

WRITTEN CRIMINAL QUESTIONNAIRE (GENERAL)

Please answer the following questions honestly. We are using this questionnaire to get information from you to help us pick trial jurors who can be completely fair to both sides. We all have attitudes, feelings, opinions, and life experiences that may affect the way we consider a case. It is okay to acknowledge and talk about these attitudes, feelings, opinions, and life experiences, and we need you to do so to ensure justice is served in this case. Please do not withhold information. Please make sure your answers are as complete as possible. Complete answers are more helpful and will likely shorten the time it takes to select a jury. If you have trouble reading, understanding, or filling out this questionnaire, please [insert how you want the juror to seek help]. Do not be concerned with whether your answers are "right" or "wrong"; this is not any sort of test. Just be honest and candid in your answers. You are not allowed to do any research regarding this case at all. You may not look up the parties or the lawyer. As a trial juror you must decide the case based on the evidence presented during trial. The information you provide will be reviewed by the lawyers and the parties in the case. The answers will not be open for examination or review by the public.

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1. Juror Number:
2. Your Name:
3. Are you a resident of Maricopa County?
 - Yes
 - No
4. Are you a citizen of the United States?
 - Yes
 - No
5. Have you been convicted of a felony?
 - Yes
 - No
6. If yes, did you restore your civil rights?
 - Yes
 - No
 - I don't know
7. Do you have difficulty understanding or reading the English language?
 - Yes
 - No
8. Do you have any difficulty seeing, hearing, or do you have any other medical problems that may affect your ability to serve as a juror?
 - Yes
 - No
 - Unsure

9. If you answered “Yes” or “Unsure” to prior question, please explain.

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10. [CASE SUMMARY listed here]

Have you seen, heard, or read anything about this case?

- Yes
- No

11. If yes, what do you believe you have seen, heard, or read?

12. Have you, or any members of your close family or friends, ever been involved in a case similar to this?

- Yes
- No

13. If yes, please explain.

14. If you answered “Yes” to Question 12, do you feel this experience might cause you to favor one side over the other?

- Yes
- No
- Unsure

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15. If you answered “Yes” or “Unsure” to Question 14, please explain why you answered “Yes” or “Unsure”.

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16. The State alleges the events in this case took place [insert locations of alleged crime(s)]. Do you live near this area or do you often go to this area?

- Yes
- No

17. If you answered “Yes” to the prior question, do you feel your familiarity with the area might cause you to favor one side over the other?

- Yes
- No

18. The following people may testify at trial. Do you think you might know, any of these people?

- No
- Yes. If you answered “Yes”, please answer the following questions:
 - a. Which witness do you think you know?
 - b. How do you know the person?
 - c. Do you feel you relationship might cause you to favor one side over the other?
 - Yes

- No
 - Unsure
- d. What caused you to answer “Yes” or “Unsure” to the prior question?

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19. The law requires the State to prove that a Defendant is guilty beyond a reasonable doubt. A Defendant in a criminal case is presumed by law to be innocent until proven guilty beyond a reasonable doubt. The law does not require a Defendant to testify or present any evidence. If a Defendant decided not to testify, would you:
- Believe the Defendant must have done something wrong.
 - Believe the Defendant probably has done something wrong.
 - Not consider it any way as to the Defendant or this case.
 - None of the above. Please explain.

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20. Do you think you would hold a Defendant’s decision to remain silent against them?
- Yes
 - No
 - Unsure

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21. Sometimes people disagree with a law, such as a law making certain behavior a crime. If you do not agree with a law, do you believe:
- I will be unable to apply the facts to the law I do not agree with.
 - I might be unable to apply the facts to the law I do not agree with.

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I will definitely be able to apply the facts to the law I do not agree with.

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I don’t know how I would feel about this.

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NEW QUESTION:

Would you, as a juror, give law enforcement officers when testifying as a witness in a case, more credibility, less credibility, or the same credibility as anyone else’s testimony?

- More credibility.
- Less credibility.
- Same credibility

22. Do you have any opinions about law enforcement officers that might cause you to favor one side over the other?

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- Yes
- No
- Unsure

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23. Have you, your significant other, or a close family member, studied or practiced law or had training in the law?

- Yes
- No

24. If you answered “Yes” to the prior question, who is the person in relation to you (for example, my sister)?

25. What type of legal training did the person or people have?

26. If the person or people practice law, please list all the areas of practice (for example, criminal defense or tax law), if you know.

27. Would this experience cause you to favor one side over the other?

Yes

No

Unsure

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28. Have any of you, or any members of your family or close friends, ever served in law enforcement (either civilian or military)?

Yes

No

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29. If you answered “Yes” to the prior question, who is the person in relation to you (for example, my sister)?

30. What agency or agencies did the person or people work for?

31. Would this experience cause you to favor one side over the other?

Yes

No

Unsure

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32. Have you, or a close relative or friend of yours, ever been arrested, charged, or convicted of any crime other than a minor traffic offense?

