

JUROR NUMBER: _____



**STATE OF ARIZONA
VS.
KIPLING HARRIS**

JURY QUESTIONNAIRE

NAME: _____

PHONE NUMBER: _____

(This will be used only by court staff to contact you regarding your jury service, and it will not be provided to the parties.)

EMAIL: _____

(This will be used only by court staff to contact you regarding your jury service, and it will not be provided to the parties.)



JURY QUESTIONNAIRE

State v. Kipling David Harris CR2016- 132194-001

You have been selected for a pool of prospective jurors for the sentencing trial entitled *State v. Harris*. The Defendant, Kipling Harris has previously been convicted of Count 1, First Degree Premeditated Murder of the victim, Alice Kuhn; Count 2, First Degree Premeditated Murder and First Degree Felony Murder of the victim Peggy Kuhn; Count 3, Burglary in the First Degree; Count 4, Attempted First Degree Premeditated Murder of the victim Robert "Bob" Kuhn; and Count 5, Conspiracy to Commit First Degree Premeditated Murder. Mr. Harris engaged in a conspiracy to commit murder with Kimberly Lacount, Alice's wife. On June 6, 2016, Mr. Harris shot Alice three times in the head and neck while she sat in her jeep in the driveway of the family home. Mr. Harris then unlawfully entered the family's home where he then shot and killed Alice's mother, Peggy, with a shot to the face. Mr. Harris then shot and attempted to kill Alice's father, Robert, by shooting him two times in the head. Robert survived the shooting. Aggravating Factors have been found for each of the Defendant's First Degree Murder convictions, making the Defendant eligible for the Death Penalty for each First Degree Murder Conviction. A jury is now being selected to determine whether the Defendant should receive a life or a death sentence for each of his First Degree Murder convictions. This decision will be based on the evidence presented during this trial, the previous findings by the prior jury, as well as the instructions of law provided to you by the Court.

Your answers to the following questions are very important to the proceedings in this case. Please answer each question honestly and completely. **Please understand that your answers to the questions are under oath, and under penalty of perjury.**

We are using your answers to this questionnaire to get information directly from you to help us pick trial jurors who can be completely fair to both sides for this particular case. **Do not discuss the case or contents of the questionnaire with anyone.**

We all have attitudes, feelings, opinions, and life experiences that can affect the way we consider the testimony of a witness or how we evaluate evidence. It is okay to admit and talk about these 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. 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 or investigation regarding this case. You may not look up the parties or the lawyers. As a trial juror you must decide the case based on the evidence presented during trial. You also are not allowed to discuss this case with anyone else.

The information you provide will only be reviewed by the court, the lawyers, and the parties in this case. For purposes of the public record, your name and identifying information will be deleted.

If you have trouble reading, understanding, or filling out this questionnaire, please email Stacy Heras at Stacy.HerasAntilon@jbazmc.maricopa.gov or call Judge Fish's division at (602) 372-1771.

BACKGROUND

(If an answer requires a written response but is not applicable, please put "N/A" in the explanation – there is also additional space to write answers to written questions at end of questionnaire).

1. Juror Number (**The number on the card provided to you not the number on your summons or badge**).

2. Your Name (first and last name).

3. Do you have any difficulty seeing, hearing, or have any other medical or mental health problems that **may** affect your ability to serve as a juror?

☐ Yes

☐ No

4. Please explain.

5. Please tell us your age.

6. Please tell us your gender.

7. Please tell us your place of birth and states where you have previously lived.

8. What is your marital status?

☐ Single
☐ Married

☐ Significant Other
☐ Divorced

☐ Widowed
☐ Re-Married

9. Please tell us your current occupation (if retired, your occupation prior to retirement), your spouse's or significant other's occupation or if you are currently unemployed or a full time student (if a student, what your area of study is).

10. How many children do you have and what are their ages?

11. What is your educational background?

☐ Some High School
☐ High School Graduate
☐ Some College

☐ Associate degree
☐ Technical School
☐ College Graduate

☐ Post Graduate Degree
(including Professional Degrees (e.g. M.D., J.D.)
☐ None of the above

12. What was your major area of study?

This trial is scheduled to start today, January 22, 2024, and continue through June 27, 2024. The daily schedule will be Monday through Thursday, from 10:30 a.m. to 4:30. **There will be no trial on Fridays.**

There will also be multiple “dark” days during the trial, with off days to accommodate the Court’s and the parties’ schedules. These “dark” days are indicated on the separate calendar you have been given. There is a lunch break from noon until 1:30 p.m., and usually one mid-morning and one mid-afternoon break. Rarely will any block of testimony exceed 90 continuous minutes. **Actual testimony and evidence will begin on February 12, 2024.** Within the next week, you will be informed whether or not you have been selected to move forward in the jury process and, if so, what day you should return.

