

THE RELUCTANT JUROR – MY TOUR OF JURY DUTY – JUNE 2012

BY ALAN BENNETT ILAGAN

I Can Keep A Secret (If You Ask Me To)

Here's a little known fact about me: if you tell me something, I'll probably broadcast it to the world (especially if it involves a childhood experiment of sticking a banana up your ass). However, if you tell me something in confidence, and explicitly state that I am not to repeat it, I can be as closed-mouth as a clam. I've done this with certain pregnancies (not mine) and surprise parties. That said, when I found out I had jury duty a few weeks ago, I was, initially, broadcasting it to the world.

I put up sarcastic FaceBook posts, funny Tweets, and blog posts decrying the whole idea of me serving on a jury. I threatened to wear a hat and veil and quote *Sunset Boulevard* if I came close to being selected. I even put up the court room scene of Lady Chablis from *Midnight in the Garden of Good & Evil* as inspiration should the lawyers even consider fucking with me on a jury. And then I was selected. For a murder trial, and an apparently well-known murder trial at that – one which I, in my news/newspaper avoiding life of ignorant bliss, had never heard about.

Once the jury was selected, the judge was adamant with his admonitions, and I was not to speak to anyone about the trial. I listened and followed his advice. Though it took all my self-control not to run home and Google the involved parties, I refrained. (If it ever came down to getting me Al Capone tax-evasion-style for something like that, my computer search record would not show anything to incriminate me.) I also held my tongue, and removed the generic jury duty comments from my blog and FaceBook and Twitter. If someone made a jury reference, I deleted it instantly. This was something I took seriously, and if you are ever in that position and hear how the judge explains the importance of honoring the process, you would do the same.

Luckily there is an end to every trial, and a time when one is finally free to speak openly about everything that went on. Hell, it's a matter of public record. And now, as the walrus said, the time has come to talk of many things. This is my jury diary. It starts off as ridiculously as you might expect my jury story to begin, but it ends up becoming something I never thought it would be.

Out of respect to my fellow jurors, a group of people I came to genuinely like through the arduous journey we were on together, I am omitting a lot (and there will not be anything personal written about our deliberation and what exactly went on in those long arduous hours), but the feel for how things affected me remains. I am choosing to write about it now because I have to let some of it out. It is already threatening to consume me – and whenever that happens I find writing and sharing a necessary outlet. It is the only way I have ever known.

At the very end of our service, the judge said we were no longer bound to remain silent, but that everything that went on in the jury room could be a book we chose to close and keep secret. I'm not ready to let anyone read that entire book, but I'll let you see a few pages...

I Was Wrong About Jury Duty

Being called to Jury Duty is one of those things that most people complain about, and not without reason. It's a disruption, it's a time commitment, but I understand it's a civic duty that aids in affording us the due process that this country provides. (That said, I'd still rather not do it – I have no business judging anything beyond fashion and gay pride parade floats – and even then it's sketchy.)

Yet even at the start I was coming around to seeing this as an experience I needed, and that began with me giving my reverence to the task at hand. First, I had to respect the process. I'll admit, I didn't have much patience for it when I got my summons in the mail. I was aware of the glacial pace of most legal proceedings, and that even with the preliminary step of jury selection there was an awful lot of down-time and sitting-still. Usually, I don't have a problem with that – tell me I have a ten-hour layover and I'll happily hunker down in the airport lounge with a book and some magazines. But there's something different about doing that as part of a jury. There's no happy destination at the end of it all.

I was also envisioning the most exciting scenario as a case of petty larceny or vandalism or other mundane legal mumbo jumbo which would have me asleep from boredom or disinterest.

I was wrong. Well, I was mostly wrong. Much of the jury selection process is tedious and boring and incredibly repetitive (particularly if you're selected in the first round and have to endure two more rounds of the same questions...) And there are definitely periods of interminable waiting, where you're called back into the court room only to be told you are taking a lunch break (like you really couldn't lump the break five minutes prior into that?)

But it instilled some invaluable lessons. Andy said I would learn a lot – and I did. Not just about the court system, and the way trials are heard and debated, but about human nature, about justice, about the way we treat each other.

After my first day, before I even got to see the defendant (I was in the back row and hadn't yet been selected) my first lesson was to obey the law. I looked out the window at the spire of St. Mary's and the pair of pigeons flying overhead, and I wondered if he was already longing for freedom, for the simple sensation of being outside on his own. It was something we all took for granted, and suddenly the tone of this trial, and my jury duty, took its first irrevocably serious turn. But I did not know that then. I was still able to joke about it, still capable of a laugh at the whole situation, still holding onto the silly things that, up to and including that moment, constituted my life.

