

You, the Alaska Juror -- audio transcription

0:01 Opening series of photographs and music.

0:19 **Tarah C., Juror:** “When I first got my notice to appear for jury service, it was like anything else. It’s part of being a citizen and I was excited to see what the process was.”

00:31 **Benjamin N., Juror:** “I was kind of excited and you start thinking – boy, this is a serious business. You’re determining the fate of a person.”

00:38 **Tony S., Juror:** “I think that when I got my notice to appear, I thought that it was an opportunity to have a voice in the judicial system.”

00:50 **Katherine G., Juror:** “I’m kind of excited -- because it’s an experience. I mean the first time that I ever filled one out, I thought – well, what happens if I get selected.

00:59 **Richard M., Juror:** “I kind of was hoping that I’d get picked. I’ve seen a lot of juries picked for cases, and I wanted to participate.”

1:09 **Title on-screen:** *You, the Alaska Juror*

1:11 **Dana Fabe, Justice, Alaska Supreme Court:** “Being a juror, serving as a juror is a wonderful challenge, and it’s also an adventure. Our constitution provides that every person has a right to trial by jury of their peers; and without jurors, without citizens who are willing to sit to decide the facts in a case and to decide how the law should be applied to those facts, our justice system couldn’t work. We are so grateful to members of our community for coming in to serve as jurors. It’s the court system’s determination and pledge to jurors that we will use your time efficiently.”

1:52 Subtitle, on-screen: Picking a Jury

1:58 Narrator, voice only: You are here today because your name has been chosen at random from a list of Alaskans who are eligible for jury duty.

In Alaska, we have jury trials all over the state – from cities like Anchorage, Juneau, and Fairbanks, to smaller places, like Bethel, Barrow¹, Kotzebue, and Ft. Yukon.

2:16 Pamela Washington, Judge: “We pull from pools of people all across the state with very diverse backgrounds that other people – mind you, we have defendants that are in court and they want to be able to look at juries of their peers.”

2:28 John Suddock, Judge: “Frankly, that’s part of the vitality of the jury system. You have that, that richness of, that variety of, of life experience, age, race, all walks of life. We see tremendous diversity in jury panels, and I think that contributes to their -- the richness of their decision making and the credibility of all concerned. “

2:53 Sen Tan, Judge (Ret): “The people, who live in Anchorage and Dillingham and Fairbanks and Barrow¹, whatever – they are the people that sit in judgment of the people brought before the court.”

3:05 Pamela Washington, Judge: “And I think that gives them a sense of security and confidence in the jury system.”

3:10 Narrator, voice only: You do not need any special skills or knowledge to serve as a juror, but you do need to be fair and impartial, and you must be willing to keep an open mind.

3:21 William Morse, Judge: “I think it’s important for individuals and the community in general to understand what is happening here. There’s a

¹ The town of Barrow changed its name to Utqiagvik in 2016.

serious decision that needs to be made, a dispute to be resolved between these parties and instead of having a judge make the decision or some other person of authority, we trust the collective judgment of the community – the twelve individuals that we pull in as jurors.”

3:44 Sen Tan, Judge (Ret.): “I think that among the two things that are most important of being a citizen is: voting – you get to choose who your leaders are going to be – and service on the jury.”

3:56 Narrator, voice only: A jury is simply a group of people called together to decide a conflict that has been brought to trial.

Text on-screen: The right to trial by jury is basic to the American system of justice.

Text on-screen: It is guaranteed in both the U.S. Constitution and the Alaska Constitution.

The right to trial by jury is basic to the American system of justice. It is guaranteed in both the U.S. constitution and the Alaska state constitution.

4:13 Narrator, voice only: There are criminal trials and civil trials. In a criminal trial the jury decides whether someone is guilty of a crime – such as assault, robbery, or driving under the influence.

Text, on-screen: Criminal Trial --

Civil Trial –

Criminal Trial – The jury decides whether someone is guilty of a crime

Civil Trial – The jury decides conflicts between people or businesses or institutions

Civil trials decide conflicts between people or businesses or institutions. An example of a civil trial is a lawsuit for claims arising from a car accident.

4:49 Narrator, voice only: It takes some time to put a jury together. Both sides in a case have the right to select jurors. During the selection process, you will be asked some questions about your background and your opinions.

4:52 Sen Tan, Judge (Ret.): “The fundamental premise of the questioning is to pick a fair and impartial jury. That means somebody who comes without any knowledge of the case and also without any bias.”

5:06 Pamela Washington, Judge: “I tell jurors all the time that we’re not trying to pry into your personal affairs; we’re not trying to get into your business; but we want to get to know you, and we want to know about you and what your life experiences are, to see if those experiences would be helpful and beneficial in the process that they’re in.”

5:25 Sen Tan, Judge (Ret.): “If there is something that a juror does not want to talk about in front of other people, we always provide for -- what I would call, you know -- questioning in a private setting.”

5:37 Katherine G., Juror: “I just said to myself whatever they ask me, I’m just going to respond truthfully. Whatever in the world they ask me.”

5:45 Richard M., Juror: “I answered the questions – I just answered them as best I could, knowing kind of full well, where they were going.”

5:52 Narrator, voice only: Not all of you will be chosen to sit on a jury, but just by coming here and participating in the first part of the process, you’ve made a valuable contribution to your community.

6:06 Subtitle, on-screen: Roles of the Judge and the Jury

6:12 Narrator, voice only: The judge will conduct the trial and tell you the laws that apply to this case.

Text on-screen: The judge conducts the trial and explains the laws that apply to the case.

6:16 Pamela Washington, Judge: “In a jury trial, I always say that the judge is basically a gatekeeper. We’re watching the process. We’re making sure that the evidence that goes before the jury is something that is appropriate for that case. I like to explain to the jury sometimes when I’m making rulings to omit or exclude evidence in a case that my role is really to make sure that the things that come before them are things that will be relevant to help them make their decision.”

