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End of jury selection near in Aaron Hernandez case



ROBERT E. KLEIN FOR THE GLOBE/POOL/FILE

Aaron Hernandez, 25, has pleaded not guilty to murder and weapons charges in the June 2013 shooting death of Odin Lloyd.

By [Travis Andersen](#) | GLOBE STAFF JANUARY 23, 2015

FALL RIVER — Jury selection in the Bristol County murder trial of former New England Patriot Aaron Hernandez is scheduled to move to its final phase on Monday, with 53 people slated to return to Superior Court for the last round of screening.

Judge E. Susan Garsh plans to question them as a group on Monday morning, with backup jurors on standby, court officials said Friday.

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Then, prosecutors and defense lawyers will make peremptory challenges to remove up to 18 jurors each. A 12-person jury with six alternates will ultimately decide the case.

Garsh said from the bench Friday morning that snow forecast for Monday may force her to postpone the final round of screening. But by Friday afternoon, forecasters were not predicting heavy snowfall in the region Monday.

Defense lawyers, however, filed a sealed motion on Friday afternoon to conduct more individual questioning of prospective jurors — a process that has moved at a slow pace in the courthouse for several days — before the final panel is seated. It was not immediately clear if Garsh would approve that request.

Edward Schwartz, a jury consultant with DecisionQuest, a Waltham-based litigation consulting firm, said prosecutors would want to remove any prospective jurors who advanced to the final round without disclosing much personal information in the written questionnaires and sidebar questioning in court.

“That uncertainty can be scary for the prosecution,” Schwartz said. Rule-oriented jurors, including people with military backgrounds, as well as jurors who were deferential during questioning, would be preferable for the government, he said.

As for defense lawyers, Schwartz said they are hoping some jurors are selected who believe “this case just doesn’t pass the sniff test,” or who are distrustful of witnesses testifying under immunity.

Hernandez, 25, has pleaded not guilty to murder and weapons charges in the June 2013 slaying of Odin L. Lloyd, 27, of Dorchester, whose bullet-riddled body was found in an industrial yard near the athlete’s North Attleborough home.

ez's fiancée, Shayanna Jenkins, faces a perjury indictment in connection with but prosecutors earlier this month filed a sealed petition asking Garsh to grant immunity, fueling speculation that Jenkins may testify for the government at ez's trial. Garsh has not yet ruled on the immunity request.

Throughout the week, Hernandez has appeared highly engaged in the proceedings, taking notes on prospective jurors and intently discussing their responses with his legal team.

Martin G. Weinberg, a prominent Boston defense lawyer, said it is not unusual for defendants to be “deeply involved” in selecting jurors who will decide their fates.

“No one is better than a bright, perceptive defendant at intuiting which potential jurors can relate best to his history, his defense, his underlying humanity,” Weinberg wrote in an e-mail.

Hernandez has also pleaded not guilty to two counts of murder in Suffolk County in a double slaying of two men in Boston's South End in 2012. That trial is slated to begin later this year.

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