

STATE OF NORTH CAROLINA  
COUNTY OF RANDOLPH

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR DIVISION  
FILE NO. \_\_\_\_\_

STATE OF NORTH CAROLINA )  
 )  
VS. )  
 )  
KENNETH BERNARD ROUSE )

AFFIDAVIT OF JOSEPH SCOTT BAYNARD

The undersigned, first duly affirming, deposes and says:

1. My name is Joseph Scott Baynard. I reside at 611 Robbins DA., Archdale, North Carolina.

2. I was a juror in the capital murder trial of Kenneth Bernard Rouse in Randolph County, North Carolina, in March, 1992. I was one of the twelve jurors who convicted Mr. Rouse of murdering Hazel Broadway in the first degree and who sentenced him to death.

3. In 1954, my mother, Margaret L. Baynard, was murdered by Joseph L. Ezzell in Jacksonville, Florida. Mr. Ezzell was convicted of my mother's murder and executed for it on January 21, 1957. I was 22 years old at the time of my mother's murder. She was 48 years old. See NOTE 1, next sheet 9/15/96

4. I did not reveal this information during the jury selection process of Mr. Rouse's trial. I knew that if I disclosed what had happened to my mother, I would be excused from serving on Mr. Rouse's jury. I wanted to serve on this jury, so I did not reveal the information. I was aware that each of us was being asked whether we or anyone in our families had been the victim of violent crime. I also was aware that one potential juror was excused from service when she revealed that her son had been murdered. However, since I was not asked the question individually, I decided not to volunteer the information so that I could serve on the jury. I WAS NOT COGNIZANT OF ANY JURORS' GROUP QUESTIONING OR STATEMENTS ON THIS SUBJECT. 9/15/96

5. I noticed similarities between the facts of my mother's murder and that of Mrs. Broadway. In particular, the pictures of Mrs. Broadway at the murder scene reminded me of pictures of my mother after she had been murdered. In addition, robbery was involved in both crimes, as were suspected sexual assault and drug abuse. Furthermore, both crimes were highly publicized when they happened. VAGUELY

I have read the foregoing, and it is true.

This the 15th day of April, 1996.

Joseph Scott Baynard J.  
Joseph Scott Baynard, Affiant

Affirmed to and subscribed to before me,  
this the 15th day of April, 1996.

NOTE 1 BECAUSE THE EVENT WAS 40 YEARS IN THE PAST (APPRX.) AT THE TIME OF THE TRIAL, PLUS MY MOTHER/SON RELATIONSHIP WAS DISTANT IN THE '950'S, THIS SIMILARLY GRUESOME FAMILY TRAGEDY HAD VERY LITTLE - IF ANY - EFFECT ON MY DECISION IN THE K. ROUSE TRIAL. JSB 4/15/96

Joseph C. Jackson  
Notary Public  
Commission Expires  
4/3/01

P.S. THERE ARE NUMEROUS FACTORS \* WHICH I FEEL COULD BE MORE INFLUENTIAL IN MAKING A LEGAL DECISION ASIDE FROM MY MOTHER'S ALMOST FORGOTTEN MURDER.  
\* BIGOTRY, ... etc. JSB 4/15/96