughter,” the foreman argued, losing patience with me.

He wasn’t the only one. Others grew angry and glared at me, each one repeating the same words. “No, murder! He’s a murderer!”

“I’ll hang the jury,” I spoke with certainty. They had to know I was serious. When momentary silence ensued, I looked at the door and wondered if I could run fast enough to get away when they attacked me and from the way they were scowling at me, I was afraid they would. I was sizing up my chances when I heard a soft voice speak. It was the elderly lady.

“What would he get for manslaughter?” she asked.

“Depends,” another juror stated. “Could be a few weekends in the county jail or a few years in prison - nothing too serious.”

“Not good enough!” the autocrat growled.

“Murder 1 is life without parole,” I considered aloud. “What if the judge let us do manslaughter and give him life in prison – with parole?” I knew there would be the possibility of parole with good behavior. I thought it would give the man a second chance - if he could change and I really hoped he would.

The foreman seemed to consider my offer. His gaze held mine. I didn’t flinch.

“Don’t cave,” Autocrat addressed the foreman. “Hold out for murder. We can handle her!” He tried to intimidate me.

I directed a glare in his direction, staring him down. Where had my courage come from? It was only skin deep - inside I cringed.

“What about the manslaughter with life in prison?” I heard a voice asked. “Could we do that?”

“Have to ask the judge,” the foreman relented. “Wanna vote and see how it turns out?”

Three times around the table later we came to a unanimous decision. Everyone agreed - some very reluctantly - but we were just ready to go home. The judge let us find Johnny guilty of manslaughter with a sentence of life in prison - with the possibility of parole.

Johnny showed no emotion when the judge read the verdict. We were escorted to our cars one last time and it was over. As Viola and I drove home, I listened to her voice her concern about him having her address and coming after her when he gets out of prison.

She needn’t have worried because 30 years later he was still locked away. Evidently, he failed to take advantage of the opportunity he was offered when he was spared life with no

parole. He chose prison anyway. I would like to forget about him, but I can't. Sometimes I wonder if I should have fought harder. The manslaughter charge had been a compromise on my part, too. Maybe, if I hadn't budged, maybe if I had stood firm for Johnny... but it didn't matter anymore. It was done. The fear I saw in his eyes that day haunts me so I bury the memories in a deep grave and don't dig them up until I run into Viola and she asks me once again.

“Is our guy still in?”