A Juror's First Impressions

After only one day of jury selection, I was still content to joke about things and jot down a few acerbic observations that crossed my otherwise-blank mind:

Telling me to be back in the room at 10:00 AM and then not doing anything until 10:40 AM is not the way to win favor with a Virgo who is always five minutes early.

This endless hurry-and-wait atmosphere drives me crazy in regular life, and more-so when sitting to be called for the jury.

If this is what you wear to Jury Duty, in an official court house, what in the fuck do you wear in the comfort of your own home? No, I don't want to know.

If this is what you smell like at Jury Duty... you must be one of those hoarders.

My excuses are all in order – if asked, I'm going to sing like a canary: my marriage to a retired cop, a list of the family arrests, and the complete and total inability to recognize right from wrong and a strong tendency to err on the side of the latter more often than not. Oh, and my utter distaste and distrust for the po-po – someone said I should incorporate the po-po in this.

One final observation: as tedious as the process is, everyone who works here, from the guards to the stewards to the lawyers, seems to be in good spirits and happy to be doing their job. I am not accustomed to this in a workplace.=

The Second Day – Fingers Crossed for a Dismissal

Sitting with the potential juror pool, I am struck with something in the air: this particular cross-section of the Albany populace is largely unaware of how bad they smell. The barefoot woman beside me, with one naked foot up on her chair edge, is probably not helping. I am the only gentleman in a tie, in the hopeful event that I get dismissed early and have to go into work. Apparently the question of a dress code (and the far-too-lenient “casual” answer given yesterday) has been determined to consist of shorts, jeans, and T-shirts.

But back to the fumes. I think, even beyond my half-joking criticism of clothing, it is the scent of a person that I may most harshly judge. As someone who makes it a rule to smell as decently as possible, it is the most egregious act of effrontery to be confronted by someone who clearly doesn't care or even know about the odor emanating from their person. This is especially trying when sitting in close proximity to one another. I mean, show a little respect for your fellow human beings.

Before I can make a fan out of notebook paper, we are called into the first round of jury selection, in the court room on the second floor. One smelly person is replaced by another as I file into the last row, sandwiched between two not-quite-offensive-but-certainly-not-pleasant-smelling people. I can barely make out the defendant and the lawyers. All I can smell are the two people flanking me, and it's not good. The judge explains that this is a murder trial, and that jury selection will likely not be completed with this first round. I don't know which is worse – being called up, or having to endure this stinky torture. I'll get to find out soon enough, as I am the sixth or seventh person to be drawn from the wooden spinning wheel holding our names.

Okay, I tell myself as I make my way up to the front of the courtroom, it's all okay. My shirt and tie notwithstanding (I totally should have gone for the head-dress), I still have an arsenal of jury-duty-escaping tactics, starting with a gay husband who's a retired police officer and a family member who was once arrested. I gamely raise my hand when both issues come up, confident that both will surely be enough to get me instantly dismissed, not even thinking about the fact that they basically cancel each other out. Somehow, despite wishing against it, I have the feeling that I was meant to be on this jury, and that I will be chosen. It's the way God has always played with me in the past, the way I put my head down in a vain effort to go unnoticed and unselected, and the way I always end up getting picked.

(When I mention, “My husband is a retired police officer” there is complete silence for what seems an interminable length of time. I initially thought it was only in my self-conscious head, but one of the lawyers later tells me that when I said it you could hear a pin drop in the courtroom. Oh Albany...)

After what seems an endless bit of poking and prodding by the judge and the lawyers, we are sent back out as they make their case for or against jurors. We have a brief break, so I walk down the street to the Hotel Albany lobby to read. The day is blustery, but it has not quite started to rain. Soon, it's time to return, even though by this point I know we won't begin for another half hour.

Forty-five minutes later I'm back in the jury box as they read off the selected jurors. Only five people were selected out of that first group of 21, and I allow myself a brief moment to enjoy the odds of being in the clear. And it is but a brief moment: the second name called out is mine. I will be Juror #2.

The Second Day – Hopes of Dismissal Dashed

Upon hearing that I was selected to be on this jury, my mouth opened to say something, but no one else was objecting so I remained silent, if slightly stunned and disappointed. "Does living with a retired police officer mean nothing to you?! DO YOU KNOW HOW CLOSE I AM TO THE LAW???" I want to shout, but think better of it in case they ask me to name one thing Andy has ever mentioned about the police and I end up being at a complete loss. They might as well ask me what kind of car I drive. (Blue?) Instead I am filing into the Jury Room, whisked away from the rest of the people, and given a lanyard that says 'JUROR' on it in what might as well be big Comic Fucking Sans font.