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 or on someone under your care.

As you may know all qualified citizens have an obligation to serve on a jury when summoned. Financial hardship does not exist solely based on the fact a juror will be absent from his or her job. It requires extreme financial hardship such as that jury service would incur costs that will have a substantial adverse impact on the payment of a person’s necessary living expenses or on those for whom the juror provides the principal means of support.

If you are selected to serve on this jury, you may be eligible for supplemental jury service compensation. A member of the jury commissioner’s office will meet with you and discuss what forms to complete and what documentation you need to provide to get approval for this compensation.

If you are employed and can show the Court that you are losing income, and how much that loss is, you can receive your daily loss up to \$300, plus the \$12 per day combined with the daily mileage reimbursement. This compensation will begin the first day until the end of the trial.

Unemployed and retired jurors are eligible to receive the minimum \$40 per day even if they receive income in the form of spousal maintenance, pensions, retirement, unemployment compensation, disability benefits or other similar income.

Jurors will receive compensation for days that you are instructed to report to the courthouse.

13. **Is there anything about our anticipated trial schedule, whether personal or professional that presents an undue hardship for you?**

- ☐ Yes
- ☐ No

14. If yes, please explain.

15. Are you a member of any group, organization, or association, which advocates a particular position or encourages the adoption of a particular agenda related to the criminal justice system, or monitoring the criminal justice system (e.g., Mothers Against Drunk Driving, Neighborhood Watch, any pro or anti-death penalty group, victim's rights, inmate's rights, campaigning for stricter or more lenient penalties?)

☐ Yes
☐ No

16. If yes, please explain.

17. Is there anything about your participation in these groups that may cause you to favor one side over the other?

☐ Yes
☐ No
☐ Unsure

18. If yes or unsure, please explain.

19. Have you or your spouse or any close family member ever had any training, education or job or have you ever done any volunteer work in any of the following areas? (Check all that apply and in the following question, note if it was you, your spouse or family member).

- ☐ Any law enforcement or security agency (including police department and sheriff's deputy or posse, federal marshal, DEA, Department of Public Safety, FBI, private security company or investigative agency?)
- ☐ Any private firm involved in the investigation of civil or criminal matters?

- ☐ A prison, jail, detention center, probation service, or agency responsible for correctional work (including Department of Corrections, Bureau of Prisons, County Sheriff's Office, or parole officer)?
- ☐ Any city or town attorney, Attorney General, or state or federal prosecutor (including as a lawyer, paralegal, secretary, or intern)?
- ☐ Any court (including as a lawyer, judge, bailiff, clerk, other member of court staff, or court reporter)?
- ☐ A psychologist, psychiatrist, mental health center?
- ☐ Any social work or social service agency, or counselling service?
- ☐ A treatment program for alcohol, drug, or any other substance abuse?
- ☐ None.

20. Please give details. Who? Their relationship to you (if not you.) When? What agency and in what capacity? And, do you discuss the job with that person (if not you)?

This section provides you with information regarding the case.

On June 6, 2016, the Defendant, Kipling Harris, while on felony probation for Child Abuse, shot and killed Alice Kuhn in furtherance of a conspiracy to commit murder that the Defendant had engaged in with Kimberly Lacount, Alice's wife. The Defendant shot and killed Alice as she sat in the driver's seat of her Jeep that was parked in the driveway of her home that she shared with her parents, Peggy Kuhn, and Robert ("Bob") Kuhn. The Defendant then entered the home with a gun, where he shot and killed Peggy and then shot and attempted to kill Bob, who survived.

A jury previously found the Defendant guilty of Count 1, First Degree Premeditated Murder of the victim, Alice Kuhn; Count 2, First Degree Premeditated Murder and First-Degree Felony Murder of the victim Peggy Kuhn; Count 3, Burglary in the First Degree; Count 4, Attempted First Degree Premeditated Murder of the victim Robert "Bob" Kuhn; and Count 5, Conspiracy to Commit First Degree Premeditated Murder.

