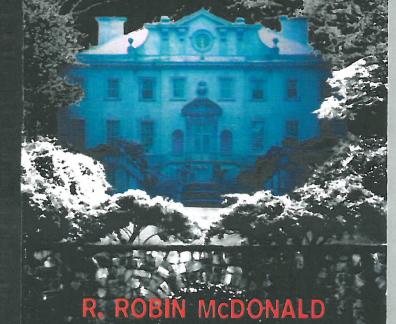
Secrets Never Lie

The Death of Sara Tokars— A Southern Tragedy of Money, Murder and Innocence Betrayed



lay bare the raw agony of their loss. Eight of themthree sisters, her father, several friends and neighr the first time told Sara's story and theirs. Derek a San Diego college student and Sara's nephew, ameontrollably as he told the jury, "Along with the Sara came the death of part of my soul. And all I is the memories."

ending in their stark simplicity, the stories introduced he jury not as a thoughtless spendthrift or a somewhat fivorcée but as she truly was-a generous, genuine, oman devoted to her family and dedicated to her woman most often found playing on the floor with ren at family gatherings.

had so much love to give," Schaeffer said. "She ant anywhere without a smile."

in witness told how Sara's loss had scarred his or her trickled down the faces of spectators and jurors kars himself caught a ragged breath and soon began

found a way to continue to be the heartbeat of our explained her sister Therese as tears threatened to into silence. "Whenever there was a crisis or a celebrate, Sara would pack the boys in the car and for the crisis or plan the celebration, no matter what A mother's surgery. The return of Joni's husband, fighter pilot, from the Persian Gulf. Her father's fth birthday.

was the angel of the neighborhood," said Patricia nodes. "She was fun. She was light. She was sunme of us will ever be the same.'

s testimony surged through the quiet courtroom in ca change that devastated the defense. Fred's attorthe icy stares, saw the outrage and betrayal in faces. They were seasoned lawyers, yet the change shook them to their core. What had once seemed e-that a jury would condemn a man to death on d word of Eddie Lawrence-now loomed as a g likelihood.

could present their own powerful counterdefense reconvened two days later. And among those who

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took the witness stand on Fred's behalf was his defense lawyer, Jerry Froelich, who crossed the line from advocate to witness with alacrity.

The fight to acquit Fred Tokars had grown so personal that, for weeks, Froelich had been threatening to testify, insisting that no one knew the case as well as he did and no one could counter better the testimony of prosecution witnesses.

"They read parts of the indictment that were not related to Fred Tokars," Froelich insisted angrily. "There's no way I could stand by, allowing such misleading testimony to go in.'

It was Froelich at his most outrageous, and a serious gamble for the defense, who risked revelations under crossexamination that might normally be shielded by attorney-client privilege. Yet Froelich was right about one thing. He did know the federal case better than Tom Charron. So when Froelich gave the jury his own interpretation of Fred's federal conviction, Charron failed to challenge several bold mischaracterizations.

Froelich told the jury there was "no evidence Mr. Tokars was ever involved in drug dealing or drugs" without mentioning the defense had fought successfully to exclude that testimony from the federal trial. He also swore "there was no evidence of money going offshore," ignoring the notations in Fred's personal calendars regarding significant Caribbean bank deposits and wire transfers, as well as the trail of bank accounts and offshore corporations that Sara had once copied from his safe. He also characterized Fred's money laundering as the activities of an attorney who had set up corporations for a fee. Finally, he told the jury that Fred's conviction included his wife's murder, although the murder-for-hire charge had been stricken from the indictment.

Over Charron's outraged objections, Bodiford qualified Froelich as an expert witness and allowed him to tell the jury that Fred would never get out of federal prison, even though the defense was still aggressively appealing Fred's federal

But, Froelich told the jury disarmingly, "The Supreme Court receives fifteen to twenty thousand appeals a year. I think they rule on about a hundred.'

Finally, Froelich insisted that Eddie Lawrence would never

serve out his life sentence in a Georgia prison because he was a protected federal witness. "In reality, the federal government will not allow him to go into a state institution," Froelich asserted. Eddie, he avowed, would be out in seven years even though his federal sentence was for an even dozen. But Fred, he said, "will never be released from prison. He will have to die in prison."

If there were those on the jury who didn't want Fred to die yet couldn't abide the possibility of parole, Froelich had just handed them a reason to be merciful.

Then, for the first time since Sara's death, Fred's family stepped into the awkward, embarrassed spotlight to plead for the life of a brother and son. Jerome Tokars, the oldest brother and a physician working for the Centers for Disease Prevention and Control in Atlanta, had accompanied his mother to the courtroom. He had long been estranged from his younger brother for reasons that the few who knew would not divulge Now he asked the jury to spare Fred for his mother's sake

When his father died in 1990, Fred was the son to whom his mother turned for solace, Jerome told the jury. Norma Tokars had been "heartbroken, very upset as were we all when Sara was murdered. She now volunteered at a Decaturchurch. She visited her imprisoned younger son every Saturday and Sunday. "She is always there," he said. "She rarely misses a day." She talked to Fred daily. If Fred were executed, his brother said, "It would be a devastation for my mother. She is very convinced he is innocent. She is very broken-hearted about this whole episode."

What effect would Fred's death have on him? "I am no sure I can find the right words," he answered. "For the last four years, we've been living a horror story with a sense of impending doom. . . . Execution is the worst thing I can imagine happening to me. The Fred Tokars I knew, and know is a generous, decent person, and please, do not kill him." At the defense table, Fred began to weep.

