

United States District Court  
Western District of Washington  
The Honorable Jamal N. Whitehead

Standard Voir Dire Questions – CRIMINAL

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**1. General Voir Dire**

- 1.1. This trial is expected to last for \_\_ days. But there is no time limit on how long the jury may deliberate. Is there anyone who cannot be here for the expected length of trial?
- 1.2. In this case, the Defendant has been charged with \_\_\_\_\_ [*Court reads indictment*]. Have any of you heard, seen, or read anything about this case?
- 1.3. I will now ask counsel for the Government to introduce themselves and the witnesses the Government may call to testify at trial. After all the names are read, please raise your card if you believe you know any of the witnesses.  
[*AUSA reads names.*]
- 1.4. Does anyone know the Assistant United States Attorney(s) here or anyone in the United States Attorney’s Office?
- 1.5. I will now ask counsel for the defense [or the Defendant, if *pro se*] to introduce themselves and to list all the witnesses they may call to testify.

Like before, 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.*]

- 1.6. The court previously identified the Defendant and the defense attorney(s).  
Does anyone know the Defendant or the defense attorney(s) here?
- 1.7. Other than from meeting them today, do you know any of the other jurors?
- 1.8. 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?
- 1.9. Have you, any member of your family, or any close friend ever been employed by a law enforcement agency?
- 1.10. Are you or any close family member or friend connected with law enforcement, whether federal, state, local, or private, in any other way?
- 1.11. Have you or anyone close to you ever received law enforcement training?
- 1.12. Do you or any close family members or friends work in the legal system?
- 1.13. Do you have any training or work experience in the legal field otherwise?
- 1.14. Have you or a close family member or friend ever been a litigant or party in a court hearing or proceeding?
  - 1.14.1. Was there anything about that experience that would prevent you from being fair and impartial in this criminal case?
- 1.15. Have you or a close family member or friend ever been accused, rightly or wrongly, with committing a criminal offense?
  - 1.15.1. If so, do you believe that the police and the prosecutors conducted themselves improperly in any way?

- 1.15.2. Do you have any bad feelings toward the government based on that incident?
- 1.15.3. Would anything about that experience prevent you from serving as a fair and impartial juror in this case?
- 1.16. Have you or a close family member or friend been involved in any lawsuit involving the federal government?
  - 1.16.1. If so, was the dispute resolved to your satisfaction?
  - 1.16.2. If not, do you feel that the way the dispute was resolved would impact your ability to be a fair and impartial juror in this case?
- 1.17. Other than a deposition, have you ever testified before in any court proceeding?
- 1.18. Are there any health or physical issues or problems that would make it difficult or impossible for you to serve as a juror? (For example, a bad back, migraines, or medication you may be taking.)
- 1.19. Do you have any moral, religious, philosophical, or other beliefs that would prevent you from fulfilling your duties and responsibilities as a juror?
- 1.20. If you are selected to sit on this case, you must reach a verdict based solely on the evidence presented at the trial and in the context of the instructions I give you about the law. You must disregard any outside ideas, notions, or beliefs about the law, and follow my instructions about the law even if you disagree with them. Please raise your hand if there's any reason why you would be unable or unwilling to follow the Court's instructions on the law?

- 1.21. You'll be instructed that the Defendant is presumed to be innocent until proven guilty, and the Government bears the burden to prove the Defendant guilty beyond a reasonable doubt. Do any of you have an issue with these principles of law?
- 1.22. I realize you don't know much about the case, but is there anything that you've heard so far that makes you think it would be difficult for you to be fair and impartial to both the Government and the Defendant here?
- 1.23. Do any of you have any reason at all—perhaps something I haven't asked about—why you could not sit as a fair and impartial juror in this case?
- 1.24. Here's my final question: If you were the Government or the Defendant in this case, is there any reason that you would not want someone with your views or frame of mind sitting on your jury?

## **2. Additional Questions for Cases Involving Drugs**

- 2.1. Do you have strong feelings about the use of illegal drugs to a degree that it would impact your ability to be a fair and impartial juror in a case in which the defendant is charged with a drug offense?
- 2.2. Do you or any of your close friends or relatives belong to or support any organizations that advocate for changes in drug laws?
- 2.3. Have you, any member of your family, or any close friend ever had to deal with problems related to drug use or drug addiction? I am limiting the term “drugs” to controlled substances.
- 2.4. Do you have any special experience or training dealing with the treatment of drug abuse or addiction?

### **3. Additional Questions for Cases Involving Firearms**

- 3.1. Do you have strong feelings about the use of firearms to the point that they would impact your ability to be a fair and impartial juror in a case in which the defendant is charged with a firearms offense?
- 3.2. Do you have special training in the use of firearms?
- 3.3. 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?

#### **4. Additional Questions for Cases Involving Sexual Assault**

- 4.1. Have you, any member of your family, or any close friend ever been the victim of a sexual assault or sexual abuse?
  - 4.1.1. Was the incident reported to anyone, e.g., a parent, a counselor, a friend, or the police?
  - 4.1.2. If so, was the accused person prosecuted? Was the accused person ever convicted?
- 4.2. Have you, any member of your family, or any close friend ever reported an incident of sexual assault or sexual abuse to another person or to the police?
- 4.3. Have you, any member of your family, or any close friend ever been accused, rightly or wrongly, of some form of sexual assault or sexual abuse?
  - 4.3.1. Do you believe that you or the accused person was treated fairly?
- 4.4. Have you, any member of your family, or any close friend ever been contacted by the police about a report of a sexual assault or sexual abuse?
  - 4.4.1. If so, were you satisfied with the police response? Were you satisfied with the outcome of the case?
- 4.5. Has a close friend or a member of your family ever reported a sexual assault or sexual abuse to you?
- 4.6. Do you have any specialized training, education, or experience in the area of sexual assault or sexual abuse?