From here on out, the jury room is where we will be confined – literally – except for lunch outside on our own in those first few days before deliberation. (Once deliberation begins we won't be able to leave for anything.) We are not to speak to anyone else, and our tags are to indicate that no one is to speak around us either. (I'm totally wearing it to work and family events when this is over.) We are also not to discuss the case among ourselves until the actual time for deliberation comes at the end of the trial. This is an interesting conundrum for jury members, as the only thing we have in common is this damn case. As Madonna said in *Truth or Dare*, "It can get a little awkward."

Luckily, this is a decent group so far (four women and myself), and we hit it off from the beginning. Before we can go any further, it's time to break for lunch, and then the second selection round will begin. The weather has turned even more sour, with rain mixing in with the high winds. The promise of storms, made in the breezy night before, has come to fruition.

When we return to the jury room (escorted as always by our faithful steward/matron), we line up when we are called in. "Jurors Entering" one of the officers shouts, and the room is

filled with standing people, including the judge. Apparently once we are sworn in as jurors, it is the custom of the court to rise when we enter the room. (This is another thing I'm going to try to implement at home and work when the trial is over. It's so nice when people rise when you enter the room.)

During the prolonged jury selection process, I can focus on the little details and not think much about the defendant yet. I see the judge's oral fixation on the pen in his mouth, and I am amused by the overzealous friendliness of our steward, who feels the need to alert us to her every bowel movement should we wonder why she is not stationed directly outside the jury room door at all times. These are whimsical observations, perhaps delaying the inevitable confrontation of what we are about to see and do.

During this second selection round, one of the prospective jurors is asked if she has served on a jury before. She replies in the affirmative and is questioned how it went. "It was a life-changing experience," she says declaratively. The lawyer says she may be scaring the other jurors, but she quickly clarifies, "In a good way." I am not convinced, and her words stay with me as I watch the defendant for the first time.

In this round, the lawyers hint at a video – one that captures the actual stabbing – but at this initial stage it is too early to mean much, and as they gloss over it, I do as well. I'm still struggling with the whole abstract idea of jury duty, with its requisite delays and stalls, hurry-up-and-waits, and reconciling that with something more serious. It is not until this moment that I notice the families in the front rows. This is when jury duty stops being a frivolous pain-in-the-ass exercise. The fates of two young men – one dead, and one standing before me – will find some sort of resolution in this room – and the enormity of that – the severity and gravity of that – is suddenly presented in all of its unforgiving light.

We file out when the second round of questioning is complete, returning to find that only four out of the 21 have been selected. There will be at least one more round of jury selection tomorrow, perhaps two. While others are disappointed that we're not much closer to starting, I am thankful for the slight reprieve. I am not quite ready to do this.

On the Third Day

We begin with the third round of jury selection - the same repetitive questions, the same weeding-out process (a process which makes less and less sense to me), but there are fewer people with questionable issues, and it feels like they might have enough for a jury at

last. We adjourn to the jury room for a break while they figure this out, and when we return they have indeed selected a complete jury, with two alternates. The trial will begin after lunch.

Before walking out, I study the defendant again. Today he wears a navy shirt, slightly baggy on him, like all his shirts have been. He looks so young. His eyes, furtive and quick, dart about the room. I wonder if he looks caged because he is. So much of him – his face, his eyes, his movements – remains unreadable. I don't know if it's fear or fearlessness, and I shouldn't be judging or thinking anything until the evidence is presented anyway. How much can you really tell about a person based on appearance alone? Still, I'm only human, and at this point I have nothing else to go on.

Exiting the building into the beautiful sunny day is a bit of a shock. After the cold air-conditioned sterility of the jury room, the sun feels good on my skin. It is the perfect day, and for some reason I am reminded of 9/11, when I had just started working in downtown Albany. I push those memories from my mind and walk to Subway (since I'd forgotten my sandwich in the fridge in the jury room and couldn't be bothered to go through security again). I don't know it then, but my lunch this day will be the last one for a while where I am the carefree person whose main concern is how much light mayo to ask for on my sub, or whether they have sprinkled enough banana peppers on it. A few co-workers pass by and I wave and smile, and it is the last bit of unbridled joy I will feel without a twinge of guilt.