After leaving the witness stand, Jerome escorted his tiny mother into the courtroom to testify. She had traded her sneakers and the casual attire she had worn to other trials where she often sat reading or working crossword puzzles.

a dark floral print and a black jack set. Sara's sisters watched her cold "I'm not okay," she told Fred's law and to answer any questions. She want "Please don't kill my son," she read suppressed emotion. "I beg you to s Losing her husband had been "territe said. "In the weeks following mould wake up lonely, anxious, and de for weeks, I would dial Fred at 5 ould pick up the phone, and we would owed more compassion and undersain he did."

Fred's sons, she insisted, "were con the their dad. They slept in the same the Fred in the middle. Clearly, I counter. To this day he writes them ever

Since his incarceration, her son had be I haven't touched or hugged or held I ears. Our greeting is hands on the glarted, he would signal her, "Be strongid. "I'll take that the rest of my life from a mother asking a jury that somen like her, a older widow and a ser son's life for her sake rather than her

The Ambrusko sisters listened stometer knowledge that they could never that, unlike Norma and her son, they can the Sara except in their prayers and details.

Fred's younger sister, Lisa Aydin, do ther she was sworn in as a witness wither, her memories of her brother remarking far more distant than that of the described him as if he were a distant than the described him as if he were a distant than the distant than t

When Lisa married an Iranian who we sidency and American citizenship, so ther for help. "He set us up with an e said. "We were really young and



ry Froelich



ith cases ranging from fraud to murder, veteran criminal defense attorney Jerry Froelich has represented some of the most high-profile clients in the South, including former Atlanta Mayor Bill Campbell. "We had all the cards stacked against us," said Froelich of the much-

publicized case, which followed a five-year investigation. "The jury pool assumed where there's that much smoke, there's gotta be fire." With more than 80 witnesses called to the stand by the government, Froelich meticulously unraveled the case, winning an acquittal on the charges of racketeering and bribery - and adding yet another victory to his illustrious career.

Q&A with Jerry Froelich

WITH THE LONG HOURS THAT YOU WORK AND THE OFTEN CONTROVERSIAL CLIENTS WHOM YOU REPRESENT, HOW HARD IS IT TO SEPARATE YOUR PROFESSIONAL LIFE FROM YOUR PERSONAL ONE:

It's impossible. When I get involved in a case, it's 12 to 14 hours a day, seven days a week. I once had a relationship that lasted through a five-month trial, but not much longer. I had one case where I spent over 90 hours a week for nearly 18 months straight and ended up in the hospital suffering from complete exhaustion. I don't let that happen any more. My personal life consists of a great family [including seven siblings and 27 nieces and nephews], a present girlfriend and close friends all over the world.

WHAT HAS BEEN YOUR MOST NOTORIOUS CASE TO DATE?

My defense of Fred Tokars, the attorney who was convicted of having his wife murdered. [Tokars was convicted, but saved from the death penalty].

TO WHAT DEGREE DO YOU ASSESS THE GUILT OR INNOCENCE OF A PERSON BEFORE DECIDING WHETHER OR NOT TO TAKE THE CASE?

Very little. I interview the person to determine whether he or she interests me and whether the facts of the case interest me. Then I assess whether I think the client will partner with me in the defense. And, of course, I pragmatically determine if he or she can afford me.

WHAT IS THE MOST UNEXPECTED THING THAT HAS HAPPENED TO YOU IN A COURTROOM?

I had just come down to Georgia from New Jersey and was cross-examining a witness in federal court in Gainesville. As part of his alibi, the witness testified that he had been eating breakfast at the time in question, specifically biscuits and gravy. I then stated, for the record, how ridiculous it was to eat biscuits

and gravy for breakfast. The judge called me to the bench and informed me that people did eat such a thing for breakfast himself and half the jury included.

AT WHAT POINT DID YOU DECIDE YOU WANTED TO BE A LAWYER? WHY **CRIMINAL LAW?**

I never wanted to be a lawyer. I was an athlete. I played football and loved it. That is where I believed my future was, particularly in coaching. However, while in college, I was hitchhiking back from Mardi Gras in New Orleans and accepted a ride from a guy in a Porsche. By the time I realized he was intoxicated, it was too late as we hit a tree at nearly 100 miles per hour. My legs were broken. I did regain use of my legs and pursued coaching, but I knew that my physical limitations would hold me back from a career in sports. I started studying law at night school and became enthralled with criminal law which provided the thrill of competition that I love. After law school I became a county prosecutor, then a federal prosecutor and now a defense attorney.

YOU HAVE OBVIOUSLY MADE A CONSIDERABLE AMOUNT OF MONEY IN YOUR CAREER, WITH SOME OF YOUR CIVIL CASES SETTLING FOR MILLIONS OF DOLLARS. HOW DO YOU ENJOY THE FRUITS OF YOUR LABOR?

I love to travel and have been all over the world. Every year I try to take four to five weeks of vacation time. I'll rent a house in the south of France or take a trip anywhere that interests me. I also have been fortunate in having met heads of state, including two of our presidents, Ronald Reagan and Bill Clinton. One of my greatest thrills was going to South Africa with Andy Young and meeting Nelson Mandela, Bishop Tutu and Justice Richard Goldstone, who has remained a close friend.



