

**THE MURDER OF JULIAN PIERCE:  
CAN SANDY JORDAN CHAVIS RECEIVE A FAIR TRIAL?**

**August 13, 1988**

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**ABSTRACT**

Sandy Jordan Chavis is accused of murdering Julian Pierce. Since Mr. Pierce was considered a controversial community leader, a scientific random survey was employed to investigate the chances of Sandy Chavis receiving a fair and impartial trial in the local area. Four local counties were reviewed: 1) Bladen; 2) Columbus; 3) Robeson; 4) Scotland. Based on a survey of 1,052 citizens over the age of 18, the findings clearly demonstrate that there is little to no chance of Mr. Chavis receiving a fair trial in Robeson County. The findings also suggest that it is improbable that Mr. Chavis can receive a fair trial in the other three counties.

## Introduction

A scientific random survey was completed to determine if Mr. Sandy Chavis could receive a fair and impartial trial in Bladen, Columbus, Robeson, or Scotland Counties. This analysis includes examining the southeastern region as a unit, with the central focal point being the likelihood of a fair trial in Robeson County.

The report is divided into four sections. First, specifications of the selection of samples are outlined. Immediately following is a description of how the data was collected. Due to the emotionally charged nature found within the community regarding this impending trial, this methodological presentation is made in order to demonstrate how this study can be replicated in case questions or doubt arise about the general findings.

After the basic methodological issues are addressed, the results of the survey are given. The results are compiled as individual counties and as a region. Later, the results are interpreted. They suggest it is unlikely that Mr. Chavis can receive a fair trial in this region of North Carolina. Conclusions are then offered that include both empirical data derived from the sampling and some subjective qualitative findings. Lastly, an appendix is presented. It contains information about the proportions established, the volunteers, and the interview questionnaire used to collect the data.

## Process of Sample Selection

In order to obtain the quickest possible results at a minimum amount of cost, a phone survey was utilized. Phone surveys have recently been considered a legitimate method of collecting social science data. Census figures as of 1982, indicate that 98% of United States households have access to a telephone.

Four counties were selected to be reviewed: 1) Bladen; 2) Columbus; 3) Robeson; and 4) Scotland. Each county was treated as an independent sample, making it possible to compare the counties with each other. In order to assure that the survey included all geographical areas of each county, the local phone companies were consulted to learn all the telephone exchange prefixes (the first three digits of a phone number) within each county and the total number of residential phones within each exchange prefix.

Since each county was treated independently, the following process describes how the selection was determined for each one. All residential phone numbers were defined as the sampling frame. From this number, a sample size was determined through the use of a computer file labeled "SAMPLSIZ" which is part of a computer program known as EPISTAT. After the sample size for each county was determined, a proportion of each phone exchange was calculated. Since each exchange varied greatly in number of residential phone numbers, it was appropriate to assure that the proportion of phones within the population was equal to the proportion of phones within the sample. The exact proportions

for each county can be found in the Appendix.

Due to the large number of unlisted phone numbers, utilizing telephone directories was considered a highly biased method of collecting data for the survey. Thus, a file labeled "RANDOMIZ" within the EPISTAT computer program was used to generate random phone numbers for each of the prefixes. Each prefix exchange was treated as an independent sample. Approximately 100 to 200 percent more than the required amount of phone numbers were generated for each sample in order to control for numbers that were not actually connected by the phone companies.

### **The Process of Collecting Data**

The Office of Britt and Britt, Attorneys at Law, solicited five volunteers to make the 1,052 phone calls in the four-county area. Their names and addresses can be found in the Appendix. On June 1, 1988, the volunteers met at a classroom on the campus of Pembroke State University in order to be trained to use the interview schedule and to collect the data. The interview schedule can be found in the Appendix.

The training took appropriately one hour. The training included: 1) phone etiquette; 2) information on reimbursement of fees for long distance phone calls; 3) the importance of being non-biased in asking questions; 4) the importance of submitting honest findings; 5) directions on how to use the interview schedule. Volunteers were given the phone numbers of the instructors and were encouraged to contact them if they had problems or concerns about their role in the survey. During this

training session, volunteers asked questions to clarify their tasks. It was clear to the instructors that the volunteers understood their roles.

The volunteers were instructed to make all phone calls between 9:00 A.M. to 9:00 P.M. They began the process of calling on June 1, 1988 and complete the task on July 1, 1988. The volunteers anticipated that the task would be completed by June 17, 1988. A group leader was appointed to coordinate the volunteer efforts and to assure that the calls were made in a timely manner.

