

JUROR NUMBER _____

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

Court File 19HA-CR-14-2677

State of Minnesota,

Plaintiff,

v.

JUROR QUESTIONNAIRE

Brian George Fitch,

Defendant.

INSTRUCTIONS:

This questionnaire has been approved by the court and is to be filled out by each prospective juror in this case. The questionnaire is designed to obtain information regarding your qualifications to sit as a juror in this pending criminal case.

This information is designed solely to save time and assist the court and the parties in selecting jurors for the trial. By use of the questionnaire the process of jury selection will be substantially shortened. It is not our intention to embarrass anyone. Your responses to the questionnaire will eliminate the need to ask these questions in open court. You are given more privacy by answering them in this questionnaire.

YOU ARE UNDER OATH AND ARE REQUIRED TO ANSWER THE QUESTIONS TRUTHFULLY. YOU ARE EXPECTED TO PLACE YOUR JUROR NUMBER AT THE END OF THIS DOCUMENT. IN DOING SO, YOUR ANSWERS WILL HAVE THE SAME EFFECT AS A STATEMENT GIVEN UNDER OATH TO THE COURT.

In order to ensure that your answers are not influenced by the opinions of others, you should fill out the questionnaire by yourself without consulting or talking to any other person. If you need assistance, ask the jury attendant.

You must print or write your answers in **blue or black pen**. Please print or write legibly. If your answers are illegible, you may be requested to reprint your answers.

Please read each question carefully and answer each question as completely and accurately as you can. Your complete answers will save a great deal of time for the court, the parties and you. There is no right or wrong answers to the questions.

If you cannot answer a question because you do not understand it, write "Do not understand" in the space after the question. If you cannot answer the question because you do not know the answer, write "Do not know" in the space after the question. If you need extra space to answer any question, please use the extra blank sheet of paper included at the end of the

questionnaire. Be sure to indicate on the blank page the number of the question you are answering. If any question calls for a response that is so personal and private that you want to discuss it with the judge and the parties instead of writing it down, please write "I want to speak in private" and give a brief description of the information.

Until you are excused as a potential juror, you are ORDERED to NOT:

- **Discuss anything about or connected with this case with anyone, including other prospective jurors, your family, employer, and/or friends.**
- **Mention, discuss, or read anything about this case in or on social media.**
- **Discuss the questions or your answers in this questionnaire with anyone or make a copy of the questionnaire.**
- **Talk to the parties or attorneys outside of the courtroom.**
- **Read, watch or listen to any news coverage regarding this matter.**
- **Research or allow anyone to discuss with you anything about this case, including the issues, evidence, parties, witnesses, location, or the law, through any form of written, print, electronic, internet or social electronic media.**

You must follow the preliminary instructions that the Court has given you. You may tell your family and employer only the time and place of this trial and your time requirements as a juror.

If anyone approaches you and attempts to learn about or discuss any aspect of this questionnaire or your potential service as a juror in this case, you may not answer their inquiries. If they persist, you should immediately report this immediately to a bailiff or jury attendant, and they will bring it to the attention of the court.

You will be asked during jury selection if you have read or heard about this case or discussed this case with anyone.

The purpose of this questionnaire is to encourage your full expression and honesty, so that all parties will have a meaningful opportunity to select a fair and impartial jury to decide this case.

Please return this questionnaire to the jury attendant immediately upon its completion.

THANK YOU FOR YOUR PATIENCE AND COOPERATION.

MARY J. THEISEN
Judge of District Court

Juror Pool Member Number: _____

GENERAL BACKGROUND

- 1. Age: _____
- 2. Gender: _____ Male _____ Female
- 3. What city / town / neighborhood / township do you live in? _____
- 4. How long have you lived in Stearns County? _____
- 5. How long have you lived at your current address? _____

_____ Own _____ Rent

- 6. Where did you grow up? (City, County, State) _____
- 7. What is your marital status?

