**RAM**

**JURY SELECTION**

As you will learn, everything that occurs in this courtroom is done for a reason. The reason I need to ask questions of you is to learn about you, and to eliminate anyone not qualified to serve as a juror. It’s a tough job, no one wants to tell a potential juror that they are not qualified. I want to assure that you are not on trial. I will try not to do anything that will embarrass you or intimidate you. If I ask a question that you would like to answer privately, please inform me of that.

Once the trial starts, you won’t have the opportunity to ask me to explain anything, or to tell me anything about your thoughts or feelings. Will you all try to talk with me at least a little during this short time we have to talk?

1. What is your age?
2. Are you a registered voter?
3. Are you available to serve as a juror for the next \_\_\_\_\_\_ days?
4. Have you or a family member ever been employed by a law enforcement agency?
5. What is your current occupation?
6. What is the length of your employment and what are your duties?
7. Generally, what jobs have you held in the past?
8. Have you or any family member ever worked for any agency of the federal, state or local government?
9. What is your education level?
10. What is your current marital status?
11. What is the occupation of those persons you live with (if any)?
12. What other jobs have those persons held in the past?
13. Is there anyone here who doesn’t read the newspaper regularly?
14. Is there anyone here who avoids reading about criminal cases?
15. Have you or a household member ever hired an attorney? Why?
16. Have you or a family member ever been involved in a lawsuit? Why?
17. Have you ever served on a criminal, civil or Grand Jury? When?
18. Have you ever been excused by a criminal, civil or Grand Jury?
19. Is there anyone who does not want to serve as a juror on a criminal case?
20. Is there anyone here who tends to avoid conflicts, arguments, or confrontations? How do you think this will affect you as a juror when it comes time to deliberate if people disagree?
21. Do you consider yourself a conservative, moderate, liberal or other?
22. What are your feelings about an individual’s right to bear arms?
23. Have you, any family member or close friend ever been the victim of a crime?
24. Have you or a family member ever worked in a law-related profession? Where?
25. What is your spouse’s level of education?
26. Have you ever studied or read about medicine, chemistry, biology, pharmacology, or any related subject?
27. Have you ever studied law enforcement or a related subject?
28. Have you or any member of your family served in any branch of the armed forces?
29. Are you presently, or have you been a member of any societies, unions, professional organizations or associations?
30. Do you know or have you ever met any State’s Attorneys, or Assistant State’s Attorneys? Who? Any opinions?
31. Do you know, or have you met any criminal defense attorneys? Who? Any opinions?
32. Have you or any family member ever filed a police report?
33. Have you or any family member ever had an unpleasant experience involving law enforcement?
34. Have you or any family member ever had a pleasant experience involving law enforcement?
35. Are you aware of any case where you felt the police did not do a thorough job investigating the crime?
36. Have you or any family member ever been accused of a crime?
37. Do you personally know anyone who has been the victim of a crime? Was the crime solved? How did you feel about the outcome of the investigation?
38. Do you personally know anyone who has been the accused of a crime? Was that person prosecuted? How did you feel about the outcome of the case?
39. Was that person prosecuted?
40. Have you ever had a verbal disagreement or argument which could have turned violent?
41. Have you ever seen someone that you would normally describe as a rational person behave in irrational ways when they were extremely upset?
42. Some people have a very good memory and other people do not. How would you describe your memory?
43. Now I want to ask you about the phrase “the defendant is presumed innocent until proven guilty beyond a reasonable doubt.” Do you all understand that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ starts out innocent and stays innocent until the prosecution proves to you that he/she is guilty.
44. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “If the prosecution and police charge someone with a crime, that person is probably guilty.”
45. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “if a person is brought to trial on criminal charges, that person is probably guilty.”
46. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “If a person charged with a crime is not guilty of the crime, that person should testify at trial.”
47. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “A person charged with a crime should be required to prove his/her innocence.”
48. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “The testimony of a law enforcement officer is not entitled to any greater weight than any other witness.”
49. Do you strongly agree, strongly disagree, or do you have a different opinion with regard to the statement that “People who make a lot of money are treated better by our court system than other people?”
50. Have you or anyone close to you ever been accused of wrong-doing? This could be a boss accusing you of not performing your job, a teacher accusing you of misbehavior, or a family member accusing you of saying something that you did not say?
51. Were you wrongfully accused? How easy was it for you to disprove the accusation?
52. Do you believe that the police could arrest or accuse an innocent person of a crime?
53. Is crime a problem in your neighborhood? What types of crime most commonly occur?
54. Have you, any family members or friends ever been a witness in a criminal case?
55. What are some reasons why a witness might not tell the whole story?
56. Some people after being either traumatized or in an exciting event, feel they might not fully recall all of the details of the event. What is you opinion regarding this?
57. What are some reasons why a witness may give different accounts of how an event occurred?
58. Have you ever felt that you recognized someone though you had never seen that person before?
59. Has anyone, whom you did not recognize, ever tell you they recognized you from somewhere?
60. What are some reasons why people who are involved in a serious crime would make a deal with the State?
61. Some people believe that a person may name another as a participant in a crime in order to make a deal with the State and get a reduction in their on punishment. What do you feel about this?
62. Can a person be made to look guilty because he was lured into a situation?
63. Can you think of any reason why \_\_\_\_\_\_\_\_ may be innocent, and yet I would decide not to call him/her to testify on his/her own behalf?
64. Do you disagree with the principle of law that says if the defendant does not testify, that this must not be interpreted negatively by you. That it is a violation of your oath if you use that as evidence that he/she has done something wrong?
65. Does anyone believe that police officers can’t be wrong?
66. Do you feel that a police officer is capable of making a mistake during the course of performing the duties of his/her job?
67. Do any of you believe that as soon as the police have enough evidence to arrest someone they should automatically stop continuing to investigate?
68. Do you believe it is possible for the police to ignore evidence or call a clue unimportant because it doesn’t fit the case they have built against a suspect?
69. Do you think it is possible that the police do not have the time or the staff to perform a complete and total investigation of all the information that could be obtained?
70. Is there anybody hoping that they do not get picked for this case?
71. Is there anyone who would like to change an answer to a previous question?
72. If the State fails to prove to you that \_\_\_\_\_\_ is guilty beyond a reasonable doubt, will your verdict be guilty or not guilty?