### **Results**

Only respondents who were over the age of 18 were included in the survey. When a respondent was under 18 answered the phone, the volunteer called back later in an attempt to contact an adult in the household. In the following section, the findings from each county will be exhibited. Lastly, combined findings of all four counties will be exhibited.

Bladen County

Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?

Response	Raw Frequency	% Frequency
YES	83	81
NO	20	19

Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?

Response	Raw Frequency	% Frequency
YES	26	31
NO	37	45
Don't Know	20	24

From what you know now, do you think that Sandy Chavis is guilty?

Response	Raw Frequency	% Frequency
YES	15	18
NO	12	15
Don't Know	56	67

Do you think that the man charged with the murder could get a fair trial in your county?

Response	Raw Frequency	% Frequency
YES	53	64
NO	11	13
Don't Know	19	23

51% of Bladen County sample knew about the murder trial but refused to participate in the survey.

Columbus County

Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?

Response	Raw Frequency	% Frequency
YES	120	90
NO	14	10

Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?

Response	Raw Frequency	% Frequency
YES	28	23
NO	52	43
Don't Know	40	34

From what you know now, do you think that Sandy Chavis is guilty?

Response	Raw Frequency	% Frequency
YES	8	7
NO	18	15
Don't Know	94	78

Do you think that the man charged with the murder could get a fair trial in your county?

Response	Raw Frequency	% Frequency
YES	57	48
NO	20	17
Don't Know	43	35

36% of the Columbus County sample knew of the trial but refused to participate in the survey.

Robeson County

Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?

Response	Raw Frequency	% Frequency
YES	153	94
NO	10	6

Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?

Response	Raw Frequency	% Frequency
YES	53	35
NO	66	43
Don't Know	34	22

From what you know now, do you think that Sandy Chavis is guilty?

Response	Raw Frequency	% Frequency
YES	28	18
NO	31	20
Don't Know	94	62

Do you think that the man charged with the murder could get a fair trial in your county?

Response	Raw Frequency	% Frequency
YES	24	16
NO	91	60
Don't Know	38	24

66% of the sample in Robeson County knew of the trial but refused to participate in the survey.

Scotland County

Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?

Response	Raw Frequency	% Frequency
YES	56	85
NO	10	15

Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?

Response	Raw Frequency	% Frequency
YES	10	18
NO	30	54
Don't Know	16	28

From what you know now, do you think that Sandy Chavis is guilty?

Response	Raw Frequency	% Frequency
YES	6	11
NO	5	9
Don't Know	45	80

Do you think that the man charged with the murder could get a fair trial in your county?

Response	Raw Frequency	% Frequency
YES	30	54
NO	12	21
Don't Know	14	25

59% of the Scotland County sample knew of the trial but refused to participate in the survey.

Four County Region

Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?

Response	Raw Frequency	% Frequency
YES	412	88
NO	54	12

Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?

Response	Raw Frequency	% Frequency
YES	117	28
NO	185	45
Don't Know	110	27

From what you know now, do you think that Sandy Chavis is guilty?

Response	Raw Frequency	% Frequency
YES	57	14
NO	66	16
Don't Know	289	70

Do you think that the man charged with the murder could get a fair trial in your county?

Response	Raw Frequency	% Frequency
YES	164	40
NO	134	32
Don't Know	114	28

52% of the respondents combined within the four counties knew of the trial but refused to participate in the survey.

4% of the returned interview schedules were not readable and were not included in the analysis.

## Interpretation of the Findings

Several issues must be considered when interpreting the results of the surveys. First, one must understand the specific meaning of all the percentages. For this particular survey, confidence intervals were constructed. Each percentage derived from the samples can be interpreted as a 95% chance that the results from the total population lie plus or minus 3 percentage points from the percentage scores derived from the samples. Thus, when the survey found that 60% of the Robeson County sample stated that Chavis could not receive a fair trial, we can say with 95% confidence that between 57 and 63 percent of the total population of Robeson County believes that Chavis cannot receive a fair trial.

Second, a bias rate was constructed. The bias rate represents the percentage of respondents who indicated that they believed that Chavis was in fact guilty but *could* receive a fair trial. It was hypothesized that if such persons would be called for jury duty, they would express to the judge that they could offer an impartial judgment when in fact they *would not*. Following are the bias rates for each county and the region as a whole:

County	Rate	Confidence region
Bladen	26%	23% to 29%
Columbus	10%	7% to 13%
Robeson	37%	34% to 40%
Scotland	10%	7% to 13%
Counties Combined	19%	16% to 22%

Thus, one can say with 95% confidence that if a jury is selected

in Robeson County, 34% to 40% of the panel will hide their feelings that Chavis is guilty.

