**General *Voir Dire* Questions – Criminal**

Honorable Tana Lin

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# General *Voir Dire* Questions

1. This trial is expected to last for \_\_ days. However, there is no time limit on the amount of time that any particular jury may deliberate. Is there any juror who cannot be here for the anticipated duration of the trial? (Request explanation of hardship.)
2. Is there any health issue, physical problem, or persistent physical aggravation or other problem that would make it difficult for you to sit as a juror? (For example, a bad back, migraines, or medication you may be taking.)
3. The Court previously introduced the Assistant United States Attorney(s) representing the Government. Does anyone know the Assistant United States Attorney(s) in this case or anyone in the United States Attorney’s Office?
4. The court previously identified the Defendant and the defense attorney(s). Does anyone know the Defendant or the defense attorney(s) in this case?
5. In this case, the Defendant has been charged with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Is there anything about the nature of this case that would cause you to start into the trial with any bias or prejudice, either one way or another?
6. Have any of you heard, seen, or read anything about this case?
7. I will now ask Counsel for the Government to list all of the witnesses that are expected to be called to testify. After all the names are read, please raise your card if you believe that you know any of the witnesses. [*AUSA reads names.*]
8. I will now ask counsel for the defense [or the Defendant, if *pro se*] to list all of the witnesses that are expected to be called to testify. After all the names are read, please raise your card if you believe that you know any of the witnesses. [*Defense counsel or the* pro se *Defendant reads names.*]
9. Do you, any close friends, or relatives work in the legal system?
10. Do you have any training or work experience in the field of law?
11. Are you, close friends, or relatives connected with law enforcement, whether federal, state, county, city, or private?
12. Have you or has anyone close to you ever received law enforcement training?
13. Have you served as a juror in a criminal or a civil case or as a member of a grand jury in either a federal or state court?
14. Have you, your close friends, or your relatives ever been a litigant or party in a court hearing or proceeding?
15. Was there anything about that experience that would preclude you from being able to be fair and impartial in this criminal case?
16. Have you, a relative, or a close friend ever been accused, rightly or wrongly, with committing a criminal offense?
17. If so, do you believe that the police and/or the prosecution officials conducted themselves improperly in any way?
18. Do you have any bad feelings toward the government based on that incident?
19. Would anything about that experience prevent you from serving as a fair and impartial juror in this case?
20. Have you, or any of your relatives or close friends, been involved in any lawsuit involving the federal government?
21. If so, was the dispute resolved to your satisfaction?
22. If not, do you feel that the manner in which the dispute was resolved would impact your ability to be a fair and impartial juror in this case?
23. Other than a deposition, have you ever testified before in any court proceeding?
24. Do you know any of the other jurors other than from meeting them this morning?
25. Do you have any moral, religious, philosophical, or other beliefs that would prevent you from fulfilling your duties and responsibilities as a juror?
26. As a juror in this case, your obligation would be to listen to the evidence and from that determine the facts according to the law as given to you by the court. You must follow the Court’s instructions on the law even if you disagree with them. Can any of you think of any reason why you would be unable or unwilling to follow the Court’s instructions on the law?
27. You will be instructed that the Defendant is presumed to be innocent until proven guilty and the burden is upon the Government to prove the Defendant guilty beyond a reasonable doubt. Do any of you have an issue with these principles of law?
28. Is there a reason the Government or Defendant in this case might *not* want a juror with your present state of mind sitting on this jury?
29. Is there a reason you might not be able to render a fair and impartial verdict in this case?

# Additional Questions for Criminal Cases Involving Drugs

1. Have you had any experience involving yourself, any member of your family, or any close friend that relates to the use or possession of illegal drugs or narcotics?
2. Do you have strong feelings about the use of illegal drugs to a degree that would impact your ability to be a fair and impartial juror in a case where the defendant is charged with a drug offense?
3. Do you or any of your close friends or relatives belong to or support any organizations that advocate for changes in drug laws?
4. Have you or any of your close friends or relatives had to deal with problems related to drug use or drug addiction? I am limiting the term “drugs” to controlled substances.
5. Do you have any special experience or training dealing with the treatment of drug abuse or addiction?
6. Have you ever reported a suspected drug transaction to a law enforcement officer?
	1. Were you satisfied with the police response?

# Additional Questions for Criminal Cases Involving Firearms

1. Do you have strong feelings about the use of firearms to the degree that they would impact your ability to be a fair and impartial juror in a case where the defendant is charged with a firearms offense?
2. Do you have special training in the use of firearms?
3. Are you, or have you been a member of, any organization that advocates for the use of firearms, or for restrictions on the use of firearms?

# Additional Questions for Criminal Cases Involving Sexual Assault or Sexual Abuse

1. Have you, a close friend, or a relative ever been the victim of a sexual assault or sexual abuse incident?
2. Was the incident reported to anyone, *e.g.*, a parent, a counselor, a friend, or the police?
	1. Was the accused person prosecuted?
	2. Was the accused person ever convicted?
3. Have you, a close friend, or relative ever reported an incident of sexual assault or sexual abuse to another person or to the police?
4. Have you, a close friend, or relative ever been accused, rightly or wrongly, of some form of sexual assault or sexual abuse?
5. Do you believe that you or the accused person was treated fairly?
6. Have you, a close friend, or relative ever been contacted by the police regarding a report of a sexual assault or sexual abuse incident?
7. Were you satisfied with the police response?
8. Were you satisfied with the outcome of the case?
9. Has a close friend or relative ever reported a sexual assault or sexual abuse to you?
10. Do you have any specialized training, education, or experience in the area of sexual assault or sexual abuse?

# Concluding Remark

Thank you. I will now permit the lawyers to have \_\_ **minutes** per side to ask additional *voir dire* questions.