We return from the glorious sun, file into the court room, and listen to the opening instructions from the judge. They are reminders of the weight of our decision, wisdom imparted to help us see the proper process to divine the truth of the case, and the various laws we will have to abide to see that the defendant, innocent until proven guilty by unanimous consent and beyond reasonable doubt, will get his fair trial. Up until that moment, I was absolutely sure I could render a decision based on the facts and the evidence. Up until then I was positive I could be cold and analytical and go strictly by what was presented. Now, as this young man – in so many ways still a boy – sits a few feet from me, I will be asked to take part in determining his fate. Now I am suddenly not so sure. When the judge wraps up, he introduces the prosecuting attorney to make his opening statement. This is when everything changes for what seems like the tenth time.

The Third Day Continues

The prosecutor explains that there is a video of the event, one that shows the defendant stabbing the victim in the heart. He goes step by step through how the video plays out, painstakingly taking us through the event, and describing each horrid detail. We will be

watching this video, probably a number of times, and it will be dissected and viewed from every possible speed and angle. It was not a stationary video taken from a distant surveillance camera, but rather by one of the bystanders in the crowd, who filmed it with his phone and followed the action in the two minutes it all unfolded – in the two minutes in which the victim was killed.

Usually when something is hinted at, the fear and the build-up is worse than the actual event. In this case, my mind could not conjure what was now being described as on the video we would be watching. The reality was proving far more frightening than anything the mind might create. I don't remember the last time, if ever, I saw a person being killed by another person – certainly not this way, not by a knife through the heart.

I didn't expect the video to be shown so soon. I don't know why, I just didn't. And perhaps it's better that there was no time to prepare. I could watch it cold and get my gut reaction.

It is both less and more disturbing than I originally envisioned ~ less in that there are no close-ups, no major blood-letting, but more in that such a seemingly casual day at the park, with the late-afternoon sun slanting into the gorgeous golden hour, could turn so literally deadly.

It is the first time we get to see the victim. In sometimes jerky camera movements, in full color and largely projected on the immense wall before us, he stands a few feet from the defendant. A group swirls about them as they circle each other. There is an undeniable push by the defendant, and a general backing up by the victim. Still, it is hard to discern what is happening without the narrative previously supplied by the prosecutor, and that's his job. Knowing how it ends makes it more disturbing to watch.

The stabbing is sudden and quick, and if you didn't know what was going on you might even miss it. But seconds later, after the short, quick burst of a chase, the victim falls down on the front lawn of someone's home. The video ends there.

Somehow I know this is not the only side to the story, and the analytical part of me wonders how the defense attorney is going to paint this when such a video exists. He begins by going into the background of how the two young men involved never liked each other, and it had been that way for a year or two before the incident. Each side makes a compelling argument, even with the video on hand, and there is more than most people have seen to shade our analysis.

When the two sides have made their statements, I take a deep breath. I will not go into the details here. It is a matter of public record if you want them, and even then you'll only be left with a general idea of what we the jurors saw. And remember, not one of us on that jury had an inkling of the public perception or news reporting of this case (skewed even on their most supposedly-accurate day).

I haven't seen a single episode of 'CSI' or 'Law & Order', and the last law-related thing I can remember watching was 'L.A. Law' because someone fell down an elevator shaft. I don't know if anything would have prepared me for this sort of case anyway. I scan the weary faces of the families in the courtroom. I study the profile of the defendant. I try to envision the face of the victim – we have not seen a clear picture of him yet, at least I don't have a clear image of him, even with that video. I wonder which ones will haunt me the most.

The boy who recorded the video with his phone is called as a witness. When asked why he finally stopped filming, he said it was to call 911. He is still a teenager. His eyes remain mostly downcast. He does little more than mumble, and is asked to speak up. All of the parties involved in this case are just out of childhood. What do you do with the rest of your life after that, if you still have it?

That night, I step outside and dive into our pool. Above me, the Big Dipper dots the darkened sky. I float there, looking up at the stars, and cherishing my freedom. Is it blasphemy to so gorge myself and revel in my luck? How many two-minute moments of regretful acts might I have had were it not for various twists of fate? I wonder if either the defendant or the victim liked to swim, if they ever had the opportunity to swim, and if they ever found joy in the years leading up to the afternoon when everything changed for them.

Day Four – A Brighter Morning, A Darker Day

Our matron/steward is waiting for me at the designated spot. She's already taken a few of the other jurors up and offers to bring me. We have a moment alone. She mentions that she once had a juror who couldn't take the elevator, so she had to use the stairs even when she wasn't supposed to. "I couldn't make them take the elevator when they were claustrophobic!" She also mentions that she was told that she was too nice, and not to smile so much. I said we appreciated everything she was doing for us.