Third, the most extraordinary finding within this survey is the refusal rate. A refusal rate indicates the percentage of respondents who were aware of the trial but refused to participate in the survey. Respondents who were not aware of the trial were not included as part of the refusal rate. Under most circumstances, one would expect approximately 5% of the respondents to refuse to participate in the survey. Following are the refusal rates collected in the survey:

<b>County</b>	<b>Refusal Rate</b>	<b>Raw Number</b>
Bladen	52%	107
Columbus	36%	76
Robeson	66%	310
Scotland	59%	95
Counties Combined	52%	588

Although Columbus County has the lowest refusal rate of 35%, this percentage is a skyscraper compared to the expected 5% refusal rate. Two reasonable hypotheses were developed to explain these high rates.

Hypothesis One: The issue of Julian Pierce's murder during his political campaign for the new Robeson County judgeship is emotionally charged topic. This is evident by reading the editorial section of the *Robesonian*--Robeson County's only daily newspaper. One would easily expect that people might be offended by a phone call with questions about the murder. One of the volunteers indicated that numerous respondents slammed the receiver down in a highly emotional state upon hearing that the survey dealt with the Pierce murder trial.

Hypothesis Two: Some members of the sample were afraid to answer questions regarding the Pierce murder. Many people from the local community contend that the murder was politically motivated. They feel that Sandy Chavis was involved in a conspiracy for financial profit to prevent the election of Julian Pierce. If groups believed the conspiracy conjecture, it can easily be concluded that they would not want to be involved in any telephone survey for fear that their own lives would be in jeopardy.

Regardless of the accuracy of the two hypotheses, the unprecedented high refusal rates can best be described as bizarre. These rates suggest that something unusual is occurring in the general population regarding the Pierce murder. Perhaps the refusal rates are the most compelling argument to move the trial out of the local area.

The centerpiece of this study is the question as to the likelihood of Mr. Chavis receiving a fair trial. Following is a comparison of each region's response:

*Do you think that the man charged with the murder could get a fair trial in your county?*

<b>County</b>	<b>% Yes</b>	<b>% Bias</b>	<b>% No</b>	<b>% Unknown</b>
Bladen	64	26	13	23
Columbus	48	10	17	35
Robeson	16	37	60	24
Scotland	54	10	21	25
Combined	40	19	32	28

These percentages provide some compelling arguments. For example, in Bladen County 64% believe that Mr. Chavis can receive a fair trial. However, 26% of those who would agree he could get

a fair trial also believe that he is guilty. Thus, one can conclude that from 23 to 29 percent of those called for jury duty in Bladen County are likely to hide their attitude of the guilt of Chavis when asked to sit with the panel. Each of the percentages within the above table can be interpreted in the same manner.

### Conclusions

To generalize the findings, one can say that Chavis can not receive a fair trial in Robeson County. Although he has a better chance of receiving an impartial judgment in the other counties, one can still conclude from the data that there is a reasonable likelihood that a fair trial can not occur in the counties surrounding Robeson County.

Three quantitative factors strongly suggest the trial should be moved from the region: 1) The large number of residents of Robeson County who indicate that Chavis can not receive a fair trial; 2) The unexplainable high numbers of residents in the southeastern region who were aware of the trial but refused to participate in the survey; 3) The high bias rate for the region, representing residents who would likely hide their feelings of Chavis' guilt while sitting on the jury.

Three qualitative factors which could not be addressed in the survey also suggest that the trial should be moved: 1) There has been a tremendous amount of publicity about this case. It has received national attention on television and in magazines. Major articles can be found in *People Magazine* and *U.S. News and World Report*. 2) Partly due to the massive

publicity, many people in the region believe that the murder was politically motivated. Credible rumors within the region suggest something truly sinister happened rather than a domestic dispute. Citizens (mostly, American Indians) feel that Mr. Chavis was paid to participate in the murder of Julian Pierce to prevent him from winning the election for the new judgeship. Such a belief among members of the community is likely to induce conclusions *not* based upon evidence presented in open court. 3) There is some evidence of community distrust of the local criminal justice system. This is evident by the community organization and action that followed the recent killing of Jimmy Earl Cummings. Clearly, some residents of the southeastern region of North Carolina believe that the Pierce murder was a conspiracy. For those who accept the conspiracy theory, it is unlikely that they would accept the credibility of a local trial. They would ask the following question: If there was a conspiracy in the murder of Julian Pierce, who would be brave enough to testify to that fact if the trial was held in the local region? Many local residents would be more likely to accept the outcome as a truth if the trial were held elsewhere.