6:44 Narrator, voice only: The jury decides the facts of the case.

Text, on-screen: The jury decides the facts of the case.

6:47 William Morse, Judge: “In a jury trial, it is the jury’s exclusive authority to listen to witnesses, decide whether the witness is to be believed or not, whether what the witness says makes sense, and to put weight to the believable evidence. The judge doesn’t do that. That’s entirely the jury’s responsibility.”

7:05 Pamela Washington, Judge: “It’s really the jury’s role to listen to all the evidence and determine what the facts are.”

7:11 Narrator, voice only: To be fair and impartial, you as the juror can’t listen to news about the case or read news articles about it. You can’t research anything about the case. You can’t use social media to study the case or discuss it. You can’t use Google. You can’t talk with anyone about the case.

Text on-screen: A juror can’t listen to news about the case or read news articles about it.

A juror can’t research anything about the case.

A juror can’t use social media to study the case or

discuss it.

You can't use Google.

You can't talk with anyone about the case.

7:31 Pamela Washington, Judge: “So information is traveling all around us all the time, and so now we have a jury instruction that we alert the jurors to be aware that we don't want them to be influenced by other information -- that they have to really rely on the information presented to them in open court. If they go on Google, search engines, or go to a library and check out information, they are really getting information from outside sources, that really would really impede on really the fair and impartial trial that the defendant is entitled to, as well as the state is entitled to.”

8:05 Subtitle on-screen: Evidence and Testimony

8:12 Narrator, voice only: Both sides in the case will have a chance to present evidence and testimony. You will listen to witnesses and you may be shown documents and other physical evidence. Later you will decide the facts of the case as they have been presented in court.

Text on-screen: Both sides in the case will have a chance to produce evidence and testimony.

8:17 Narrator, voice only: At the beginning of the trial each side will make an opening statement. This is a summary of what that side believes to be true. It is not evidence. In the same way, at the end, each side will make a closing argument. Again, this isn't evidence.

8: 40 Text, on-screen: Opening statements and closing arguments are not evidence.

8:45 Pamela Washington, Judge: “Actually, I think the opening and closing statements are usually very helpful to the jury. The opening statements help the jurors look at what is going to happen, what the lawyers expect the evidence to show, and that gives them sort of a focus on what they should be paying attention to. The closing arguments are usually helpful to jurors as well, because it sort of helps them connect the dots. They’ve heard from lots of witnesses. They may have seen lots of pieces of exhibits or evidence about the documents. And -- and the lawyers try to bring it all together, put a story together to help the jury understand exactly all the evidence that was presented. But we always caution jurors that the closing arguments and the opening arguments, although distinctly helpful, they are not evidence in this case.”

Subtitle on-screen: Jury Deliberations

9:35 After both sides have made their closing arguments, the judge will give you instructions about deliberations. The instructions will cover the laws that apply to the case.

Text, on-screen: The judge will instruct the jury on the laws that apply to the case.

9:45 John Suddock, Judge: “What the jury is asked to do is something really unusual. It’s to submit to a process of joint deliberation, of collegiality. It’s not simply ‘I think this. I’ve arrived at this conclusion.’ It’s ‘I kind of think this. I’m going to put it out there for you all to comment upon. And I’m going to consider your feedback really seriously because perhaps you view this in a different way. You have a different life experience. Maybe you heard something different. Maybe you thought something different that should influence my own thought.’”

10:30 William Morse, Judge: “We get a better decision when we have those twelve people working together to ponder the question before them and to come up with a collective answer.”

10:39 John Suddock, Judge: “Let’s spend some time on this. Let’s roll up our sleeves. We’ll go through this methodically. We’ll do it together. Everybody is going to be heard. Everybody is going to have a chance to influence everybody else.”

10:56 Narrator, voice only: You and the other jurors will discuss the testimony and evidence and decide the facts of the case. Jury deliberations are secret. While the jury is deliberating, you may not reveal what is said to anyone else.

Text, on-screen: While the jury is deliberating, you may not reveal what is said to anyone else.

11:10 Katherine G., Juror: “In the room, it was ... It felt really relaxed and we got to know each other. We were able to have really wide communication. Everyone had freedom to say what they had to say. And I don’t anyone intimidated any other person. You could say what your thoughts were. And for us – I’m Alaska Native and I’m also Filipino. And our culture is to step back and be quiet and wait until everybody speaks. We’re not pushy. Most of us are not pushy. It’s a learned behavior – Western culture. So, I would have to say – I made myself, kind a make myself get into the conversation, and join in and just speak my mind about what I thought.”

12:08 Tony S., Juror: “And I think that everyone had the opportunity to listen to one another.”

12:14 Richard M., Juror: “We’re all individuals, we all come from different places. We’re all kind of brought into this room and asked to decide something that can be pretty momentous – whether a person is

going to go to jail, whether the person is going to be free, whether there is this huge monetary issue at stake. It's momentous, so you treat it seriously."

12:32 Benjamin N., Juror: "When you charge twelve people to determine the fate of a person, they take it very seriously. Everybody in that room takes it very seriously."

12:44 Dana Fabe, Justice, Alaska Supreme Court: "As judges, we couldn't do our jobs without the participation of citizens who serve as jurors. And it is not only a privilege, but a responsibility. Our justice system simply couldn't function without jurors."

12:58 Richard M., voice only: "The case is often interesting. It's a story. It's momentous because it's important. And you're the decider."

13:06 Katherine G., voice only: "I think it is part of our responsibility. And I think all Alaskans should do it. I would do it again – yeah."

13:15 *Closing pictures and music.*

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