**DRUGS**

1. Have you ever known anyone who was accused of dealing drugs?
2. Have you ever known anyone with a drug problem?
3. Have either you or a person close to you ever been in a treatment or counseling for a drug related problem?
4. If you went to a party and someone had cocaine, should you be charged with a crime for not leaving?
5. Some people believe that people from Mexico are more than likely involved in drug distribution. Other people believe that people from Mexico are no more inclined to be involved in drug distribution than anyone else. What is your opinion?

**EXPERTS**

1. Have you ever consulted with an expert other than a medical doctor?
2. How did you select the expert?
3. What factors would you use to determine if an expert was qualified?
4. Have you ever obtained a second opinion from a medical doctor, or any other expert why?
5. Under what circumstance would you seek out a second opinion from a doctor?

**MENTAL ILLNESS**

1. Have you, or has anyone close to you, ever suffered from a mental, emotional, or psychological illness or disorder?
2. Have you known of a situation where someone with a mental illness or psychiatric problem committed a violent act or endangered or harmed another person?
3. Is there any matter that we haven’t covered that you think the attorneys or the judge might want to know about you when considering you as a juror in this case?

**WEAPONS**

1. Do you own any guns?
2. For what purpose do you own these guns?
3. How do you feel about gun control?
4. Have you, a family member or close friend ever had a bad experience with a gun?

**RETAIL THEFT**

1. How often do you shop? By that I mean any kind of store such as a grocery store, or department store.
2. How many of you have ever had to return an item without a receipt?
3. Some stores have a return desk situated at the front of a store. Have you ever had to walk through a store to find the customer service desk, or had to walk to a specific department to make a return?
4. How many of you have worked in retail before?
5. How often did you personally encounter shoplifting?