

SAMPLE

JURY VOIR DIRE QUESTIONS

GENERAL QUESTIONS FOR ALL:

I. Background

1. What is your name and address?
2. Tell me about your occupation.
 - a. What do you do?
 - b. How long have you been there?
 - c. What jobs did you hold before this one?
 - d. Have you ever held a job in:
 - Animal processing?
 - Meat processing/ butcher shop/ slaughterhouse?
 - Leather shop/ tannery?
 - Ranching, farming or raising animals for food?
 - Raising (puppy mills) or training animals for consumers, racing?
 - Any field dependent on animals? (e.g. feedstock business, animal supplies)
 - Pharmaceuticals?
 - Rodeo, circus?
 - Veterinary medicine?
 - Pet shop/store?
 - Animal shelter?
 - e. If yes to any of the above, could you tell me more?
- e. Have you ever worked for an employer that was targeted by animal rights demonstrations?
If so, could you tell me about this?
How did it affect you?
- f. Do you have any special experience, training, knowledge or education in ____, or that may contribute to your understanding of this case (depends on case)?
3. Tell me about your educational background.
 - a. What is your college alma mater?
 - b. What was your college major?
 - c. What types of activities were you involved in?

II. Familiarity with parties and the case

4. Are you personally related to or do you have family or close friends who are personally related to any of the parties, attorneys, witnesses or the judge in this case?
 - a. If so, could you tell me more about this?
Employment, dealings, etc.?
 - b. Have you ever owned stock in ____ (if a large company is at issue)?
5. Have you heard anything about any of the parties in this case that has affected your opinions of the parties in this case?
 - a. Do you have any other preconceived opinions about any of the parties involved in this case?
 - b. If so, could you tell me more about these opinions?
6. What have you seen or heard about this case, if at all?
 - a. What types of opinions have you expressed about this case, if at all?
 - b. Do you feel that you could dismiss what you've heard about this case if you are selected as a juror, thus reaching a verdict based solely on what is presented by the parties to the case?

III. Previous experience with and attitude about the judicial system

7. Have you ever served as a juror? If so, could you tell me about your prior jury experience?
8. Have you ever been sued or sued another party?
If so, could you tell me about this?
9. Have you ever been the victim of a crime? Family member or close friend?
If so, could you tell me more about this?
10. Have you ever been a complainant or witness in a criminal investigation, grand jury proceeding or trial?
Ever testify before a grand jury?
11. Have you ever been a defendant in a criminal case?
Have you ever been charged with or convicted with animal abuse, neglect or abandonment?
12. Is there anything about your prior experience or involvement in a trial or case that would hinder your ability to act as an impartial juror for this case?

IV. Law enforcement

13. Have you ever served in the military or the guard? A family member or close friend?
 - a. Any in active duty?
 - b. Ever involved in law enforcement during active duty?
14. Have you ever worked for or had any association with any municipal, state, federal police force, FBI, CIA, Justice Department law enforcement agency, prosecutor's office or government agency, including animal control agencies? A family member or close friend?
If so, could you tell me more about this association?
What type of work?
15. What type of interaction have you generally had with law enforcement?
16. Have you had any previous brushes or run-ins with the law?
If so, could you tell me more about them?
17. How do you feel about the trustworthiness of law enforcement officials?
18. Will it be difficult for you to be impartial because the credibility of law enforcement officials will likely be in conflict with laypersons?

V. Attitude towards criminal justice system

19. Do you have any friends or family members who are attorneys?
20. How do you feel about the role that attorneys play in our criminal justice system?
21. How do you feel about the role that government plays in our criminal justice system?
22. How do you feel about the role that the jury plays in our system?

VI. Understanding of law

23. As you know, the burden of proof in a criminal trial is "beyond a reasonable doubt." This differs from the civil standard of "preponderance of the evidence." Will you be able to deliberate with the other jurors keeping in mind this higher burden of proof that the state is required to prove?
24. Do you understand that the court will instruct you that a person who is accused of a crime is presumed innocent until such time as the prosecution overcomes this presumption of innocence and proves him or her guilty beyond a reasonable doubt?
25. The rules of law will be stated for the jury before deliberation. Will you have any hesitation or unwillingness to accept these statements as rules of law that you will be required to follow?
26. Do you have any doubts that you would be able to apply the law as explained, even if you personally disagree with it?

VII. Personal tastes, preferences, activities, beliefs

27. Tell me about the organizations you belong to – community, social, work or recreational.
 - a. What types of volunteer activities do you, or have you participated in?

- b. Have you ever belonged to an organization such as the NRA, Safari International, Ducks Unlimited?
- 28. Do you give to charities? If so, which ones?
- 29. How do you generally spend your free time?
 - a. What types of hobbies do you have?
 - b. How do you spend your time with family and friends?
- 30. What types of TV programs do you watch?
- 31. Do you read newspapers or magazines, if so, which ones do you regularly read?
- 32. What is the last book you read?
- 33. Do you have a special dietary regimen?
- 34. Have you ever participated in civil rights demonstrations or protests of any kind?
 - If so, could you tell me more about these?
- 35. What is your opinion about the ownership of weapons?
 - a. Do you own any weapons?
 - b. Have you ever shot or killed an animal?
 - If so, could you tell me about the surrounding circumstances?
- 36. Do you own any animals?
 - a. From where did you get him/her/them?
 - b. Is/are your animal(s) spayed or neutered?
 - c. Do you get along with your animals?
 - d. What are your thoughts about how people should treat animals that are in their care?
 - e. Have you ever had to give away or sell your animals?
 - If so, under what circumstances and to whom?
 - f. Do you know what a companion animal is?
- 37. What is your knowledge and understanding of animal exploitation? Animal testing?
 - a. What are your thoughts, if any, about the ability of animals to suffer and experience pain?
 - b. What are your thoughts about euthanizing animals?
 - Note: this may bring pro-animal responses as well.
- 38. Do you have any religious or ethical beliefs that would prevent you from passing judgment on another person?
- 39. Do you have any ideas or beliefs that would hinder your ability to follow the instructions that will be given by the judge?
- 40. Do you have any preconceived notions about the credibility of certain types of people?

