



FILED

MAY 16 11 6 21

State of North Carolina
General Court of Justice
10th Judicial District
WAKE COUNTY, O.S.C.

DONALD W. STEPHENS
SENIOR RESIDENT SUPERIOR COURT JUDGE

WAKE COUNTY COURTHOUSE
PO BOX 351
RALEIGH, NC 27602

TELEPHONE: (919) 792-4950
FAX: (919) 792-4951

MEMORANDUM

TO: Attorneys of Record
FROM: Judge Donald Stephens *Donald W. Stephens*
RE: Investigation regarding State vs. Jason Young jury verdict
DATE: May 16, 2012

Please be advised that the SBI investigation of any possible juror misconduct in the Jason Young trial has been completed. All jurors have been interviewed and the social network postings have been traced back to the computers of origin.

The WRAL Facebook posting from a "Jennifer Russell" which stated that Ms. Russell's hairdresser was friends with a jury member who was providing information that jurors were deadlocked at "9 guilty 3 not guilty" and had been at "7 not guilty 5 guilty" was in fact posted by a male blogger living in High Point, North Carolina. That male person acknowledged that he created a fake Facebook account in the name of a female to see how many people would friend him. He followed both of Jason Young's trials and believed that Young was innocent and had been railroaded. He said he wanted to "one up" people who were having discussions about the case, and he wanted to create controversy. This male blogger did not personally know anyone named Jennifer Russell and did not know a hairdresser with a friend on the jury. He did not know anyone connected with the Jason Young trial, and he said he made up everything that was posted on the WRAL website to create controversy. The entire posting was false. No one asked him to make the posting, and he just "wanted people to open their minds up and see that Jason Young did not do it." He acknowledged that what he had done was wrong.

The investigation also pursued postings on the "In Session" website by an individual named Lee Adams, which postings indicated that Adams had a "mole" on the jury and that the jury was "hung" at "7 not guilty 5 for guilty." Mr. Adams was located in Darlington, Texas and interviewed. He is unemployed and disabled. He acknowledged making the website postings as

a joke. He indicated he had no mole on the jury and was unaware of any numerical divisions during the jury deliberations. He said he followed the Jason Young case and engaged in discussions with several men and women about it.

Adams said the men seemed to think Jason Young was innocent and the women believed him to be guilty. Adams indicated he made up those comments on Facebook to stir up the women and to get a reaction from them. Adams indicated he did not know anyone on the jury and did not know anyone in North Carolina. He said that he had no inside information about the case or the jury verdict. He apologized and indicated that he did not realize that his comments, which were entirely false, would be taken so seriously.

A third posting under the name referencing Jane Anderson Well reported a conversation between a juror and a woman at a restaurant. The investigation determined that such contact did take place, but the juror did not discuss the case or violate the Court's instruction. This involved an alternate juror who did not ultimately participate in the deliberation and jury verdict.

All 12 jurors were interviewed, and each indicated they had fully complied with the judge's instructions not to discuss the case with anyone. Each juror reported that they never discussed the jury deliberations with anyone other than their fellow jurors and never sent any text or other communication about the case to anyone.

The Court concludes from this investigation that there has been no improper juror contact, and that the Facebook information was false and posted by irresponsible persons who acted for the purpose of creating confusion, controversy and chaos in this case.

Unfortunately, it appears that this conduct does not constitute a crime. The Court is required to take no further action in this matter. The integrity of the jury verdict as rendered in open court is confirmed. The full report of the SBI investigation shall remain in the custody of the Court.