"You're a nice guy," she says. I thank her. "I've never had a bad juror," she continues. One floor can be an awfully long elevator ride depending on the company, but she has been kind, and there is something to be said for pure, unadulterated kindness.

The jury room is brighter in the morning, with the sun slanting in from the East. As we fill up, there are perfunctory morning greetings, talk of the frigid air-conditioning of the courtroom (my tie today doubles as a mini-scarf and dinner-attire afterwards), but then we settle into a semi-comfortable silence, broken only by the flushing of a toilet, the turning of a magazine page, the last ring of a cel phone.

Taking out my book, I open up to where I left off in John Irving's latest, *In One Person*. If you must be made to wait, (as is becoming infuriating custom) there are no finer companions than the words of Mr. Irving.

Up until now, the victim has remained a vague abstraction. As the person killed, he exists only in the past and in how the lawyers will present him. Because he is absent, my attention has been occupied with the defendant. Yet the victim is just as much, if not more, a part of these proceedings.

Today, there is graphic testimony by doctors as to what exactly killed him. I offer a bit of science from the least scientific guy you'll probably ever meet. The human heart is surrounded by a protective sac called the pericardium. There is very little space between the heart and this outer sac, which fits like an envelope or a sock around the heart. In this particular stab wound, which went right through the heart, it was the blood that collected in the pericardium that in essence prevented the victim's heart from pumping. Without a place for the blood to go, the pressure was such that the heart simply could not beat. Even with the stab wounds, too much blood was entering and not enough was being let out.

My mother, the nursing professor, would be fascinated by all of this, especially the medical testimony. Andy would be fascinated by this, especially the criminal and legal aspects of it. And yes, it is all very interesting to watch from an analytical standpoint – yet it is the responsibility at hand that weighs down upon me, and though I have no doubt I will, when the time comes, be capable of rendering a confident decision, I have no way of knowing how that may affect me, and others, in the future.

I fear everything I don't know, all that hasn't been presented – so much of the truth seems too often to be found in what isn't said, in what cannot be seen or shown. The trials I have heard of and paid attention to ~ O.J. Simpson, Casey Anthony ~ seem so easy to judge, but I have a new respect for juries and the position they're in – and how no one but the few of us here can ever know what it's like. No one else sees the case in the way that we do, and by that I mean our very limited view.

I pray, I actually pray, that we have the wisdom to divine the truth and to render the most just decision. But that is still ahead. For now, the lawyers approach the bench, leaving the

defendant alone for a moment. A church bell tolls outside as I study him again. Today he wears all black, his shirt is baggy as always, and his shoes are brown. It is noon. We break for lunch.

It is at times like this – during the simple act of going out to lunch, of feeding a parking meter, of going to the restroom – that both the victim and the defendant come to mind. Neither of them can do these everyday tasks. This is when I start to think of them – as I choose a dinner option, as I press the snooze button one more time, as I walk into the outside air.

This will be the insidious undoing of so much of what was once important to me. I will try my best to pretend otherwise, to go back to the joking insouciance of the past, but I don't know if it will work. For better or worse, there is no better pretender than me.

Day Four – Disenchantment Sets In

My thoughts turn to the witnesses of the day – the doctors, the friends, the detectives, the officers – and I am both touched and moved by the parade of life that marches through the courtroom. Each one of them has their own story, their own multitude of stories, but for this day we each play a small part in the victim and defendant's stories.

Compounding the inherent tragedy of the case is the fact that I cannot talk about it. Normally when keeping secrets this doesn't phase me, but in some way it would be such a relief to explain what we were going through to someone. Instead, I am forbidden to speak to my husband, my family, and even the other jurors until it's time to deliberate. Mostly I want to talk to Andy, who, up to a certain point, has been largely supportive. He knows all about the process, he knows what to ask, what to look for, but beyond vague general logistics, which I don't know enough about to even begin to question, I can't say anything.

Part of me knows it's bugging him to not be able to ask about it, but his police officer background prohibits him from even subtly tempting me to talk – and to be completely honest (because this won't be posted until after the fact) if he asked I would probably tell all.

(A side-note to illustrate his police officer mentality: when Andy and I first met I asked him whether he'd let me go if he had pulled me over for speeding. He said no. I sweetened the hypothetical deal with the offer of a blow-job. He said doubly no, and he'd probably charge me with whatever a propositioned blow-job would merit. That's my husband. In our home the law comes before love. That comes with its own maddening repercussions, but that's another diatribe for another day.)