_____ Married	How many years?	_____
_____ Divorced	How long were you married?	_____
_____ Separated	How long?	_____
_____ Widowed	How long were you married?	_____
_____ Living with significant other	How long?	_____
_____ Single		

- 8. If you have children, stepchildren or are the guardian of any children, please state:

<u>Sex</u>	<u>Age</u>	<u>Does child live with you?</u>	<u>Education*</u>	<u>Occupation*</u>	<u>Marital Status*</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Answers to questions marked with an * are only required for adult children.

- 9. If anyone else is living in your home, what is their relationship to you, their age and occupation?

EMPLOYMENT

10. What is your present job or occupation? _____
_____ Full Time _____ Part Time
_____ Unemployed _____ Disabled
_____ Retired _____ Homemaker
_____ Student
11. Briefly describe your job: _____
12. How long have you been so employed? _____
13. Prior to this employment, what did you do? _____
14. If you are retired or disabled, what was your last job or occupation? _____
15. If you are currently unemployed, what is your customary work? _____

16. Do / did you supervise others? _____ Yes _____ No
17. Have you ever owned your own business? _____ Yes _____ No
- IF YES**, please describe nature of the business: _____
18. If married or living with another person, does the other person work outside the residence and, if so, what is that person's job or occupation? _____
19. If he or she is retired or unemployed, what was his or her occupation before retiring or being unemployed? _____

EDUCATION

20. What is your highest level of education?
_____ Less than high school _____ College work _____ Graduate degree
_____ High School diploma _____ College graduate
_____ Technical or business school _____ Postgraduate work

PLEASE LIST ANY POST-HIGH SCHOOL DEGREES, CERTIFICATES, LICENSES AND/OR MAJOR AREAS OF STUDY. INCLUDE ISSUING INSTITUTION AND DATE(S): _____

21. If married or living with another person, what is your spouse or significant other's educational background? _____
22. Have you ever had any training, education or jobs in the following areas, or ever done any volunteer work in any of the following areas? (Check each one that applies to you)
- | | |
|--|---|
| <input type="checkbox"/> Corrections / Jail / Prison | <input type="checkbox"/> Victims of Crimes |
| <input type="checkbox"/> Counseling | <input type="checkbox"/> Firearms / Guns |
| <input type="checkbox"/> Forensic Sciences | <input type="checkbox"/> Security |
| <input type="checkbox"/> Genetics / DNA | <input type="checkbox"/> Investigations |
| <input type="checkbox"/> Justice System / Courts | <input type="checkbox"/> TV / Radio |
| <input type="checkbox"/> Laboratory | <input type="checkbox"/> Law |
| <input type="checkbox"/> Law Enforcement | <input type="checkbox"/> Local / State Government |
| <input type="checkbox"/> Medicine / Nursing | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Pathology | <input type="checkbox"/> Police Procedures |
| <input type="checkbox"/> Psychology | <input type="checkbox"/> Science or Biology |

IF YES TO ANY OF THESE, please explain: _____

PERSONAL

23. As Judge Theisen told you in her preliminary instructions, jurors are rarely excused from service absent a compelling hardship. In this case, it is anticipated that opening statements and witness testimony in this trial will begin on Tuesday January 20, 2015. The trial may take two to two and one-half weeks to complete. Do you have any personal obligations, circumstances or commitments that you feel would make it impossible or an undue hardship for you to serve on this jury? Yes No

IF YES, please explain: _____

24. What are your hobbies, major interests, and recreational activities?

25. Please list all groups or organizations to which you belong or participate. E.g. service clubs, civic groups, social groups, church or church groups, unions or professional organizations, volunteer activities, educational or political groups, neighborhood groups or self-help groups (such as choir, unions, bowling leagues, NRA, Sierra Club, PTA, Rotary, etc):

26. Have you ever held a leadership position in any organization listed in response to the previous question? _____ Yes _____ No

IF YES, please list the leadership position(s) and duties:

27. Where do you get your news? Check all that apply:

- _____ Radio
- _____ Newspapers
- _____ Television
- _____ Magazines
- _____ Internet
- _____ Neighbors (word of mouth)
- _____ Other (please identify) _____

28. How often do you read the newspapers to get your news? Please check one box:

- _____ Daily
- _____ 3 to 4 times a week
- _____ 1 to 2 times a week
- _____ Rarely
- _____ Never