A jury also found proven beyond a reasonable doubt the existence of the following Aggravating Circumstances for each of the Defendant's First-Degree Murder convictions: (1) The Defendant has been convicted of another offense in the United States for which under Arizona law a sentence of life imprisonment could be imposed. (2) The Defendant has been or was previously convicted of a serious offense, whether preparatory or completed. (3) The Defendant committed the offense while on probation for a felony offense. (4) The Defendant has been convicted of one or more other homicides that were committed during the commission of the offense.

If you are chosen as a juror for this sentencing trial, you must accept the Defendant's convictions for First Degree Murder, Burglary in the First Degree, Attempted First Degree Murder, Conspiracy to Commit First Degree Murder and the previously found aggravating factors, as proven beyond a reasonable doubt. Your role will be to determine the appropriate sentence for the Defendant. This decision will be based on the evidence presented during this trial, the previous findings by the prior jury, as well as the instructions of law provided to you by the Court.

The State is seeking the death penalty.

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

- ☐ Yes
- ☐ No

22. What have you seen, heard, or read and what are the sources of your information and the approximate number of times you have seen, heard, or read anything about this case? (e.g., newspaper, radio, TV, conversation.) Include any conversations you may have overheard.

23. Have you formed any opinions about this case or the Defendant?

- ☐ Yes
- ☐ No
- ☐ Unsure

24. If yes or unsure, please explain.

25. Would you be able to set aside any opinions you may have formed from anything you saw, read, or heard?

☐ Yes

☐ No

26. Please explain.

27. The offenses occurred in June 2016. Mr. Harris was arrested on July 6, 2016. Will the fact that almost 7 1/2 years has passed cause you to favor one side over the other?

☐ Yes

☐ No

☐ Unsure

28. Please explain.

29. If you are selected to be on this jury, you will **not** decide whether the Defendant is guilty of First Degree Murder, Burglary in the First Degree, Attempted First Degree Murder and Conspiracy to Commit Murder. That determination has already been made and the law requires you to accept the Defendant's conviction for First Degree Murder, Burglary in the First Degree, Attempted First Degree Murder and Conspiracy to Commit Murder.

Do you have an opinion about this?

☐ Yes

☐ No

☐ Unsure

30. If yes or unsure, please explain.

31. Can you accept this verdict without reservation?

- ☐ Yes
- ☐ No

32. If no, please explain.

33. If you are selected to be on this jury, you will not decide whether the State has proven aggravating factors that make the Defendant eligible for a death sentence. Those determinations have already been made, and the law requires you to accept these aggravating factors as proven.

Can you accept these aggravating factors without reservation?

- ☐ Yes
- ☐ No

34. If no, please explain.

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

- ☐ Yes
- ☐ No

36. If yes, please explain.

37. Is there anything about the nature of this case that might cause you to favor one side over the other?

- ☐ Yes
- ☐ No

38. If yes, please explain.

39. There will be graphic testimony and photographs, including crime scene and autopsy photographs concerning the cause of death and injuries inflicted upon the victims. While it is natural to experience emotions when looking at these types of photos, will you be able to set aside those emotions and fairly consider the evidence shown in the photos?

- ☐ Yes
- ☐ No

40. If no, please explain.

41. What newspapers, magazines, periodicals, internet sites, social media sites (Facebook, Instagram, Snapchat, Twitter) or applications or blogs do you subscribe or read regularly?

42. Do you believe television shows such as C.S.I. and Law & Order are realistic portrayals of the criminal justice system?

- ☐ Yes
☐ No

43. Please explain.

44. Have you, any close family member, or close friend acquired any experience or training in fingerprinting, fingerprint identification, chemical or DNA analysis, autopsies, or any other forensic field, including psychology?

- ☐ Yes
☐ No

45. Please give details. (If not you, please state your relationship to the person you are describing).

46. Will you accept without reservation the Court's order that **YOU WILL NOT ACCESS OR USE THE INTERNET OR ANY OTHER SOURCE TO GATHER ANY INFORMATION OF ANY KIND REGARDING THIS TRIAL OR SHARE INFORMATION IN ANY WAY ABOUT ANY ASPECT OF YOUR JURY SERVICE IN THIS TRIAL?**

- ☐ Yes
☐ No

47. Are you a member of any religious or spiritual organizations?

☐ Yes

☐ No

48. Do you regularly attend religious services?

☐ Yes

☐ No

49. Do you have any philosophical, moral feelings or religious beliefs that make it difficult to sit in judgement of others?