VIII. Attitude during trial

- 41. If the time should arise that one of the attorneys makes an objection, do you understand that the objection will be based on rules of evidence, such that the attorney will be objecting to what he or she believes is an unfair or improper method for offering evidence?
 - Will you hold it against an attorney for making objections based on these rules of evidence that the attorney is aiming to uphold?
- 42. Will you be able to hear all the witnesses with an open mind, and then make a decision with the other jurors when it is time for deliberations?
- 43. Do you believe the amount of time a person has to observe a subject would bear on the strength of identification?

IX. General ability to serve as a juror

- 44. Do you have any medical conditions that would interfere with your ability to serve as a juror?
- 45. Do you have any difficulty understanding English?
- 46. Do you have any difficulty hearing, seeing, understanding or sitting for what may be long periods of time?

47. Do you believe you may not be able to sit, listen and pay careful attention to the opening statements?

To the evidence, over the course of the trial?

X. General responsibility as a juror

48. Do you understand that your primary responsibility as a juror rests in determining the innocence or guilt of the accused?

49. Do you understand that while it may appear that the attorneys for both sides are engaged in a duel, as a juror, you must remember your main job is to reach a verdict based on the facts and the evidence presented to you?

When evidence is presented that you haven't clearly heard, will you speak up and ask to hear the evidence again?

50. How do you feel about a juror providing assistance to the prosecution, helping to solve the case or providing missing evidence?

51. Do you understand that you cannot resort to guesswork in reaching a verdict?

52. If you are unclear about the law during deliberation, will you ask the bailiff to have the judge repeat the instructions of law again?

53. Do you understand that it is our duty as citizens to follow the law, even though our ideas of what the law ought to be may differ from what the law actually is?

54. Will you follow the law as instructed, despite any feeling of sympathy you might feel for either of the parties in this case?

Will you prevent any feeling of sympathy from interfering with your returning a verdict based solely and wholly on the law and evidence of the case?

XI. Impartial juror

55. Do you know of any reason that I have not asked you about, why you could not be a fair and impartial juror for both sides in this case?

56. Both parties are seeking fair and impartial jurors, do you feel that you can be one of those?

57. Is there any reason why you would prefer not to sit on this jury?

I. EXAMPLE - horse abuse specific

1. Have you ever owned a horse? (Use as part of question 36)

If so, have you ever had to sell one of your horses?

If so, under what circumstances and to whom?

If not, what type of interaction have you had with horses?

2. Have you ever worked processing animal products, including in a (Use as part of question 2d):

d. saddle shop or

e. farm supply business?

3. Have you ever gone to, watched or bet on horse races? (Use as part of question 29)

II. EXAMPLE – dog neglect specific

1. Have you ever owned, or had any experience with, a dog? (Use as part of question 36)

If so, could you tell me more?

2. Do you ever go to dog races or dog shows? (Use as part of question 29)

III. Animal abuse

IV. Aggravated animal abuse

Violent tendencies

Have you ever threatened to hurt a person or animal in anger?

Have you ever hit or injured a person or animal in anger?
Acceptance of violent tendencies in others
Have you ever witnessed another person threaten to hurt a person or animal?
Have you ever witnessed another person hurt or injure a person or animal?
If yes (to either of the above), how did you respond, what was your reaction?
Animals as property/things
How do you feel about a person's power over his or her property?
How do you feel about ownership of animals as property?
Animals' inability to feel pain
Do you believe people can feel pain when hurt or injured?
How do you feel about whether or not animals can feel pain when hurt or injured?

V. Sexual assault

Tendency to dabble in lewd and deviant sexual behavior
As we're all aware, adults are legally permitted to view certain types of pornography. Have you ever exercised your right to do so?
What are your feelings about categorizing certain types of pornography as illegal?
Belief in domination over animals
What are your feelings about the dominion of people over animals?
What are your feelings about animals serving the needs of people?
Do you believe there are limits? If so, please tell me more about these limits.

VI. Abandonment

Irresponsible
How do you feel about leaving animals, such as house cats and dogs, for example, home alone?
If you have animals, what do you do with them when you go away?
If you have animals, what would you do with them if you were to move?
Inability to understand the duties of animal caretakers/owners/guardians
How do you feel about allowing domesticated animals to fend for themselves?
When a person no longer wishes to keep an animal, how do you feel that a person should proceed?

VII. Animal fighting

Tendency to like violent sports
Could you tell me about the types of sporting events you enjoy watching? (wrestling, hockey)
Belief that animal fighting's illegality is unimportant, don't have to follow the law
As you likely already realize, animal fighting has been made illegal by our state legislature. How do you feel about the use of government personnel, such as police officers and animal control officials, to enforce against animal fighting?
What more or less, do you believe, should be done about animal fighting? Why?
Lack of compassion
Have you ever been in the presence of an animal that was sick, injured or hurt?
If so, could you tell me more about the surrounding circumstances?
How did you react to the incident?
Part of upbringing or personal taste
Could you tell me about how you know about animal fighting? How did you first, if ever, hear about it?

Have you or someone you know, friend, family member, or someone close to you, ever attended an animal fight in the past?

Have you ever seen video recordings of animal fights, or do you know of a friend, family member or someone close to you, who has seen them?