29. How often do you watch television to get your news? Please check one box:

- _____ Daily
- _____ 3 to 4 times a week
- _____ 1 to 2 times a week
- _____ Rarely
- _____ Never

30. How often do you listen to the radio to get your news? Please check one box:

- _____ Daily
- _____ 3 to 4 times a week
- _____ 1 to 2 times a week
- _____ Rarely
- _____ Never

31. How often do you search the Internet to get your news? Please check one box:

- _____ Daily
- _____ 3 to 4 times a week
- _____ 1 to 2 times a week
- _____ Rarely
- _____ Never

32. Which newspapers or magazines do you regularly read?

33. What kinds of television shows, if any, do you watch on a regular basis? (please check all that apply)

- Morning news shows like "Good Morning America" or "Today"
- Morning talk shows
- Morning or afternoon soap operas
- Afternoon talk shows
- Evening network news
- Evening or late-night local news
- T.V. tabloids like "Hard Copy," "Inside Edition," or "American Journal"
- Prime-time series (sitcoms and dramas)
- Reality shows (such as "Survivor")
- Learning / Discovery / Educational
- Sports / sporting events
- Investigative journalism (like "20/20," "Dateline," or "60 Minutes")
- Crime shows (like "Cops" or "America's Most Wanted")
- Fictional crime stories (such as "CSI," "Law and Order")
- Political talk shows
- Late-night news shows
- Late-night talk shows (like "David Letterman" or the "Tonight Show")
- Court TV, CNBC or other court- or law-related programs

MILITARY

34. Were you ever in the military? Yes No
(Including ROTC, National Guard)

IF YES, answer the following:

- a.) What branch? _____
- b.) Date(s) of service? _____
- c.) Rate or rank? _____
- d.) Where were you stationed? _____
- e.) Character of discharge (honorable, general, etc.)? _____
- f.) Reason for discharge? _____
- g.) What were your duties? _____
- h.) Were you ever involved in combat? (if yes, when and where)

35. If you were in the military, were you ever involved in any way with military law enforcement, non-judicial punishment, courts martial, or administrative boards or hearings?
 Yes No

IF YES, please explain: _____

LAW ENFORCEMENT AND JUDICIAL CONTACTS

36. Have you, a family member, or a close friend, ever been the victim of a crime, whether it was reported to law enforcement or not?
_____ Yes, I have _____ Yes, family or friend _____ No

IF YES: What was the crime and what was the outcome? _____

37. Have you ever been a witness to a crime, filed a report with a police officer or other law enforcement agency, or had contact with a district or county attorney's office?
_____ Yes _____ No

IF YES, please explain: _____

38. Have you, any family member, or anyone close to you ever been a suspect in, arrested for, or charged with a criminal offense, other than a minor traffic offense? ____ Yes ____ No

IF YES, please explain: _____

39. If you answered **yes** to questions 36, 37, or 38, was there anything about your experiences with law enforcement, attorneys, or the court system that you thought was unfair or unpleasant or not handled appropriately? _____ Yes _____ No

IF YES, please explain: _____

40. Tell us about your best or worst experience with law enforcement.

41. There will be testimony by law enforcement officers in this trial. Can you follow the rules on evaluation of the testimony of a police officer just as you follow the rules on evaluation of a civilian witness; i.e., can you judge the credibility of a police officer just as you judge the credibility of civilian witnesses?
_____ Yes _____ No

IF NO, please explain: _____

42. Have you ever testified in a criminal case as a witness? _____ Yes _____ No

IF YES, please explain: _____

43. Do you have any family members or close friends who are employed with a law enforcement agency? _____ Yes _____ No

IF YES, please state whether a family member or friend and with what law enforcement agency they are employed: _____

PRIOR JURY EXPERIENCE

44. Have you ever served on a jury before? _____ Yes _____ No

IF YES: Please answer the following:

State court	_____	Number of times	_____	Date	_____
Federal court	_____	Number of times	_____	Date	_____
Civil case	_____	Number of times	_____	Date	_____
Criminal case	_____	Number of times	_____	Date	_____

How many times did you deliberate and reach a verdict? _____

Were you ever the foreperson? _____ Yes _____ No

Was there anything about your prior jury experience that makes you wonder whether you could fairly and impartially act as a juror in this case? _____ Yes _____ No

IF YES, please explain: _____

PRE-TRIAL PUBLICITY

The defendant in this case, Brian George Fitch, is charged with the murder of Officer Scott Patrick of the Mendota Heights Police Department on July 30, 2014, and the attempted murder of several St. Paul officers later that day.