☐ Yes

☐ No

50. If yes, please explain.

51. What criminal trials, if any, have you followed or learned about in the media or online?

52. How would you describe your political beliefs on a scale of 1 to 10 with one being very liberal and 10 being very conservative?

CAPITAL CASE/PENALTY PHASE

Arizona law provides for the possibility of three phases in certain First-Degree Murder trials. This trial will only include the Third Phase—Penalty—because the Defendant has already been convicted of First-Degree Murder, and Aggravating Factors have already been found proven.

The third phase is the “mitigation” or “penalty phase.” In this phase, the jury is asked to decide whether the sentence for each First-Degree Murder conviction will be life imprisonment without the possibility of release from prison or death. “Life without the possibility of release from prison” means exactly what it says. It means that the Defendant will never be eligible to be released from prison for any reason for the rest of his life.

During this phase, the defendant has the opportunity to prove the existence of mitigation. Mitigation is a fact or circumstance that in fairness or mercy may be considered as extenuating or reducing the degree of moral culpability or blameworthiness. The defendant must prove any mitigating fact he offers by a preponderance of the evidence. Proof by a preponderance of the evidence means proof that a fact or circumstance is more likely true than not. A finding that some mitigation exists need not be unanimous and a jury need not agree on what particular mitigation exists.

The law does not presume what the appropriate sentence is. The Defendant does not have the burden of proving that life is the appropriate sentence. The State does not have the burden of proving that death is the appropriate sentence. It is for you, as jurors, to decide what you individually believe is the appropriate sentence.

The mitigation must be of such quality or value that it is adequate, in the opinion of an individual juror, to persuade that juror to vote for a sentence of life in prison. A mitigating factor that motivates one juror to vote for a sentence of life in prison may be evaluated by another juror as not having been proved or, if proved, as not significant to the assessment of the appropriate penalty. Each juror must determine whether, in that juror’s individual assessment, the mitigation is of such quality or value that it warrants leniency in a particular case. The State may present evidence as to why the Defendant is not deserving of leniency.

Selected jurors have a duty to deliberate with one another.

If you unanimously find the mitigation is sufficiently substantial to call for a life sentence, the Court will sentence the defendant to life imprisonment without the possibility of release.

If you unanimously find that no mitigation exists or that the mitigation is not sufficiently substantial to call for a life sentence, you must impose the death penalty.

If you unanimously find that no mitigation exists or that the mitigation is not sufficiently substantial to call for a life sentence, then the judge will order that the defendant will be put to death based on the jury’s decision. A jury’s decision to sentence a defendant to life in prison or death is not a recommendation, it is binding on the Court.

53. What are your feelings about the death penalty and why do you feel that way?

54. If your views about the death penalty have changed over the years, describe how your views have changed and why your views changed.

55. How do you feel about a sentence of natural life in prison for first-degree murder?

56. Do you have any personal, moral, religious, philosophical, or conscientious objections to the imposition of the death penalty?

- ☐ Yes
- ☐ No

57. If yes, please explain.

58. On a scale of 1 to 10, with “1” being strongly opposed and “10” being strongly in favor, what number best reflects your overall opinion regarding the death penalty?

59. What, if anything, have you heard about the Arizona death penalty process? And, what is the source of your information (news, internet, work, etc.)

60. Have you read any books, articles, blogs, or watched/listened to any television/internet or media sources that focused on the death penalty?

☐ Yes

☐ No

61. If yes, please list the source(s) and what opinions did you form about the death penalty as a result?

62. Do you feel that the death penalty is imposed:

☐ Too often

☐ Not enough

☐ About the right amount

☐ I don't know

63. Please explain.

64. What purpose or role do you believe the death penalty has in our society?

65. Do you, your spouse or partner, close relative or friend belong to any group, or have you contributed to any group that advocates either for the increased use of, or the elimination of, the death penalty?

☐ Yes

☐ No

66. If yes, please explain.

67. Mitigating circumstances are any factors that are a basis for a life sentence instead of a death sentence, so long as they relate to any sympathetic or other aspect of the defendant's character, propensity, history or record, or circumstances of the offense.