All I know is that after this fourth day of jury duty, I have already been changed in some small way. This evening, a strange thing happens. Normally I pick out my outfits the day before I wear them (with the exception of special events or vacations, which are sometimes planned months in advance – as evidence, I am currently plotting what to wear for events in October and November of this year). Tonight, I don't feel like selecting what to wear for the next day. It feels like such a ridiculous concern – a meaningless exercise of pointless futility in the face of more pressing matters – life and death matters, in fact – and though I know that appearance definitely counts for something, it only matters, well, when it matters, and what I wear the next day will have no bearing on the defendant or the victim. It will change nothing.

In the past I would have said I would fight to the death for the right to be fashionable, and for the importance of how people present themselves to the world – and one day I may take up that baton again – but for now I am not inspired. Tonight that sort of reckless hyperbole seems inappropriate and in dismal taste.

I know this will not last.

I know this momentary raised consciousness will dissipate, and I selfishly welcome the day it does. One doesn't take kindly to having one's happily ignorant delusions shattered. The term "disenchanted" is largely misunderstood. I don't want my enchantments dispelled. No one should. And somehow, this is what the trial is doing – whether I want it to or not.

Day Five – Tears on a Friday

For the frigid tundra of the courtroom, and in spite of my newly lackadaisical attitude toward what I wear, I've donned a sports jacket for the day. I'm also here on what should have been a pass day for me – a glorious, sunny pass day that should rightfully be spent by the pool. Unless you're the defendant, or the victim.

Today the Defense calls their witnesses, and first up is the defendant's little brother. He is only twelve years old. Soft-spoken and barely audible, he gives his answers in a feathery almost-adolescent voice, and I can't imagine having to get up in front of this courtroom and doing this at his age. At any age, actually, but especially for someone so young.

I glance at the defendant as his brother speaks, and notice something that I think falls out of his mouth. Only then do I see the tears falling down his face in tiny rivulets. He wipes them with a tissue and I look away. On the stand, the eyes of his little brother well up.

The next witness to be called is the defendant's mother. I expect further waterworks, but there are none, just a mother fighting valiantly for her son to be free, perhaps saying whatever needs to be said.

Later in the day, the defendant's father takes the stand, as does his fifteen-year-old cousin – a little girl who cries repeatedly while giving her somewhat mixed testimony.

The judge's odd oral fixation, which is more than the passing nibble on the end of a pen, veers dangerously into deep-throating territory, as he devours pens and markers like a champion. It's an odd juxtaposition – a murder trial, tears, and the occasional desire to burst into inappropriate laughter.

When I pass the family members outside at lunch, I keep my head down. When they're at the pizza place where I stop, I take my pie outside. Downtown Albany is a small place, with limited lunch options and scant places to hide.

During the lengthy breaks in the jury room, we are louder and more boisterous today – each of us seemingly comfortable with everyone else – and I realize I could easily, and genuinely, get along with every one of the other jurors. I wonder how the deliberation will play out. I wonder if we will still get along then. As the judge put it, we are the only fourteen people in the world having this particular experience. There is something both comforting and distressing about that.

At the end of the day, the judge will repeat his admonitions, and mention that we are not to even say Hello or Good Morning to any of the lawyers or witnesses. It has been a long, albeit interesting, week of jury duty, more subtly life-changing than I expected, but the weekend is more than welcome, and I am hopeful to return to a life where the most stressful thing is figuring out how many people are coming over for Father's Day.

Day Six – The Second Week Begins

I'm still shaking off the stupor of a sunny weekend spent decompressing by the pool, and a Father's Day filled with family, when the defense calls its last witness – the defendant himself. Dressed in an outfit that seems two sizes too large for his frame, he is all but swallowed up in a billowy white dress shirt, baggy khakis, and dress shoes in which he doesn't seem the slightest bit comfortable. In such ill-fitting clothes he looks more like a boy playing dress-up than a young man, but it is a stipulated fact that he has killed someone. The only question that remains is to his intent.

After watching and studying his profile for a week, we finally get to hear him speak. For each answer, even a simple 'Yes' or 'No', he leans forward to speak audibly into the microphone, the leather witness chair squeaking with every motion. It is the rest of his life on the line – he's already taken the victim's. We listen to determine what his motivation was. It is far from an exact science. There are few, if any, absolutes.

