

Judge Napp declares mistrial following three-day trial

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EDWARDSVILLE — Judge Kyle Napp has declared a mistrial following a three-day trial at the Criminal Justice Center in Edwardsville.

Aryion E. Sanders (d.o.b. 05/15/1998) was remanded back into the custody of the Madison County Sheriff's Department after the mistrial was declared. Jury selection began Tuesday, September 5, 2017. The trial began Tuesday afternoon with testimony from several witnesses including several officers from the Alton Police Department, Lt. Kristopher Tharpe and Det. Jeff Donahey with the Major Case Squad among many others.

The jury began deliberating around 10:05 a.m. Thursday before reporting that they had not reached a unanimous decision on a verdict after approximately 6 hours of

deliberations. The judge was then made aware that the jury foreperson had communicated with an outside individual and received information regarding the case before the jury went into deliberations thus resulting in a contaminated jury and causing the judge to rule a mistrial. An investigation is pending on the misconduct of the juror.

Madison County State's Attorney Tom Gibbons provided the following statement:

"The Constitution of the United State's of America guarantees a trial by jury as a means for the People to ensure justice in their courts. This protection applies not just to criminal defendants, but is also designed to protect the safety of all citizens by placing twelve citizens in the solemn trust as jurors to see a true and fair verdict rendered in each case and to safeguard the community from dangerous individuals who threaten us all.

"Each juror swears an oath to uphold the Constitution and to render a true and fair verdict, so they have the enormous responsibility to protect the process from outside influences that could taint the verdict and undermine the Constitutional protections we all rely upon to keep us safe. Unfortunately, it appears this oath may have been broken in this case.

"We were shocked to learn of the alleged misconduct by the jury foreperson - not just because of the harm this caused to the family members of the victim who have waited so long to see justice done, but also because of the real possibility that the actions of this single person could lead to an accused murderer walking free among us. Murder trials are extremely challenging and take a massive amount of time and resources. Our team of prosecutors and support staff has been preparing this case for months and will now have to do it all over again. In addition to my staff, there are so many others working in the case whose time and energy has been wasted."

Gibbons continued and said: "It takes, a judge, sheriff's deputies, court clerks, a bailiff, all the witnesses in the case - including numerous law enforcement officers, a forensic pathologist, eye-witnesses to the murder, family members of the victim and defendant, all the other members of the jury. This was an enormous waste of time and money for those and so many other people, and a tremendous waste of the taxpayer resources that pay for all this hard work that must now be repeated.

"At this time, I want to assure the public that we are already prepared to retry this case and the defendant remains in custody in the Madison County Jail until we can get this case back in front of a jury sometime in the very near future. In the meantime, we are exploring all options on this matter and will take all steps necessary to preserve the rule

of law and the sanctity of our courts and jury system. The actions of one individual will not deter us from fulfilling our oath to protect our community and to uphold the Constitution."

Gibbons said for now, the matter is under investigation and "we will report back with further information as that process proceeds."

Assistant State's Attorneys Crystal Uhe and Lauren Heischmidt, both of the Violent Crimes Unit, prosecuted the case. Aryion Sanders will remain in custody at the Madison County Jail pending a new trial date.