

**VOIR DIRE**

May it please the court, Ladies and Gentlemen of the jury, my client,  
\_\_\_\_\_, is falsely accused of the charge of \_\_\_\_\_.

Everyone expects to be seen as an impartial person, but all of us have feelings and thoughts that make us prejudge a person. I am no different; sometimes I prejudge people. I want you to know that I will not lose respect for any of you for telling me about any prejudgments you might have.

I hope that each of you will be honest and respond without embarrassment to my questions. If there are any questions that you do not feel comfortable answering here, please come speak to the judge after my questioning is over. If you are not sure if a question applies to you, please tell me that you might have an answer or that you want me to rephrase the question.

I am not looking for the "right" answer. I am simply looking for complete honesty and openness.

The questions I am about to ask you are not intended to pry, embarrass or offend. I am simply trying to get at your feelings on this case.

1. Are any of you friends, relatives, acquaintances or do you know:

Doug Valeska

Gary Maxwell

Butch Binford

Denise Bates

Amy Mendheim

Nerida Bundy

Durell Whiddon

Arthur Medley

Jarred Blumberg

David Atwell

DA's employees

Gigi Kemp

Terri Owens – Bad Checks

Donna Wood

Elaine Brown

Heather \_\_\_\_\_

2. Are any of your friends, relatives, personal acquaintances or do you know:

Anyone in law enforcement:

State

City

County

Federal

3. Are any of you friends, relatives, acquaintances of do you know:

(State's Witnesses -) – subpoena list

Have any of you served on a grand jury?

Have any of you served on a criminal jury trial?

6. Have any of you ever been the victim of a serious crime?

7. Have any of you ever been the witness for the State in a criminal case?

7a. Please come up and tell the judge if not comfortable answering out in public: Are any of you members of or have you contributed to groups working against abuse of senior citizens

7b Please come up and tell the judge if not comfortable answering out in public: Have any of you had or had a family member or close friend with an elderly family member who was exploited?

7c. Problem with Defendant, nature of the charge or myself?

7e Do you feel that the police should be able to identify the person who they accuse of a crime?

8. If someone is associated with people involved in suspicious or even illegal activity, would you tend to think that that person is also involved in illegal activity?

9. Do any of you feel that if the Police make an arrest that the person arrested is necessarily guilty?

10. Do you believe that if a grand jury returns an indictment against someone, that they must be guilty?

11. Do any of you believe that a person charged with a crime should have to prove his innocent?

12. The burden of proof is on the government to prove that the person accused of a crime is guilty beyond a reasonable doubt, and there is no burden of proof on someone accused of a crime to prove that he is not guilty.

Do any of you feel that these statements are incorrect, or should be different?

13. Do any of you know of an instance where someone was charged with a crime and later found not guilty? How could this happen?

14. Have any of you been accused of doing something that you did not do, for example by a spouse or co-worker - not necessarily a crime?

17. Do you believe that someone might shade the truth to be more favorable to himself when testifying?

18. Is it possible that an innocent man might be brought to trial?

19. Why, are all people innocent until proven guilty?

20. Would you be more likely to believe police officer testifying about this crime?

**PLEASE REMEMBER**

Presumption of Innocence

Burden of Proof on State - beyond a reasonable doubt (any doubt you can give a reason for)

Thank you for your patience with me.