

## My 3 Hours with Jodi Arias' Jury Foreman

William Zervakos talks about the trial, the jury, and their deliberations

For a trial consultant like me, what could be more illuminating than to have unfettered access



to the foreman of a notorious capital murder trial in Phoenix? So, it was a great piece of good luck that I had the opportunity to spend 3 hours with the Jodi Arias jury foreman Bill Zervakos the morning after their hung jury in the death penalty phase. It began when the television show "Inside Edition" called me at the crack of dawn on Friday, May 24th and asked if I would try to get an interview with the foreman for that afternoon's show. I rang his doorbell at 7:30am, he answered, agreed to the interview, and off we went to a studio in south Phoenix for an interview with the New York producer. I had his uninterrupted attention for nearly 3 hours.

With the powerful impact of the previous day's decision still weighing on his mind, here are what I think are the most salient points he made about the trial, the jury, and their deliberations.

### About Bill

I found Bill to be a thoughtful, intelligent and well-spoken man. He had become the foreman by the luck of the draw. At the time deliberations began, five jurors were willing to serve as foreman. They each put their names in a hat and Bill's was drawn. He took this responsibility seriously. Including the admonition to stay away from any media coverage. Because of that, he had no idea until they were dismissed how much "blood lust" was circulating around in the public. "She was being crucified in the court of public opinion." Yet, despite all the gruesome details of the murder, his humanity led him to tell me, "She's still a human being."

Well into our time together, as we talked about Jodi, he volunteered, "If I could ask Jodi one question, I would ask what happened that led her to change, what was the cataclysmic moment?"

### About the Trial

Bill was clear that this was "a tragedy of epic proportions." It had destroyed both Travis Alexander's and Jodi Arias' families. His view on Jodi? Life was basically over for her, regardless of the outcome of the penalty phase.

As for Jodi's testimony, I asked about how well he thought she had been prepared. "She was not a good witness. She either wasn't well prepared or she wasn't paying attention to her attorneys." He was clear that she was lying, her story changing on the stand. "Among all the conflicting stories, there were kernels of truth.... But the longer she was on the stand, the worse it was for her."

As for other witnesses, he said he didn't think anyone had been well prepared. And did the trial go on too long? Yes!

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### About the Jury

Respect. He said it several times in describing the tone and behavior of the jury. "Every decision was huge. Yes, there were moments of contention and emotions would bubble over. But we would reel it back in and not take things personally." They fought hard, but were "open to listening to each other's position. It was a great group." Bill said that it took a lot of courage to make the decisions they did. At each turn, the jury members would deliberate until they were each at peace with themselves and their decision. He adds, "Especially in light of the fact that the decisions were not easy."

As for the jurors who were dismissed, his personal opinion was that it had been the right decision in each case.

When I asked him what he wanted the public to know about serving on this well-publicized jury, he said he would like people to understand what 18 people had to deal with. How they processed all the evidence to work through their doubts or confirm their understanding and arrive at their verdicts.

### About Deliberations

In deciding on the first-degree murder charge, Bill said it was a heavy time. They deliberated for more than 20 hours and he felt that was not too quick to arrive at a guilty verdict. He adds, that they were literally "shaking and shaken from the impact" of their decision.

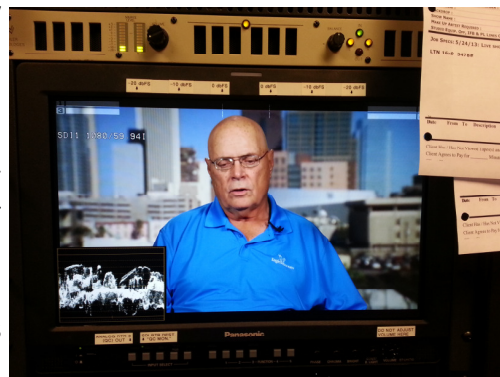
As for their final decision about the death penalty, which ended in a hung jury, they each voted their conscience. "It was a monumental responsibility – having a life in your hands. It's hard to explain. It was surreal. We knew it would be a big deal, but we couldn't know the scope of it (until that moment)." In not being able to come to a unanimous decision, he said it had a strong impact on all of them. They had gone through so much over 5 months that to come away without a final decision was tough. Bill adds that although they did not know what would happen because of the hung jury, he doesn't think it would have changed their decision. "It was a very personal phase."

At the conclusion of their service, the jury members decided two things: 1) that each juror would only speak for himself/herself, and 2) that they would not discuss the number of votes for the death penalty. Bill was clear that he wasn't going to tell me what the count was or which way he voted. "It's as personal and private as my vote for President." However, there may be some insight drawn from his comment about defense attorney Jennifer Willmott's address to the jury in which she said, according to Bill, at least five times, "Do you want to *kill* Jodi?" He added that a single word can be very powerful.

He said he would like Jodi to know the jury began their deliberations with a clear commitment to starting at innocent and then looking at the evidence to see if the State proved she was guilty beyond a reasonable doubt.

### Bill's Final Thought

Three hours after I first rang Bill's doorbell, I was dropping him off at his North Phoenix home. He





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and his wife were minutes away from leaving to go to California to visit some of their grand-kids. Both the producer from "Inside Edition" and I had asked him countless questions. He had answered with honesty and insight, even adding his own thoughts from time to time. Knowing how onerous his jury service had been, I asked him one last question, "Did it help you to talk about this?" Bill said thoughtfully that talking about it helped him to have perspective on the trial and to understand how well they had worked together and that they did make good decisions.

### My Final Thoughts

After 3 hours with Bill, engaged in both casual conversation and answering questions, I was buoyed by what I had heard.

Trying to understand and decipher what goes on in the minds of jurors is never easy. It's a guessing game that attorneys and consultants play every day. But these insights from Bill bolstered my experience that most juries take their work very seriously, once they're seated. That regardless of how lawless and out-of-control the court of public opinion may be, juries are capable of arriving at sound decisions. The unspoken kernel that I took away was that, just like in every kind of group/business/organization that has a function and goal, it's critically important to have thoughtful leadership somewhere on the jury. Not a bully who wants to sway everyone to their personal perspective, but a thoughtful, and yes respectful, person who can help guide the jury. I have a whole new perspective on what to look for in potential foremen/forewomen in the jury pool.

As for my particular interest in the preparation of the witnesses, Bill confirmed what I already knew: well-prepared witnesses can and do have an impact on the jury. Ill-prepared witnesses can and do have an impact on the jury. Working closely with attorneys to help their witnesses become a true asset to their case rises to a new level for me.

Finally, for someone who loves words, loves writing and knows the impact they can have, did this 5-month trial come to rest on a single word? After all the data, all the photos, all the testimony, all the legal wrangling and showmanship was it an emotional appeal that struck at the hearts of this diligent jury? I keep remembering Bill's most stunning statement about the power of a single word. "Do you want to kill Jodi?"

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