Yes

No

33. If you answered “Yes” to the prior question, who is the person in relation to you (for example, my sister)?

34. What agency or agencies investigated the alleged crime(s)?

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35. How do you feel about the experience?

36. Would this experience cause you to favor one side over the other?

Yes

No

Unsure

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37. Have you, or a close relative or friend of yours, ever been the victim of a crime?

- Yes
- No

38. What was the crime(s)?

39. Was someone charged for the crime(s)?

40. Was there a trial?

- Yes
- No

41. If yes, what was the outcome of the trial?

42. Do you remember what police agency or agencies investigated the crime(s)?

43. Would this experience cause you to favor one side over the other?

- Yes
- No
- Unsure

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44. Have you ever witnessed a crime(s)?

45. What was the crime(s)?

46. Was someone charged for the crime(s)?

47. Did you report the crime to police?

- Yes
- No

48. If no, why not?

49. Was there a trial?

- Yes
- No

50. If yes, did you testify?

- Yes
- No

51. What police agency or agencies investigated the crime?

52. Would this experience cause you to favor one side over the other?

53. This trial is scheduled to start XX and continue until YY. The daily schedule will be Monday through Thursday, from XX:00 a.m. to 4:30 or 5:00 p.m. There is no trial on

Fridays. There is a lunch break from noon until 1:30 p.m., and usually one mid-morning and one mid-afternoon break. The law provides that a juror can be excused from service only if their absence from work would "tend materially and adversely to affect the public safety, health, welfare or interest", or if service as a juror would impose an undue hardship on the juror.

[insert information about the financial options available to jurors]

Is there anything about our anticipated trial schedule that presents an undue hardship for you, whether it be personal, business, or health?

- Yes
- No
- Unsure

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54. If you answered "Yes" or "Unsure" please describe the hardship.

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55. Have you ever been called as a witness in court?

- Yes
- No

56. If "Yes", please describe the type of case and why you were called as a witness.

57. Have you ever served on jury?

- Yes
- No
- Unsure

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58. If you answered "Yes" please answer the following questions:

- a. What type of case was it or what was it about?
- b. How long ago was your service as a juror?
- c. Did the jury reach a verdict?
- d. What was the verdict if you remember?
- e. Were you the foreperson.?

59. Have you ever served on a grand jury?

- Yes
- No

60. If you answered "Yes" please answer the following questions,

- a. How long ago did you serve on the grand jury?
- b. Were you the foreperson?

61. What is your age?

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62. What is the highest level of education you completed?

- a. Grade school or less
- b. Some high school
- c. High school graduate
- d. Some college
 - i. Major
- e. College graduate
 - i. Major
- f. Post graduate study
 - i. Graduate program
- g. Technical, vocational, or business school
 - i. Identify the type of program
- h. Other
 - i. Explain

63. Your current employment status?

- a. Employed full time
- b. Employed part time
- c. Retired
- d. Student
- e. Unemployed looking for work
- f. Unemployed not looking for work
- g. Caregiver or homemaker
- h. Other
 - i. Please explain

64. Do you know anyone who works at the XX County Attorney's Office/Office of the Attorney General?

- Yes
- No

65. If you answered "Yes" to the prior question, please provide the following information:

- a. Who do you know?
- b. Describe your relationship (for example, we have been friends for 5 years).
- c. Do you feel your relationship might cause you to favor one side over the other?¹

66. Do you know anyone who works at the [investigating agency]?

- Yes
- No

67. If you answered "Yes" to the prior question, please provide the following information:

- a. Who do you know?
- b. Describe your relationship (for example, we have been friends for 5 years).
- c. Do you feel your relationship might cause you to favor one side over the other?

Commented [GU1]: Should there be any corresponding question inquiring into whether the prospective juror knows anyone who works at one of the indigent defense agencies?

Commented [GU2R1]: If the lawyer wants to identify their agency I believe we should ask; however, often defense lawyers do not want to identify their agency. Therefore, I thought it was safer to exclude it; however, it should be added if the defense lawyers want their firm or agency identified.

¹ If defense counsel wants to identify the agency or firm, insert a question regarding the prospective jurors' familiarity with anyone who works for the defense counsel's firm or agency.

68. Have you had any interaction with or experience with law enforcement officers from [investigating agency]?

- Yes
- No

69. If you answered “Yes” to the prior question, please provide the following information:

- a. Please describe your experience.
- b. Do you feel your experience might cause you to favor one side over the other?

70. Is there anything else you think we should know about your ability or willingness to be a juror in this case?

71. For any reason, are you unable or unwilling to sit in judgment of another person?

72. [[Defendant] has made the decision to represent himself/herself at this trial. A Defendant has the right to represent himself or herself during trial. How do you feel about a person’s decision to represent themselves?]

73. [Insert language] will be spoken during this trial and the Defendant/victim/witnesses will use an interpreter because they are more comfortable hearing what is said in [Insert language]. How do you feel about the use of interpreters during trial?

74. Do you read, write or understand [Insert language]?

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