One can conclude that consideration for moving the trial should be made on the basis of at least two factors: 1) There is a low probability that Mr. Chavis could receive fair and impartial trial; 2) The local community needs a rest from the continuous tension that has been erupting during the past 18 months.

## APPENDIX A

### Method of Establishing Proportions for each County

Formulas used:

$$\frac{\text{Total number of phones in prefix}}{\text{Total number of phones in county}} = \frac{\text{Percentage of phones in prefix}}{100 \text{ percent}}$$

$$\frac{\text{Percentage of phones in prefix}}{100 \text{ percent}} = \frac{\text{Calls to be made in that prefix}}{\text{Total sample size for county}}$$

APPENDIX B

Proportions of Exchange Prefix

Bladen County total sample size 210

Prefix	Proportion of Phones in that Prefix	Number of calls made
862	1.82	19
654	3.7	39
647	.95	10
862	4.83	51
646	2.03	21
588	.70	7
645	1.78	19
866	1.00	11
648	2.30	24
669	.89	9

Columbus County total sample size 208

653	4.61	49
642	10.00	105
649	1.25	13
655	3.06	32
452	0.73	9

Robeson County total sample size 473

843	2.40	25
865	1.33	14
875	6.66	70
858	.66	7
844	.66	7
739	10.17	107
738	10.24	108
671	.44	5
628	4.92	52
422	1.85	20
521	5.81	61

Scotland County total sample size 161

462	1.60	17
369	1.07	11
276	10.92	115
277	1.08	11
268	.69	7

## APPENDIX C

### Names and Addresses of Volunteers who Made the Calls

Paula K. Chavis  
Rt # 1, Box 96  
Pembroke, NC 28372  
Phone: 521-8245

Donna M. Dial  
Route 1, Box 453  
Pembroke, NC 28372  
Phone: 521-2537

Shelia LaJean Locklear  
P.O. Box 863  
Pembroke, NC 28372  
Phone: 521-4743

Julianna Lowery  
P.O. Box 1633 Pembroke  
Pembroke, NC 28372  
Phone: 521-9341

Denine Revels (Volunteer Group Leader)  
Rt. 1, Box 141-A  
Pembroke, NC 28372  
Phone: 521-3740

**Appendix D**

PHONE INTERVIEW FOR SANDY CHAVIS

If the number is a business say, "I am sorry, I dialed an incorrect number." CROSS OUT the number on the computer sheet. If a child answers say, "May I speak to an adult in your home." If the child cannot get an adult, CIRCLE the number on the computer sheet, say "thank you," and hang up. Otherwise say...

"Hello, my name is [STATE YOUR NAME]. I am a volunteer conducting a scientific telephone survey. Your phone number has been selected from a computer bank. Would you be willing to answer six questions concerning the recent murder of Julian Pierce?"

If the response is "no" say, "Thank You," hang up, place an "X" on this line \_\_\_\_\_ and CROSS OUT the number on the computer sheet.

If the response is "yes" underline the number on the computer sheet and say:

1. "Are you 18 years of age or older? CIRCLE Yes or No

If they respond "No," say: "May I speak to someone in your household who is 18 years or older." If you cannot speak to someone 18 years or older say, "Thank for your time," put a CIRCLE around the number on the computer sheet and hang up.

2. "What county do you live in?" CIRCLE 1) Bladen; 2) Columbus; 3) Robeson; or 4) Scotland.

3. "Have you heard on TV, read in the newspaper, or heard from friends about the murder of Julian Pierce who was running for Judge in Robeson County against Joe Freeman Britt?"

CIRCLE ANSWER      Yes      No

If the person says "No," cross out the number on the computer sheet, say "thank you," and hang up.

4. "Have you formed or expressed any opinion as to the guilt or innocence of Sandy Chavis to the charges in Robeson County?"

CIRCLE ANSWER      Yes      No      Don't know

5. "From what you know now, do you think that Sandy Chavis is guilty?"

CIRCLE ANSWER      Yes      No      Don't know

6. "Do you think that the man charged with the murder could get a fair trial in your county?"

CIRCLE ANSWER      Yes      No      Don't know

CROSS OUT the number on the computer sheet

Place your initials here \_\_\_\_\_