My mind jumps to the jury room and the deliberation ahead. I don't know about anyone else, but this will not be an easy decision for me to make. The fact that New York State doesn't employ a death penalty offers only the slightest of solace. I think of this as the defendant recounts his history with the victim.

Most of us grew up with a person or two we might consider an enemy or adversary – someone who rubbed us the wrong way, someone we knew we'd never get along with, no matter what. Some work to avoid that person at all costs, steering clear of any potential conflicts or run-ins by ignoring and leaving them alone. Some choose to engage and antagonize, poking and prodding at the problem until it comes to some sort of head. I've done a little of each over the years. It's never ended in death.

Is that what happened here? Did it just get momentarily out of hand, at the entirely wrong moment? I don't know. I will never know.

Day Six – The End of an Endless Day

It is about 10:30 PM and we have just gotten out of our first few hours of deliberation. I am exhausted, drained, and wiped out, and it won't hit me until the next morning when we have to do it all over again.

When the defendant finished his testimony, we were given the closing arguments of both sides, and the video was played again. It is near the end of the day, or so we thought, but the judge sends us into the jury room to order dinner and deliberate. After three aborted attempts (no one believes that Downtown Albany rolls up the sidewalks after 5 PM on a Monday) we finally find a real restaurant and our food arrives.

I think back to one of the first days of the trial, when the lawyer for the defense explained that jury duty for a murder trial was like a marathon. Not that I have ever come close to running a marathon, but I'd guess it is just as grueling. And all the while I still have in my head the gnawing guilt of complaining over something like this when someone is already dead, and someone is still on trial.

After this full day of testimony, closing statements, and judge's instructions, we are told to deliberate until 10 PM. By that time, we have gotten nowhere, but there is some minor relief in finally being able to talk about what each of us has wanted to talk about since day one. That said, all we seem able to do is talk and release, with only the minutest bit of progress.

I find myself wishing for a more concrete outline for us to follow, some handbook on how to most productively go about this process. We are a room of somewhat powerful personalities, each confident and set in his or her beliefs, and I'm not sure how many of us will be swayed from what we each believe.

By ten o'clock we aren't even near a verdict. My foolish and insane dreams of a possible five-minute deliberation were dashed hours ago. This will be even harder than I thought. My head hurts. My stomach is unsettled. It is time to depart. The sheriff escorts us to our cars, or in my case the lobby of the hotel where Andy will pick me up. The news crews arrived earlier. Their lights wind high into the night sky, illuminating the front of the court house.

The evening is beautiful, but dark.

Day Seven – Too Tired to Write, Too Haunted to Care

The few hours of sleep we got were not enough to fully decompress and replenish. We are all not quite ready for this day, even if it's a shorter one. I think it's finally starting to take a serious toll on some of us. There is less laughter, less energy to push ahead. It's a day I push away. It's a day in which we don't decide.

Day Eight – The Last Full Day of Deliberation

I write this at 9:45 PM, following another endless day of deliberation. Apparently our 4:30 PM note asking the judge for a discussion on our ability to continue deliberating for the day could only be taken at face value, and the judge declaratively stated he could not discuss that with us. Legally, I suppose we worded it inappropriately. (I wanted to rephrase it along the lines of, "We are unable to reach a verdict today. Would it be possible to come back tomorrow?" In the manner that we wrote it, it was not up for discussion and we were sent back in for dinner and deliberation. And though it sounds exactly like something I would do, it was not my idea to send that note to the judge, I swear.)

I don't usually get stir-crazy when forced to sit still for any length of time. There are people who can't stand it, who get claustrophobic and panicky, but I've always been able to retreat within my mind and pass the time solely through imagination. Yet even I was having a tough time being confined to a single room for twelve hours straight, with only an adjoining bathroom to offer brief escape. You don't realize the importance of a lunch break outside until it's taken away, and those moments of solitude I have always cherished were replaced with elbow-to-elbow company.

While initially put out by the judge's decision (he had actually been the one to plant the idea that we would not be staying late, as all sorts of overtime had to be requested and granted) it turned out for the best, as I believe we got some good work done, and a decent headway of progress to set us up for the next day, so maybe he wasn't entirely wrong about it.

At this point I have to say something about trials and juries: everything I ever thought I knew is wrong. Unless you are on the jury, presented with the evidence, and locked in a jury room to deliberate for days, you have no idea what it's like. What we see is nothing like what the public sees, or thinks they see (and given the news reports we would later see and laugh at, the news media usually gets most of it wrong).

I will never second-guess or assume anything about any trial ever again. The system is designed that way, and to that end I have to believe it provides the fairest way of insuring each and every person's assumption of innocence until proven guilty.