Mitigating circumstances are not an excuse or justification for the offense but are factors that in fairness or mercy may reduce the defendant's moral culpability.

Mitigating circumstances may be offered by the defendant or State or be apparent from the evidence presented at any time during these proceedings.

How do you feel about this?

68. Will you, for whatever reason, **automatically** vote **for** the death penalty for someone convicted of First-Degree Murder without considering the evidence about the defendant's background, propensities, character, criminal record, or the circumstances of the offense?

☐ Yes
☐ No

69. If yes, please explain.

70. Will you, for whatever reason, **automatically** vote **for** a life sentence for someone convicted of First-Degree Murder without considering the evidence about the defendant's background, propensities, character, criminal record, or the circumstances of the offense?

☐ Yes
☐ No

71. If yes, please explain.

72. Is here anything about the death penalty that is a cause for concern?

☐ Yes
☐ No

73. Please explain.

74. Is there anything about a sentence of life imprisonment without the possibility of release that is a cause for concern?

☐ Yes

☐ No

75. Please explain.

76. How do you feel about being asked to choose between life in prison without the possibility of release or the death penalty?

77. The law states the jury, in deciding punishment, cannot consider the cost of either life in prison or the death penalty.

How do you feel about this?

78. Do you agree that it would be inappropriate for a juror to sit through the entire sentencing proceeding and then, for the first time, state during deliberations that regardless of the facts, he or she would **never** vote for the death penalty, or alternatively, would **always** vote for the death penalty?

- ☐ Yes
☐ No

79. If no, please explain.

80. There may be media coverage of this trial. Would this impact your ability to consider the **death penalty** or a **life sentence** in any way?

- ☐ Yes
☐ No

81. If yes, please explain.

82. Do you believe that any person who is convicted of First-Degree Murder should **never** be sentenced to death?

- ☐ Yes
☐ No

83. If yes, please explain.

84. Do you believe that a person who is convicted of First-Degree Murder should **always** be sentenced to death?

☐ Yes

☐ No

85. If yes, please explain.

86. Could you accept the vote of each of the other jurors as to the appropriate punishment, even if it differed from your own? Why or why not?

87. During jury deliberations, what would you do (or react) if eleven other jurors disagreed with your personal moral decision, whether it was life or death?

88. During jury deliberations, what would you do (or react) if one juror's personal moral decision for life or death disagreed with you and the ten other jurors?

89. Does your religion have a view on the death penalty?

☐ Yes

☐ No

90. If yes, please explain.

91. How do you approach situations where your personal beliefs may be different from those of the people around you?

92. You will be instructed that the jurors must accept and follow the law as instructed by the judge, whether or not you personally agree with that law. Are you willing to follow this instruction?

☐ Yes

☐ No

93. If no, please explain.

94. Would the fact you are being asked to decide life or death for another person, affect or impact your ability to sit as juror in this case?

☐ Yes

☐ No

95. If yes, please explain.

96. Please check the box(s) for the statement(s) that best describe you:

- ☐ I like assuming a leadership role in a group of people.
- ☐ I tend to step in and take an active role in solving disagreements between people.
- ☐ I like to speak my mind in group discussions.
- ☐ I prefer to listen rather than speak in group discussions.
- ☐ I dislike and often struggle being involved in group discussions where there are disagreements.
- ☐ Other

97. Please explain.

LIFE EXPERIENCES

98. Do you have strong feelings about drugs or alcohol and/or those who abuse drugs and/or alcohol?

- ☐ Yes
- ☐ No

99. If yes, please explain.

100. Do you or any close friends or family members have now, or have had, a substance abuse problem?

☐ Yes

☐ No

101. If yes, please explain. (If not you, what is the relationship with the person).

102. Have you, a family member or close friend ever been an expert in a court case or any other setting?

☐ Yes

☐ No

103. If yes, please explain. (If not you, what is the relationship with the person).

104. Have you or anyone close to you ever been the victim of any type of domestic or interpersonal violence?

☐ Yes

☐ No

105. If yes, please explain. (If not you, what was your relationship to that person).

106. Have you or anyone close to you ever been investigated for, charged with, arrested for, or convicted for any domestic violence offense?