45. If you have learned about this case from television, radio, newspapers, magazines, the Internet, or any other sources, please check all areas listed below which reflect the source of your information.

_____ Television _____ Tabloids _____ Radio _____ Internet _____ Newspapers
_____ Internet Chat Rooms _____ Magazines _____ Family and Friends

46. How would you describe the amount of media coverage you have seen about this case?
- I believe I know exactly what happened in this case
 A great deal
 Quite a bit (read many articles or TV stories)
 Moderate amount (just basic coverage)
 Little (basically, just heard about it)
 None (never heard of this case)

47. What, if anything, do you remember reading or hearing about this case? Please be specific.

48. If you have heard about this case, what sticks out in your mind about what you read, heard or saw about Officer Scott Patrick, the police officer who was killed?

49. If you have heard about this case, what sticks out in your mind about what you read, heard or saw about Brian George Fitch, the man charged with killing Officer Scott Patrick?

50. Have you had any conversations with family members, friends, co-workers, or other people you know about this case? Yes No

IF YOU ANSWERED YES, has anyone ever expressed the opinion to you that Brian George Fitch is guilty or probably guilty in this case? No Yes

Have **you** ever expressed the opinion that Brian George Fitch is guilty or probably guilty in this case? No Yes

51. Do you know or have you ever met anyone who has personal first-hand knowledge about this case, or: (1) Mendota Heights Police Officer Scott Patrick, (2) St. Paul Police Commander Jeffrey Winger, (3) St. Paul Police Sergeant Donald Benner; (4) St. Paul Police Officer Timothy Bohn, (4) Defendant Brian George Fitch?

IF YES, please detail: _____

MISCELLANEOUS

52. Do you or any members of your family, own any firearms? Yes No

53. Have you, or any member of your household, ever contributed to or been a member of any organization concerned with hunting or firearms, whether for or against such activities? Examples include, but are not limited to the NRA, Ducks Unlimited, Pheasants Forever, etc.? _____ Yes _____ No

54. Have you ever had training in the use of firearms? _____ Yes _____ No

55. During the course of this trial you will be instructed by the judge as to the relevant law which you will be required to follow. Will you be able to follow the instructions of law as she gives them to you? _____ Yes _____ No

IF NO, please explain: _____

56. Do you have any religious, philosophical, or moral beliefs that you believe would not permit you to serve as a juror in a case such as this? _____ Yes _____ No

IF YES, please explain: _____

ATTORNEYS INVOLVED IN THE CASE

57. The state is represented in this case by Assistant County Attorneys Phillip Prokopowicz and Richard Dusterhoft. The defendant is represented by attorneys Lauri Traub and Gordon Cohoes. Do you know any of these attorneys? _____ Yes _____ No

IF YES, please identify the attorney(s) you know and your relationship or knowledge of them: _____

58. What is your general opinion of the American criminal justice system and why?

59. Is there anything that you think the attorneys and judge should know about whether you can be a fair and impartial juror in this case? _____ Yes _____ No

IF YES, please describe: _____

Attached to this questionnaire is a list of potential witnesses who may be mentioned or called to testify in this case. **Please review the list of names carefully** and place a check next to the name of any person with whom you are familiar.

Do not discuss this questionnaire or this case with your family members, friends, co-workers, or the media until the case is over and the court advises you that you have been excused. You must follow the preliminary instructions that the Court has given you in this case.

I affirm, under penalty of law, that I answered truthfully and completely all questions in this questionnaire to the best of my knowledge and belief and understand that it is a violation of law not to do so.

Juror Number

Date