By the end of the day we are exhausted and drained on every level. As we pack up for the evening and the sheriffs enter to escort us out again, one of the jurors says it feels good to be with a good group of people – and I can honestly repeat that I have come to genuinely like each of them. That sort of thing doesn't happen every day, or very often, especially when you consider there are twelve of us.

Day 9 – The Verdict

I go in feeling good about our progress from the previous night, but things take a decidedly darker turn, and this is our most difficult day of deliberation. Reaching our verdict is a soul-searing process, and only now do I allow a few tears to come to my eyes, blinking them away and looking down to avoid eye contact.

After watching the video a few more times, we come at last to unanimous agreement. It is not an easy decision. No one will win – we have all only lost. Even those of us who had no choice in serving have lost, even when we haven't done anything.

Up until now I have worked solely towards focusing on the case, the evidence, the testimony, and then coming up with a decision and working to convince others that the decision is the right one. I am not alone in my determination, but we are somewhat split on which charge is most fitting. Once that debate is done, once we have agreed, I have no more to focus on other than the situation at hand, and our role in it. Then and only then does it all hit me, and all those moments when others had taken the time to cry and let it out come flooding over me. I am shaking as we make our way into the courtroom for the last time.

We line up and march in, and for the first time I look every person I see in the eyes: the lawyers, the defendant, the families, the spectators, the sheriffs and the judge. We have made the fairest decision we could, based on what we were given. And we were a good group of people who took the time and care to purposefully deliberate. We challenged one another, we came around to the truth, and in the end we did the best we could do. I will always stand by that.

Our foreperson reads the verdict: Guilty of Manslaughter in the 1st Degree. Each juror is polled and asked if this was our decision, and we all say 'Yes'. Then it is over. There is little to no reaction that I can see. We walk out of the courtroom.

We are asked to leave our 'Juror' lanyards on the jury room table before being escorted out for the last time. That's it. That is all.

That night, it hits me. Having held everything in for the previous two weeks, I now sob uncontrollably, curled up in the fetal position on the floor of the guest room, inconsolable by both Andy and my Mom. It is all suddenly too much – too much pressure, too much relief, too much emotion. I did not ask to be on this jury, I did not ask to be the determining fate for someone else's life, the avenging force for someone else's death. The night falls, and I cannot stop crying.

There are strict instructions and guidelines for those serving on jury duty. There are procedures and rules and laws we must abide. There is no such guidance for what to do when your jury duty is over, no advice on how best to decompress, how to reconcile your decisions with the aftermath of reality, no helpful word on how to forget.

I thought it would be easier to shake than this.

The First Days After Jury Duty

For the first two days following the trial, I feel on the very verge of crying. For someone who doesn't cry that often, being in that state constantly for two days was a shock in itself. Now, on this beautiful sunny Saturday, the guilt has moved in. Not over our decision – as I said, I will always stand behind that – but over the fact that I'm enjoying a life while two boys aren't. In the darkest and worst way, it's as if the trial sucked every little joy out of life, because every time I reach towards a moment of fun – a splash in the pool, a Madonna song, a flower in bloom – I check myself with the thought of those boys.

I've cancelled two parties and a Gay Pride event I was going to attend. My heart is not in it. I'm sure it will be one day – maybe even soon – but not just yet.

There is also a residual emptiness and longing; in some strange, possibly sick way, I mourned because I didn't want it to be over. I didn't want to go back to what I knew before. Maybe part of me missed the other jurors. Two weeks was the stuff of summer camp and vacations, a period of time just long enough to make someone matter, then take them away without a scar, but with a memory. But what is a memory if not a scar?

I seek out my favorite person on the jury – a self-professed "fruit fly" with a gaggle of gay friends – who just happened to be our foreperson. I feel like she is the only one who might understand what I'm going through. Otherwise, I'm probably going to have to talk to a professional because the darkness from this trial isn't lifting.

I stop by the bar where she works a shift, but she is on vacation until next week. I make some small talk with the other bartender, but I am still lost, still wishing for a connection with someone who has seen what I have seen. There are so few of us in the world.

In some sad way, the joy of living, as precarious as it always was, has been snuffed out. Slowly, I am getting it back, I feel certain I am on that path, and the laughs will come more readily in the following days, but it will take time.

For now, I have written enough on it. As raw as it remains, it's time to end this chapter, to put my jury duty behind me and move on. I have let it out and done what I know how to do. The rest is not for paper or documentation. The rest I have to figure out in my head and heart. The rest is the hard part.