- ☐ Yes
☐ No

107. If yes, please explain. (If not you, what was your relationship to that person, how do you feel about it and were you or the person treated fairly or unfairly by the justice system).

108. Is there anything about that experience that would make it difficult to remain fair and impartial in a criminal trial?

109. Have you, a family member or close friend had any contact with, used, worked, or volunteered at a family/domestic violence center/shelter, or similar place?

- ☐ Yes
☐ No

110. If yes, please explain. (If not you, what is the relationship with the person).

111. Have you, a close friend, or family member been in a relationship, including a romantic relationship or a marriage in which there was infidelity?

- ☐ Yes
- ☐ No

112. If yes, please describe how you felt about this experience and would it be difficult for you to set that aside if you hear any evidence of infidelity in this case?

113. Do you or anyone close to you own guns or firearms of any kind?

- ☐ Yes
- ☐ No

114. If yes, please explain. (If not you, your relationship with the person; what type of gun, how many guns, how long have you had them)

115. Have you, or anyone close to you, been involved in an offense regarding the discharge of a firearm?

- ☐ Yes
- ☐ No

116. If yes, please explain.

117. Have you, your spouse/partner or a family member or close friend ever seen a psychologist, psychiatrist, or counselor?

- ☐ Yes
- ☐ No

118. If yes, please explain. (If not you, the relationship of the person).

119. Do you know anyone who has a serious emotional or psychological problem who has not received any help or treatment?

- ☐ Yes
☐ No

120. If yes, please explain.

121. Do you believe that medical doctors, counselors, psychologists, or psychiatrists can offer helpful testimony about human behavior in criminal trials?

- ☐ Yes
☐ No

122. If no, please explain.

CRIMINAL JUSTICE /GOVERNMENT

123. The following is a list of people that may or may not testify, or whose name may be mentioned during testimony and evidence. **Please circle the names of the individuals you know or think you may know.**

CIVILIAN WITNESSES AND/OR NAMES THAT MAY BE MENTIONED

Aaron Hill	Dr. Robert Birdwell	Kimberly Esker Tillett
Adriana Frias	Dr. Ron Ayanzen	Kimberly LaCount
Alice (Alex) Kuhn	Edith Oxford	Kleith Harris
Anne Royer-Harris	Flora Young	Lee Whatton
Barbara Proffitt	Gunnar Kuhn	Leigh Sorokin
Becky Johnson	Isaac Pfeiffer	Luci Clark
Brandon Ghyra	Jahlil Scurlock	Lucy Gomez
Christina Fonville	Janet Grillo	Mary Stanley
Christopher Fonville	Jerome Kuhn	Michael Smith
Christopher Sowers	Jessica Podhola	Nathan Eggink
Crista Moore	Joann Young	Peggy Kuhn
Crista Tally	John Jesson	Rachel Fonville
Daniel James	John Ross	Rebecca Mobley
David Hardesty	Joseph Young	Richard Jordan
David Harris	Judith Lee	Robert Kuhn
Deborah Ochoa	Justin Brooks	Robert Lau
Diann Farmer	Kaitlin Esker	Sandy Olive
Donna Smith	Karen Young	Seandahl Simpson
Dr. John Uglietta	Kathy Timbrook	Sue Synoviec
		Tres James

LAW ENFORCEMENT NAMES THAT MAY BE MENTIONED

Brad Eith	Gabriel Vasquez	Rachel Bousman
Brad McMillen	Gino Garcia	Ricardo Carlo
Brian Jones	JD Krystek	Robert Macdonald
Brian Piech	Jim Carlo	Roger Geisler
Bruce Lowe (retired)	Jonathan Clubb	Ryan Smith
Chad Thrasher	Joshua Brill	Sylvia Feder
Cody Carmichael	Justin Ramsay	Thomas Psalidas
Cramer Doughty	Kevin Bickel	Tobee Anderson
Daniel Perez	Kyle Hornbaker	Tori Rowe
Danny Clontz	Markus King	Travis Darby
Eleanor Harris	Matthew Lowe	Yon Grant
Eric Holmstedt	Nathan Loeschner	

MARICOPA COUNTY MEDICAL EXAMINER'S OFFICE

Dr. Leslie Wallis

CRIME LABORATORY-ARIZONA DEPARTMENT OF PUBLIC SAFETY

Aaron Brudenell
Alyssa James

OTHER		
<u>Maricopa County Sheriff's Office</u> Lisa Evans	Facebook Records Apple iCloud Records	<u>Expert</u> Dr. James Seward Mr. James Aiken Dr. James Sullivan Dr. Jolie Brams Dr. Joseph Wu Dr. Arthur Kowell Dr. Adriana Flores Dr. Marc Janoson Dr. Jon Van Doren Dr. Shannon Curry Dr. Mark Magulac
<u>Phoenix Police Department</u> Ken Welsh Timothy Duffy	<u>Maricopa County Attorney's Office</u> Greg Andras Karl Martin Jerry Dunn	
<u>RMIN</u> Sarah Jex	<u>Maricopa County Adult Probation Office</u> Derek Kelly Steve Jackson	
<u>Federal Bureau of Investigations</u> Special Agent Mike Easter		
<u>Custodian of Records/Certificates or Verifications of Authenticity</u> AT&T Records Verizon Records T-Mobile Records	<u>GoFundMe</u> Laura Ruiz Travis Smith	

124. If you circled anyone, how do you know them?

125. Do you feel your relationship with that person(s) may cause you to favor one side of the case over the other?

- ☐ Yes
☐ No
☐ Unsure

126. What caused you to answer "Yes" "No" or "Unsure" to the prior question?

127. Have you or any family members or close personal friends had any contact or other interactions with the Maricopa County Attorney's Office, the Maricopa County Public Defender's Office, or the Glendale Police Department?

☐ Yes

☐ No

128. If yes, please identify which agency(ies) the contact or other interaction(s) was with.

129. Is there anything about any of those contacts or other interactions that may cause you to favor one side of the case or the other?

☐ Yes

☐ No

130. If yes, please explain.

131. Have you, any of your family members or any of your close personal friends ever served as a law enforcement officer?

☐ Yes

☐ No

132. If yes, please tell us the agency and if someone close to you the relationship.

133. Is there anything about your service or their service as a law enforcement officer that may cause you to favor one side or the other?

- ☐ Yes
- ☐ No

134. If yes, please explain.

135. Have you or anyone close to you ever had a negative experience with the police?

- ☐ Yes
- ☐ No

136. If yes, please explain.

137. Have you ever served as a member of a grand jury, either federal, state or county?

- ☐ Yes
- ☐ No

138. If yes, please tell us about your experience.

139. Have you, any of your family members or any of your close personal friends ever studied or practiced law, including criminal law?

- ☐ Yes
- ☐ No

140. Is there anything about your or their studying or practicing law that may cause you to favor one side or the other?

- ☐ Yes
- ☐ No

141. If yes, please explain.

142. Have you, any of your family members or any of your close personal friends ever been the victim of any kind of crime whether it was reported or not?

- ☐ Yes
- ☐ No

143. If yes, please explain. (What was the crime, was it reported to police, if reported to police were you satisfied with the way the police investigated the case, did you have to testify at trial and were you satisfied with the way the courts treated the case?).

144. Is there anything about your or their experience as a victim that may cause you to favor one side or the other?

- ☐ Yes
- ☐ No

145. If yes, please explain.

146. Have you ever been a witness to a crime (not already mentioned above)?

- ☐ Yes
☐ No

147. If yes, please explain including the details of the incident, whether you reported the crime to police, whether you gave a statement to the police and whether you testified at a hearing or at trial.

148. Have you, any of your family members or any of your close personal friends ever been **accused of, arrested, charged, was tried and/or convicted** of a crime other than a minor traffic offense (i.e. speeding)?

- ☐ Yes
☐ No

149. If yes, please explain and include the arresting, charging, and investigating agencies. (*if you know*)

150. Is there anything about your or their experience being accused of, arrested, charged, or convicted of a crime other than a minor traffic offense that may cause you to favor one side or the other? (e.g. not satisfied with the police investigation or the way the courts treated the case).

- ☐ Yes
- ☐ No

151. If yes, please explain.

152. Have you, any close family member, or close friend ever been placed on probation or sentenced to prison? If yes, please explain.

153. Have you ever known anyone who was killed, whether intentionally, accidentally, or otherwise?

- ☐ Yes
- ☐ No

154. If yes, please explain.

155. Have you, a family member, or close friend ever killed anyone, whether intentionally accidentally, or otherwise?

- ☐ Yes
- ☐ No

156. If yes, please explain.

157. In your own words, what are your general feelings about criminal justice reform?

158. Do you or anyone close to you have any hostility, bitterness, or frustration towards the criminal justice system (e.g., police, prosecutors, defense attorneys, or the courts)?

☐ Yes

☐ No

159. If yes, please explain.

160. In deciding the facts of the case, the jury will have to evaluate the testimony of the witnesses. At trial, you will be directed to consider what testimony to accept and what to reject.

You may accept everything a witness says or part of it or none of it.

In evaluating testimony, you will be directed to use the tests of accuracy and truthfulness that people use in determining matters of importance in everyday life.

Would you be able to judge the testimony of each witness by these same standards?

☐ Yes

☐ No

161. If no, please explain.

162. You will probably hear law enforcement officers testify in this case. The testimony of a law enforcement officer is not entitled to any greater or lesser importance or believability merely because of the fact that the witness is a law enforcement officer. You are to consider the testimony of a police officer just as you would the testimony of any other witness.

Do you believe you would have difficulty applying this principle?

- ☐ Yes
☐ No

163. If yes, please explain.

164. Would you be more or less inclined to believe the testimony of a law enforcement officer because he/she is a law enforcement officer?

- ☐ Less inclined
☐ More inclined
☐ Neither more nor less inclined

165. Please explain why you are more or less inclined.

166. Will you have any difficulty, problems, or reservations in deciding this case due to the race, heritage, gender, or sexual orientation of a victim, defendant, witness, judge, or attorneys?

☐ Yes

☐ No

167. If yes, please explain.

168. Do you have any close friends who are lesbian, gay, bisexual, transgender, transitioning, queer, intersex, questioning, asexual, or other?

☐ Yes

☐ No

169. Would sexual identity, orientation, gender, pronoun of the Defendant, victims, or witnesses in this case affect your ability to be a fair and impartial juror in this case?

☐ Yes

☐ No

170. If yes, please explain.

171. In Arizona, jurors cannot ignore the court's instructions about the law.

Would you be unable to follow the law as given in the instructions?

☐ Yes

☐ No

172. If yes, please explain.

-
-
173. Would you have any difficulty, problems, or reservations with disregarding your own notions or ideas about what the law is or ought to be and only apply the law given to you by the court?

☐ Yes
☐ No

174. If yes, please explain.

175. If you are selected to sit on the case as a juror, you would not be allowed to do your own research or gather your own information of any kind about the case. You must decide the case based on the evidence presented in court. This means no independent experiments, no computer or social media research about the case or the people involved in it, and you can't talk about the case with anyone until you are deliberating at the end of this case with all other jurors present.

Does this prohibition present any difficulties, problems, or reservations for you?

☐ Yes
☐ No

176. If yes, please explain.

177. A defendant in a criminal case has a constitutional right to remain silent and not to testify at trial. The exercise of that right cannot be considered by the jury or held against him.

Do you understand and agree with this principle of law?

- ☐ Yes
- ☐ No

178. If no, please explain.

179. A defendant in a criminal case is not required to produce evidence of any kind. What are your feelings about whether a defendant should be required to present evidence?

180. Have you ever served as a trial juror before?

- ☐ Yes
- ☐ No

181. If yes, please list the type of trial (i.e. bank robbery or car accident) and the verdict if you can recall (i.e. not guilty or awarded money).

182. Did you serve as the foreperson on a trial jury?

- ☐ Yes
- ☐ No

183. Is there anything about your former jury trial experience(s) that would make it difficult for you to be fair and impartial in this case?

- ☐ Yes

☐ No

184. If yes, please explain.

CONCLUDING QUESTIONS

185. Is there any matter that **has not** been covered by this questionnaire concerning the possible penalties, or your feelings and attitudes about the possible penalties, or concerning **any other subject** that you feel that you should mention at this time that might affect your ability to be a fair and impartial juror in this case?

☐ Yes

☐ No

186. If yes, please explain.

187. Is there any question in this questionnaire you did not understand?

☐ Yes

☐ No

188. If yes, please explain.

189. Is there anything else you think the judge or lawyers should know about you, your experiences, or your beliefs that might affect you as a juror in this case?

I declare under penalty of perjury under the laws of the State of Arizona that the above answers are true and correct.

DATED: _____ **SIGNATURE:** _____

JUROR NUMBER: _____

[illegible]
